SECTION IV
COST RECOVERY

H. No Phase I costs incurred by a carrier more than 12 months prior to receipt of the
carrier's initial or amended cost recovery plan by the CMRS Board will be
considered or reimbursed. Carrier's initial or amended Phase I cost recovery plan
must be submitted by a method requiring delivery receipt (Certified return receipt
mail, Fed EX, etc.)
SECTION IV
COST RECOVERY

H. No Phase I costs incurred by a carrier more than 12 months prior to receipt of the carrier's initial or amended cost recovery plan by the CMRS Board will be considered or reimbursed. Carrier's initial or amended Phase I cost recovery plan must be submitted by a method requiring delivery receipt (Certified return receipt mail, Fed Ex, etc.)
<table>
<thead>
<tr>
<th>Agency: Commercial Mobile Radio Service Board</th>
<th>Person to contact: JOEL SANDIFER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address: P. O. Box 22964</td>
<td>Address: P. O. Box 22964</td>
</tr>
<tr>
<td>Jackson, MS 39225-2964</td>
<td>Jackson, MS 39225-2964</td>
</tr>
<tr>
<td>Phone: 662-335-1945</td>
<td></td>
</tr>
</tbody>
</table>

Copy attached: _x_ Yes __ No

Name or number of rule(s): See attached rule
Terms or substance of the action or description of the subject and labels: Section IV H. is a new rule. It is necessary in order to set reimbursements for Phase II initial and amended plans due to Section 18-9-333XX.

Printed name and title of person authorized to file rules:

<table>
<thead>
<tr>
<th>Name</th>
<th>Signature</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joel Sandifer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chairman</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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**EMERGENCY RULES**

- Original filing
- Renewal of
- Effectiveness
- To be in effect __days
- Effective date: ____________
- Immediacy on ____________
- Other (specify): ____________

**PROPOSED ACTION ON RULES**

- Amendment to existing rule(s)
- Repeal of existing rule(s)
- Adoption by reference
- Proposed date of adoption: ____________
- Other (specify): ____________

**FINAL ACTION ON RULES**

- Action taken: ____________
- Adopted with no changes in text
- Adopted with changes
- Withdrawn
- Date action taken: ____________
- Effective date: ____________
- Other (specify): ____________

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**OFFICIAL FILING STAMP**

Filed on JUL 30 2004
MISSISSIPPI SECRETARY OF STATE

Accepted for filing by ____________

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**DO NOT WRITE BELOW THIS LINE**

OFFICIAL FILING STAMP

Accepted for filing by ____________
11. (2) No Phase II costs incurred by a carrier more than 12 months prior to receipt of the carrier’s initial or amended cost recovery plan by the CMRS Board will be considered or reimbursed. Carrier’s initial or amended Phase II cost recovery plan must be submitted by a method requiring delivery receipt (Certified return receipt mail, Fed EX, etc.)
Section V

D. Open Records Request

Any individual seeking to inspect, copy or mechanically reproduce or obtain a reproduction of any public record of the board should make a written request, signed by themselves to be mailed to the present custodian of the records, Horne CPA, P.O. Box 22964, Jackson, MS, 35225-2964. This rule is not intended to apply to any record or other document, which is exempt under the provisions of 19-5-331 et seq., Miss. Code Ann. or the provisions of the Open Records Act.

The written request must be typed or clearly hand printed on a letter size piece of paper and shall specify in detail the public record sought. The request should include if possible a description of the type of record, dates, title of a publication, and other information which may aid in locating the record.

The written request must specify what the applicant proposes to do with the record, i.e., inspect, copy, etc; state the date and time for the proposed activity; state the number of persons scheduled to participate; and shall provide the name, address, and home and office telephone number of the applicant.

The custodian of records, upon receipt of any such request, shall review same and determine whether the records sought are exempt and shall either produce records or access to records or deny access to or production of the records sought within fourteen (14) working days of the receipt of the request.

All inspection, copying or mechanical reproduction shall be done in the offices of the board or such other reasonable place within the State of Mississippi as may be designated by the CMRS Board. It shall be the duty of the applicant to contact the custodian of records by phone before noon of the first working day preceding the proposed date set out in the application to determine if same is acceptable and, if not, what date and/or time will be substituted.

When possible, nonexempt material will be separated from exempt material and only the exempt material will be withheld.

If the custodian of records determines that the records requested are exempt or privileged under the law, he shall deny the request and shall end the person making the request a statement of specific reasons for the denial. Such denials shall be kept on file for inspection by any person for three (3) years.

The custodian of records is authorized to calculate the estimated cost of searching, obtaining from storage, reviewing, shipping and/or duplicating records and to require payment in advance of such estimated charges prior to complying with the request. There shall be a charge of $0.50
per page for each copy. Copies printed on both sides (front & back) shall be considered as two
pages for copy charge purposes. Mailing cost shall be calculated at the applicable rate for each
such mailing. If the request involves notice be given to a third party, the cost of mailing such
notice via certified mail return receipt requested shall be charged to the person requesting such
public records. In the event the actual cost of such activity exceeds the estimate, the custodian of
records is authorized to withhold, mailing or delivery of said documents or to delay the
inspection until the difference is paid.

There shall be no charge for inspection of the current CMRS board records maintained at the
custodian of records’ office. Cost of obtaining records from any state storage facilities and the
search for it shall be charged to the applicant.