

**Mississippi Secretary of State**  
700 North Street P. O. Box 136, Jackson, MS 39205-0136

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

AGENCY NAME Mississippi Public Service Commission		CONTACT PERSON Brian U. Ray, Executive Secretary	TELEPHONE NUMBER 601-961-5434	
ADDRESS Post Office Box 1174		CITY Jackson	STATE MS	ZIP 39215
EMAIL	SUBMIT DATE 03-30-10	Name or number of rule(s): Proposed Rule 71 – Ratepayer Bill of Rights		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: The reason for withdrawal is that the Commission is going to refile the Ratepayer Bill of Rights so that it may be included in the preamble of the Rules and Regulations Governing Public Utility Service.

Specific legal authority authorizing the promulgation of rule: \_\_\_\_\_

List all rules repealed, amended, or suspended by the proposed rule: \_\_\_\_\_

**FILED**  
MAR 30 2010

**ORAL PROCEEDING:**

**MISSISSIPPI  
SECRETARY OF STATE**

An oral proceeding is scheduled for this rule on Date: \_\_\_\_\_ Time: \_\_\_\_\_ Place: \_\_\_\_\_

Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

**ECONOMIC IMPACT STATEMENT:**

Economic impact statement not required for this rule.  Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <input type="checkbox"/> Other (specify): _____	<b>Action proposed:</b> <input type="checkbox"/> New rule(s) <input type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adoption by reference <b>Proposed date of adoption:</b> <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____	<b>Action taken:</b> <input type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input checked="" type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal adopted as proposed <b>Effective date:</b> <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____

Printed name and Title of person authorized to file rules: Brian U. Ray, Executive Secretary  
 Signature of person authorized to file rules: *[Signature]*

<p><b>OFFICIAL FILING STAMP</b></p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> <p>Accepted for filing by _____</p>	<p><b>DO NOT WRITE BELOW THIS LINE</b></p> <p><b>OFFICIAL FILING STAMP</b></p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> <p>Accepted for filing by _____</p>	<p><b>OFFICIAL FILING STAMP</b></p> <div style="border: 1px solid black; padding: 10px;"> <p align="center"><b>FILED</b> MAR 30 2010 MISSISSIPPI SECRETARY OF STATE</p> <p><i>116762</i> <i>[Signature]</i></p> </div> <p>Accepted for filing by _____</p>
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

STATE OF MISSISSIPPI  
MISSISSIPPI PUBLIC SERVICE COMMISSION

Mississippi Public Service Commission  
c/o Executive Secretary of Commission  
Post Office Box 1174:  
Jackson, Mississippi 39215-1174  
(601) 961-5434

Specific Legal Authority authorizing the promulgation of  
Rule:  
Miss. Code Ann. Sec. 77-3-45

Reference to Rules repealed, amended or suspended by the  
Proposed Rule:

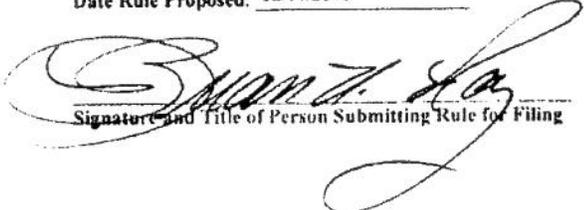
An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Law. This is a Concise Summary of the Economic Impact Statement which must be filed with the Notice of Proposed Rule Adoption in the Secretary of State's Office. The full text of the Economic Impact Statement may be obtained from the agency contact person at the above address.

Persons may present their views by submitting written comments on the proposed rule adoption to the agency contact person at the above address. Additional information on where, when and how persons may present their views or demand an oral proceeding on the proposed rule are included in the Notice of Proposed Rule Adoption to which this is attached.

- a. Description of the need for and the benefits of the proposed rule:  
Utility customers would not have to navigate through each utility's automated call management system. Utility customers would experience more consistency in the manner in which their utility service requests are handled. Utility customers would appreciate person service and would sense more goodwill for their utility rate level.
- b. Cost estimate to the agency and other state or local government entities:  
Cost to the agency or other government agencies are estimated to be minimal
- c. Estimate of the cost or economic benefit to all persons:  
Estimated total cost for all utilities is approximately \$6.6 million per year.
- d. Analysis of the impact on small business:  
Minimal impact is anticipated
- e. Comparison of the costs and benefits of the proposed rule to the probable costs and benefits of not adopting the rule:  
AT&T estimates the cost of compliance at approx. \$4 million per year. Entergy estimates its costs to be \$600,000 per year. Compliance by the hundreds of water and sewer companies could cost in excess of \$2 million per year. Benefits cannot be qualified in dollar amounts, but the qualitative benefits cite in section (a) may be substantial.
- f. Determination as to whether less costly or less intrusive methods exist to achieve the purpose of the rule:  
The Commission has assessed the alternatives of continuing under present rules and the suggestions of utilities to modify the right 19.
- g. Description of reasonable alternative methods and reasons for rejection of the alternative methods:  
AT&T proposes a rule that requires the option of speaking to a live person be presented within a specified period of time to the caller. The commission has assessed the alternatives and believes that Right 19 provides enough benefits to offset any costs asserted by AT&T, Entergy or the estimated costs for other utilities. The Commission has formulated Right 19 as the result of a good faith effort.
- f. Data and methodology in making the estimates in the economic impact statement:  
Data for AT&T and Entergy were provided in response to data requests. Data for the water and sewer companies were estimates.

Date Rule Proposed: 02/11/2010

Proposed Effective Date of Rule: 04/04/2010

  
Signature and Title of Person Submitting Rule for Filing

SOS FORM APA 004  
Effective Date 07/29/2005