

John R. Ashcroft

Secretary of State
Administrative Rules Division

RULE TRANSMITTAL

Administrative Rules Stamp

Rule Number 4 CSR 240-3.010

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:

Content John Clark Phone 573-522-4355 FAX 573-526-6010

Email address John.Clark@psc.mo.gov

Data Entry Christine Koenigsfeld Phone 573-751-4256 FAX 573-526-6010

Email address Christine.Koenigsfeld@psc.mo.gov

Interagency mailing address Public Service Commission, 9th Floor Gov. Office Bldg, JC, Mo

TYPE OF RULEMAKING ACTION TO BE TAKEN

☐ Emergency Rulemaking ☐ Rule ☐ Amendment ☐ Rescission ☐ Termination

Effective Date for the Emergency _____

☐ Proposed Rulemaking ☐ Rule ☐ Amendment ☐ Rescission

☐ Rule Action Notice ☐ In Addition ☐ Rule Under Consideration

☐ Request for Non-Substantive Change

☐ Statement of Actual Cost

☒ Order of Rulemaking ☐ Withdrawal ☐ Adopt ☒ Amendment ☐ Rescission

Effective Date for the Order _____

☐ Statutory 30 days OR Specific date _____

Does the Order of Rulemaking contain changes to the rule text? ☐ NO

☒ YES—LIST THE SECTIONS WITH CHANGES, including any deleted rule text:

Section (32)

Small Business Regulatory
Fairness Board (DED) Stamp

JCAR Stamp

JOINT COMMITTEE ON

MAR 20 2019

ADMINISTRATIVE RULES



Michael L. Parson

GOVERNOR
STATE OF MISSOURI

March 15, 2019

Mr. Ryan Silvey
Public Service Commission
200 Madison Street
PO Box 360
Jefferson City, MO 65102

RE: *Final Order of Rulemaking*

Dear Ryan:

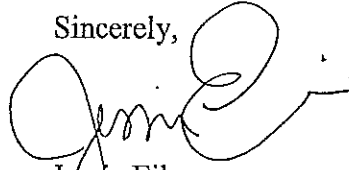
This office has received your Final Order of Rulemaking for the regulations listed below.

- 4 CSR 240-13.055 Cold Weather Maintenance of Service: Provision of Residential Heat-Related Utility Service During Cold Weather (amendment)
- 4 CSR 240-13.070 Commission Complaint Procedure (amendment)
- 4 CSR 240-13.050 Discontinuance of Service (amendment)
- 4 CSR 240-13.030 Deposits and Guarantees of Payment (amendment)
- 4 CSR 240-13.025 Billing Adjustments (amendment)
- 4 CSR 240-13.020 Billing and Payment Standards (amendment)
- 4 CSR 240-13.015 Definitions (amendment)
- 4 CSR 240-13.010 General Provisions (amendment)
- 4 CSR 240-10.040 Service and Billing Practices for Commercial and Industrial Customers of Electric, Gas, Water and Steam Heat Utilities (amendment)
- 4 CSR 240-10.020 Income on Depreciation Fund Investments (amendment)
- 4 CSR 240-3.250 Submission of Gas Utility Residential Heat-Related Cold Weather Report (rescission)
- 4 CSR 240-3.180 Submission of Electric Utility Residential Heat-Related Service Cold Weather Report (rescission)
- 4 CSR 240-3.030 Minimum Filing Requirements for Utility Company General Rate Increase Requests (amendment)
- 4 CSR 240-3.025 Utility Company Tariff Filings Which Create Cases (rescission)

- 4 CSR 240-3.020 Filing Requirements Regarding Utility Company Name Changes (rescission)
- 4 CSR 240-3.015 Filing Requirements for Utility Company Applications for Waivers or Variances (rescission)
- 4 CSR 240-3.010 General Definitions (amendment)
- 4 CSR 240-2.205 Variance or Waiver (rule)
- 4 CSR 240-2.120 Presiding Officers (amendment)
- 4 CSR 240-2.070 Complaints (amendment)
- 4 CSR 240-2.010 Definitions (amendment)

Executive Order 17-03 requires this office's approval before state agencies release proposed regulations for notice and comment, amend existing regulations, rescind regulations, or adopt new regulations. After our review of these rulemakings, we approve their submission to the Joint Committee on Administrative Rules and the Secretary of State.

Sincerely,



Jessie Eiler
Deputy Counsel



Commissioners

RYAN A. SILVEY
Chairman

WILLIAM P. KENNEY

DANIEL Y. HALL

SCOTT T. RUPP

MAIDA J. COLEMAN

Missouri Public Service Commission

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Staff Director

John Ashcroft
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, Missouri 65101

Re: 4 CSR 240-3.010 General Definitions

Dear Secretary Ashcroft,

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order of rulemaking lawfully submitted by the Missouri Public Service Commission.

Statutory Authority: section 386.250, RSMo 2016.

If there are any questions regarding the content of this order of rulemaking, please contact:

John Clark, Regulatory Law Judge
Missouri Public Service Commission
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102
(573) 522-4355
John.Clark@psc.mo.gov

Morris L. Woodruff
Chief Regulatory Law Judge

Enclosures

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission amends a rule as follows:

4 CSR 240-3.010 is amended.

A notice of proposed rulemaking containing the proposed amendment was published in the *Missouri Register* on December 17, 2018 (43 MoReg 3764). Changes to the proposed amendment are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended January 16, 2019, and the commission held a public hearing on the proposed amendment on January 29, 2019. The commission received timely written comments in support of the amendment from Travis J. Pringle, Legal Counsel, on behalf of the staff of the commission. The commission received timely written comments Caleb Hall, Attorney, on behalf of the Office of the Public Counsel ("OPC") proposing a simplification of the amendment.

COMMENT #1: Staff filed written comments supporting this amendment to correct an improper statutory reference. Staff stated that this rulemaking was undertaken in response to Executive Order 17-03 and is being proposed in order to streamline, simplify and improve the user-friendliness of the commission's regulations. Staff supports the proposed rescission.

RESPONSE: No change was made in response to this comment.

COMMENT #2: OPC commented that the proposed amendment can be improved by referencing the statutory section without citing to the specific subdivision to avoid the necessity of future amendments if more definitions are added to the statute.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees that the statutory reference is sufficient without citing the specific subsection. Therefore, the commission amends section (32) by deleting a citation to section 386.020 subsection (59).



4 CSR 240-3.010 General Definitions

(32) Water utility means a water corporation as defined in section 386.020, RSMo.