

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 7th day of
December, 2011.

In the Matter of an Investigation Into)	
Tariff Provisions Governing)	File No. AO-2012-0173
Liabilities in Utility Operations)	

ORDER OPENING INVESTIGATION

Issue Date: December 7, 2011

Effective Date: December 7, 2011

The Commission is directing Staff to investigate tariff provisions addressing liability for damages as follows.

Recent actions before the Commission have raised issues regarding tariff provisions that address matters otherwise determined by tort law, including liability, immunity, and indemnification among public utilities, customers, and third persons. The evidence in those actions shows that such provisions are multifarious and disparate among public utilities. The Commission will consider whether uniform standards for such provisions can benefit public utilities, customers, and third persons.

To assist in that consideration, the Commission will direct Staff to survey provisions currently in effect, examine other states' policies on such provisions, and file a report. The report shall include any Staff recommendation on the matter. The Commission will also solicit public utilities' and other interested persons' informal written comments.

For all comments, and other documents generated as part of this investigation, this file will constitute the repository. This file is open to any person to file relevant comments,

and to view comments and other documents, as follows. Any person may submit comments:

- Electronically through the Commission's electronic filing and information system (EFIS) at <http://www.psc.mo.gov>. Click on the EFIS/Case filings link on the left side of the page. Scroll down and click on the public comment link. Please reference File No. AO-2012-0173.
- By hard copy mailed to the Commission at P.O. Box 360, Jefferson City, Missouri 65102. Please Reference File No. AO-2012-0173.

Any person may file view the documents in this file by following the link at <http://www.psc.mo.gov>.

The following requirements do not apply to this investigation:

- Representation through an attorney authorized to appear before the Commission;
- Compliance with laws restricting communications with the Commission, including ex parte regulations; and
- Application to intervene.

Those things are unnecessary because a contested case neither exists nor is likely to exist in this file.

THE COMMISSION ORDERS THAT:

1. This file shall constitute the repository for all comments and other documents generated as part of this investigation.
2. The Commission's Staff shall conduct an investigation and file a report as described in the body of this order no later than March 30, 2012.

3. Any person may file comments relevant to this matter as set forth in the body of this order.

4. The Commission's Data Center shall deliver this order to each public utility that has an effective tariff on file with the Commission.

5. The Commission's Public Information Office shall make this order available to the members of the General Assembly and to media serving the State of Missouri.

6. This order shall become effective immediately upon issuance.

BY THE COMMISSION

(S E A L)



Steven C. Reed
Secretary

Gunn, Chm., Davis, Jarrett and
Kenney, CC., concur.

Jordan, Senior Regulatory Law Judge