

**John R. Ashcroft**  
Secretary of State / Administrative Rules  
RULE TRANSMITTAL

1308

Administrative Rules Stamp  
**RECEIVED**  
SEP 25 2024  
SECRETARY OF STATE  
ADMINISTRATIVE RULES  
JCAR Stamp

**RECEIVED**  
By JCAR at 4:34 pm, Sep 25, 2024

Rule Number 20 CSR 4240-10.175  
Use a SEPARATE rule transmittal sheet for EACH individual rulemaking.

Name of person(s) Administrative Rules can contact with questions about this rule:  
Content Nancy Dippell Phone 573-751-8518 Fax 573-526-6010  
Email address Nancy.Dippell@psc.mo.gov

Data Entry Kayla Kliethermes Phone 573-751-4256 Fax 573-526-6010  
Email address Kayla.Kliethermes@psc.mo.gov

Interagency mailing address Public Service Commission, 9<sup>th</sup> Floor Gov. Office Bldg, JC, MO

TYPE OF RULEMAKING ACTION TO BE TAKEN  
 Emergency Rulemaking >  Rule  Amendment  Rescission  Termination  
Effective date for the emergency \_\_\_\_\_

X Proposed Rulemaking > X Rule  Amendment  Rescission

- Rule Action Notice
- In Addition
- Rule Under Consideration
- Request for Non-Substantive Change
- Statement of Actual Cost

Order of Rulemaking >  Withdrawal  Adoption  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/SUBSECTIONS WITH CHANGES:  
\_\_\_\_\_  
\_\_\_\_\_



## *Missouri Public Service Commission*

**MAIDA J. COLEMAN**  
Commissioner

**KAYLA HAHN**  
Chair

**JASON R. HOLSMAN**  
Commissioner

**GLEN KOLKMEYER**  
Commissioner

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://psc.mo.gov>

**JOHN P. MITCHELL**  
Commissioner

September 25, 2024

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

**Re: 20 CSR 4240-10.175 Customer Information of Electrical Corporations, Gas Corporations, Heating Companies, Water Corporations, and Sewer Corporations**

Dear Secretary Ashcroft,

### CERTIFICATION OF ADMINISTRATIVE RULE

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

The Public Service Commission further certifies it has conducted an analysis of whether or not there has been a taking of real property pursuant to section 536.017, RSMo, that the proposed rule does not constitute a taking of real property under relevant state and federal law.

The Public Service Commission has determined and hereby also certifies that if the proposed rule does affect small business pursuant to sections 536.300 to 536.310, RSMo, a small business impact statement has been filed as required by those sections. If no small business impact statement has been filed the proposed rule either does not affect small business or the small business requirements do not apply pursuant to section 536.300.4, RSMo.

Statutory Authority: *sections 386.250 and 393.140, RSMo 2016.*

If there are any questions regarding the content of this proposed rule, please contact:

Nancy Dippell  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
200 Madison Street  
P.O. Box 360  
Jefferson City, MO 65102  
(573) 751-8518  
Nancy.Dippell@psc.mo.gov



*Nancy Dippell*

Nancy Dippell  
Secretary

Enclosures



## *Missouri Public Service Commission*

**MAIDA J. COLEMAN**  
Commissioner

**KAYLA HAHN**  
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**GLEN KOLKMEYER**  
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**JOHN P. MITCHELL**  
Commissioner

September 25, 2024

Sarah Schappe  
Director  
Joint Committee on Administration Rules  
State Capitol, Room B8A  
Jefferson City, Missouri 65101

**Re: 20 CSR 4240-10.175 Customer Information of Electrical Corporations, Gas Corporations, Heating Companies, Water Corporations, and Sewer Corporations**

Dear Director Schappe,

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*Nancy Dippell*

Nancy Dippell  
Secretary

Enclosures

STATE CAPITOL  
201 W. CAPITOL AVENUE, ROOM 216  
JEFFERSON CITY, MISSOURI 65101



(573) 751-3222  
WWW.GOVERNOR.MO.GOV

*Michael L. Parson*

GOVERNOR  
STATE OF MISSOURI

September 17, 2024

Ms. Kayla Hahn  
Public Service Commission  
PO Box 360  
Jefferson City, MO 65102

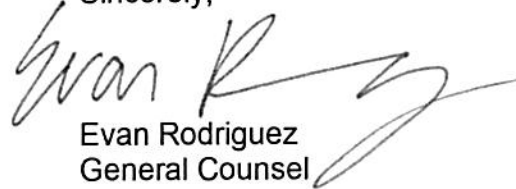
Dear Ms. Hahn:

This Office has received your Proposed Rule for the following regulations:

- 20 CSR 4240-10.175 Customer Information of Electrical Corporations, Gas Corporations, Heating Companies, Water Corporations, and Sewer Corporations.

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, we approve the submission to the Joint Committee on Administrative Rules and the Secretary of State.

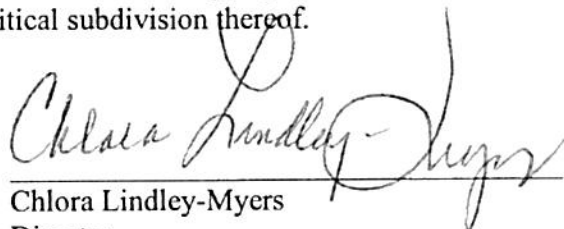
Sincerely,

  
Evan Rodriguez  
General Counsel

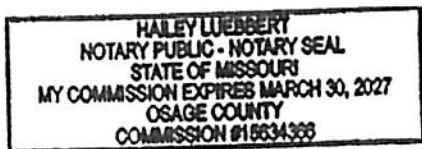
AFFIDAVIT  
PUBLIC COST

STATE OF MISSOURI )  
                                  )  
COUNTY OF COLE     )

I, Chlora Lindley-Myers, Director of the Department of Commerce and Insurance, first being duly sworn, on my oath, state that it is my opinion that the cost of proposed rule, 20 CSR 4240-10.175, is less than five hundred dollars in the aggregate to this agency, any other agency of state government or any political subdivision thereof.

  
Chlora Lindley-Myers  
Director  
Department of Commerce and Insurance

Subscribed and sworn to before me this 23<sup>rd</sup> day of September, 2024 I am commissioned as a notary public within the County of Osage, State of Missouri, and my commission expires on March 30, 2027.



  
Notary Public

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE  
Division 4240—Public Service Commission  
Chapter 10—Utilities**

**PROPOSED RULE**

**20 CSR 4240-10.175 Customer Information of Electrical Corporations, Gas Corporations, Heating Companies, Water Corporations, and Sewer Corporations.**

*PURPOSE: This rule is intended to prevent the misuse of personally identifiable customer information.*

(1) Definitions

(A) Utility means, for purposes of this rule, an electrical corporation, gas corporation, heating company, water corporation, or sewer corporation as defined in section 386.020, RSMo, and subject to commission regulation pursuant to Chapters 386 and 393, RSMo.

(B) Information means any data obtained by a utility that is not obtainable by nonaffiliated entities or can only be obtained at a competitively prohibitive cost in either time or resources.

(2) Standards

(A) Specific customer information shall be made available to affiliated or unaffiliated entities only upon consent of the customer or as otherwise provided by law or commission rules or orders.

(B) General or aggregated customer information shall be made available to affiliated or unaffiliated entities upon similar terms and conditions.

(C) The utility may set reasonable charges for costs incurred in producing customer information.

(D) Customer information includes information provided to the regulated utility by affiliated or unaffiliated entities.

(3) Other Notification Required Respecting Personal Customer Information

(A) A utility shall notify staff counsel's office and the Office of the Public Counsel if there is an incident that warrants reporting to the attorney general of a "breach of security" or "breach" as defined by subsection 407.1500.1, RSMo, and the utility shall provide a copy of that report to the staff counsel's office and the Office of the Public Counsel.

*AUTHORITY: sections 386.250 and 393.140, RSMo 2016.\* Original rule filed \_\_\_\_, effective \_\_\_\_\_.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions in excess of five hundred dollars (\$500.00) in the aggregate.*



*PRIVATE COST: This proposed rule will not cost private entities in excess of five hundred dollars (\$500.00) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Nancy Dippell, Secretary of the Commission, P.O. Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before December 6, 2024, and should include a reference to Commission File No. OX-2025-0106. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed rule is scheduled for December 10, 2024, at 10 a.m., in Room 139 of the James C. Kirkpatrick Building, 600 W. Main St., Jefferson City, MO. Interested persons may appear at this hearing to submit additional comments and/or testimony in support or in opposition to this proposed rule, and may be asked to respond to commission questions. Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.*