

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

In the Matter of the Commission's Proposed	)	
Rule 20 CSR 4240-10.175 Relating to	)	
Customer Information of Electrical	)	File No. OX-2025-0106
Corporations, Gas Corporations, Heating	)	
Companies, Certain Water Corporations and	)	
Certain Sewer Corporations	)	

**MISSOURI-AMERICAN WATER COMPANY'S  
COMMENTS ON PROPOSED RULE**

Comes now Missouri-American Water Company ("MAWC" or "Company") and files its Comments to the Proposed Rule and in support states as follows:

1. During the rulemaking hearing held on December 10, 2024, the Office of the Public Counsel ("OPC") presented a new draft of the proposed rule that it created in an attempt to combine comments received by stakeholders. OPC presented this version to the Commission and the stakeholders present at the hearing, which was designated hearing exhibit 6 and later filed into EFIS. The new draft included somewhat extensive red-lines that made it difficult for stakeholders to respond to what was circulated during the hearing.
2. MAWC appreciates OPC's attempt to combine comments that were made by stakeholders that OPC agrees with.
3. The language OPC added to section 2(F) of the proposed rule is language that was included in the workshop docket related to a similar rule which was assigned Case No. AW-2018-0393.
4. It is important to note that Staff did not propose to include this language in the proposed rule that initiated this docket.
5. MAWC agrees that protection of customer information is important.

6. MAWC is in general agreement with the proposed rule and the comments made by the utility stakeholders.
7. However, the language OPC proposes to add to proposed rule 20 SR 4240-10.175 (2) F “utility related services” (“2F”) is concerning because it imposes specific criteria on a utility when entering contracts with third party non-affiliated companies or affiliated companies performing utility related services. MAWC enters into contracts with third parties or affiliates when appropriate and under contractual terms the Company believes are appropriate. OPC’s proposed section 2(F)a imposes specific requirements on what a utility must require of third party non affiliates and affiliates when entering a contract. That mandate goes beyond the rule’s purpose, interferes with the Company’s business decisions and would be difficult to comply with given the number of contracts MAWC enters with third-party nonaffiliate companies. As noted above, the Commission previously inquired into the cost of implementing this and the fiscal impact was also raised during the hearing on December 10, 2024.
8. It is appropriate for a utility to share customer information with third-parties or affiliates without receiving the consent of the customers when that information is being shared as part of utility related services.
9. Spire submitted comments in this docket and recommended an exception be included in the proposed rule to address this very situation. That language follows;  
  
**D) This rule shall not apply, and customer consent shall not be required, in the furtherance of utility related services.**
10. MAWC supports this language being included in the proposed rule as proposed by Spire. If included, there is no need to include OPC’s proposed language in 2(F).

11. In that workshop docket, proceeding, on August 11, 2023, the Commission issued an Order Requesting Estimated Cost of Compliance Responses which ordered any stakeholder to offer comments regarding the incremental costs that may be incurred to comply with the draft rule by September 11, 2023.
12. MAWC filed comments and stated, “As written, MAWC is unable to estimate the cost of compliance. MAWC believes that compliance with the proposed rule as written would require a one-time cost for programming and ongoing costs of employees, system maintenance and employee training. While MAWC is unable to estimate a dollar amount at this time, we would anticipate the additional costs to be material.”
13. MAWC’s position on the potential cost of compliance with this rule remains unchanged since 2023.

Wherefore MAWC asks the Commission to accept these Comments and any such relief the Commission deems appropriate.

Respectfully submitted,

MISSOURI-AMERICAN WATER COMPANY

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**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail or U.S. Mail on December 11, 2024 to the following:

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