

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSISSIPPI**

**MISSISSIPPI PUBLIC SERVICE COMMISSION**

**DOCKET NO. 2023-AD-086**

**IN RE:        PROPOSAL OF THE MISSISSIPPI PUBLIC SERVICE  
                 COMMISSION TO REPEAL CHAPTER 28 OF THE PUBLIC  
                 UTILITIES RULES OF PRACTICE AND PROCEDURE**

**ORDER REPEALING PRACTICE RULE 28: RULES IMPLEMENTING  
THE MISSISSIPPI TELEPHONE SOLICITATION ACT**

COMES NOW, the Mississippi Public Service Commission (“Commission”), pursuant to its authority under the Mississippi Public Utility Act and applicable regulations, and hereby finds as follows:

1.        In accordance with the procedures of Mississippi Code Annotated § 77-3-45 and the Mississippi Administrative Procedures Act, Miss. Code Ann. §§ 25-43-1.101 *et seq.*, the Commission issued an Order Seeking Comments Regarding Proposed Repeal of Practice Rule 28 on June 13, 2023. As stated in that Order, repeal of Practice Rule 28 has become necessary due to the recent passage of HB 1225 by the Mississippi Legislature, which transferred enforcement of the Mississippi Telephone Solicitation Act from the Commission to the Mississippi Attorney General’s Office.<sup>1</sup>

---

<sup>1</sup> See H.B. 1225, available at <http://billstatus.ls.state.ms.us/2023/pdf/history/HB/HB1225.xml>.

2. Notice of this proposed change was published according to applicable law and the proposed rule modification was filed with the Secretary of State in accordance with the Administrative Procedures Act.<sup>2</sup>

3. In its June 13, 2023 Order, the Commission directed any interested parties to submit comments on the proposed rule modifications within forty-five (45) days, or by July 28, 2023. No such interested parties moved to intervene in this docket or otherwise filed responsive comments. Accordingly, the Commission hereby adopts as final the Repeal of Rule 28 as indicated in the attached Exhibit A.

IT IS THEREFORE ORDERED that the attached Rule is hereby REPEALED. The repeal of Rule 28 shall be clearly noted in the next bound publication of the Public Utility Rules of Practice and Procedure. The Executive Secretary is directed to transmit a copy of this Final Order to the Secretary of State's Office in accordance with the Mississippi Administrative Procedures Act. The Executive Secretary is also directed to transmit a copy of this Final Order to any known parties of interest and shall publish notice of same according to applicable law.

IT IS FURTHER ORDERED that this Order and the attached Rule shall become effective thirty (30) days after filing with the Secretary of State's Office and shall be deemed issued on the day it is served upon the intervening parties of record by the Executive Secretary of this Commission who shall note the service date in the file of this Docket.

---

<sup>2</sup> See Miss. Code Ann. § 25-43-3.103.

SO ORDERED, this the 17<sup>th</sup> day of August, 2023.

Chairman Dane Maxwell voted aye. Commissioner Brent Bailey voted aye.  
Commissioner Brandon Presley voted aye.

MISSISSIPPI PUBLIC SERVICE COMMISSION



Dane Maxwell  
DANE MAXWELL, CHAIRMAN

Brent Bailey  
BRENT BAILEY, COMMISSIONER

Brandon Presley  
BRANDON PRESLEY, COMMISSIONER

ATTEST: A TRUE COPY

Katherine Collier  
KATHERINE COLLIER  
Executive Secretary

Effective this, the 17<sup>th</sup> day of August, 2023