

TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCEDivision 4240 – Public Service Commission
Chapter 10 – Utilities

PROPOSED AMENDMENT

20 CSR 4240-10.165 Prohibition on HVAC Services *[Affiliate Transactions] Unless Providing Services Required by Law or Providing Programs Pursuant to an Existing Tariff, Rule, or Order of the Commission.* The commission is amending the title, the purpose, and sections (1) and (2), and adding new sections (3), (4), and (5).

PURPOSE: This amendment modifies the rule to address statutory changes to sections 386.752, 386.754, and 386.756, RSMo, set forth in SS#2 SB4, First Regular Session of the 103rd General Assembly, effective August 28, 2025.

PURPOSE: This rule prescribes the requirements and prohibitions for HVAC services [respecting affiliated entities and] to be conducted by regulated electrical corporations, gas corporations, and heating companies (covered utilities) and describes the circumstances when such covered utilities [participate in affiliated transactions with an HVAC affiliated entity] may have an affiliate engaging in HVAC services as set forth in sections 386.752, 386.754, 386.756, 386.760, 386.762, and 386.764, RSMo.

(1) Definitions.

(F) Utility contractor means a person, including an individual, corporation, firm, incorporated or unincorporated association or other business or legal entity, that contracts *[, whether in writing or not in writing,]* with a covered utility to engage in or assist any entity engaging in HVAC services, but does not include employees of a covered utility.

(2) Standards

(A) A covered utility may not engage in HVAC services, except *[by an affiliated entity,]* in accordance with section 386.756, RSMo, or as provided in subsection (2)(G) or (2)(H) of this rule.

(B) *[No]* In addition to the prohibition in (2)(A) above, no affiliated entity of a utility or a utility contractor may use any vehicles, service tools, instruments, employees, or any other covered utility's assets, the cost of which are recoverable in the regulated rates for a covered utility service, to engage in HVAC services unless the covered utility is compensated for the use of such assets at the FDC to the covered utility.

1. The determination of a covered utility's cost in this section is defined in subsection (1)(D) of this rule.

(3) Covered utilities that directly or indirectly engage with HVAC contractors shall develop a written qualification process, and shall advertise bid opportunities to all such qualified contractors.

(A) The qualification process referred to above shall be established and in use no later than August 28, 2026.

1. Covered utilities shall file notification with the commission when they have achieved compliance with section 386.756, RSMo, including a detailed description of the qualification process.

2. The qualification process shall be posted on the covered utility's website accessible to any interested

person or company.

3. Covered utilities shall file a notification with the commission not less than thirty (30) days prior to substantive process or website changes.

4. The qualification process shall clearly document the most recent revision date.

(B) In addition to any alternative application processes, covered utilities shall maintain an online application process to become a qualified contractor which must be available to be accessed via the covered utility's website.

(4) The commission may grant a temporary variance from any portion of this rule upon written application from a utility, for good cause. Such a variance may not conflict with any portion of sections 386.752 to 386.764, RSMo.

(5) All submissions of any information alleging any violations of sections 386.754 to 386.764, RSMo, and the processing of any commission cases in relation thereto, shall follow the provisions of 20 CSR 4240, Chapter 2, as applicable.

AUTHORITY: section[s 386.760.1 and] 393.140, RSMo 2016, and section 386.760, RSMo Supp. 2025. Original rule filed Sept. 25, 2024, effective May 30, 2025. Amended: Filed Aug. 28, 2025.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than of five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) 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 amendment with the Missouri Public Service Commission, Nancy Dippell, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before Nov. 14, 2025, and should include a reference to commission Case No. OX-2026-0046. 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 amendment is scheduled for Nov. 21, 2025, at 12 p.m., in Room 305 of the Governor Office Building, 200 Madison St., Jefferson City, MO. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions. Any person 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.

TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCEDivision 4240 – Public Service Commission
Chapter 13 – Service and Billing Practices for
Residential Customers of Electric, Gas, Sewer,
and Water Utilities

PROPOSED AMENDMENT

20 CSR 4240-13.055 Cold Weather Maintenance of Service: Provision of Residential Heat-Related Utility Service During Cold Weather. The commission is amending the purpose and sections (1)–(3), (5)–(7), (14), and (15).

PURPOSE: This proposed amendment modifies the rule to address changes to section 393.109, RSMo, set forth in Senate Bill 4, effective August 28, 2025. The proposed amendment also makes some grammatical and editorial changes and corrects some out-of-date references.

PURPOSE: This rule protects the health and safety of residential customers receiving heat-related utility service by placing restrictions on discontinuing and refusing to provide heat-related utility service from November 1 through March 31 due to delinquent accounts of those customers. [Reporting requirements regarding heat-related utility service are found at 4 CSR 240-3.175 for electric utilities and at 4 CSR 240-3.250 for gas utilities.]

(1) The following definitions shall apply in this rule:

(A) Energy Crisis Intervention Program (ECIP) means the federal ECIP administered by the Missouri *[Division of Family] Department of Social Services* under section 660.100, RSMo;

(C) Low Income Home Energy Assistance Program (LIHEAP) means the federal LIHEAP administered by the Missouri *[Family Support Division] Department of Social Services* under section 660.110, RSMo;

(D) Registered elderly or disabled customer means a customer's household where at least one (1) member of the household has filed with the utility a form approved by the utility attesting to the fact that *[s/he] the customer[.]* –

1. Is sixty-five (65) years old or older;

2. Is disabled to the extent that *[s/he] the customer* has filed with their utility a medical form submitted by a medical physician attesting that such customer's household must have natural gas or electric utility service provided in the home to maintain life or health; or

3. Has a formal award letter issued from the federal government of disability benefits. In order to retain *[his/her]* status as a registered elderly or disabled customer, each such customer must renew *[his/her] the customer's* registration with the utility annually. Such registration should take place by October 1 of each year following *[his/her]* initial registration; and

(E) Low-income registered elderly or disabled customer means a customer registered under the provisions of subsection (1)(C) of this rule whose household income is less than one hundred fifty percent (150%) of the federal poverty guidelines, and who has a signed affidavit attesting to that fact on file with the utility. The utility may periodically audit the incomes of low-income registered elderly or disabled customers. If, as a result of an audit, a registered low-income elderly or disabled customer is found to have materially misrepresented *[his/her] the customer's* income at the time the affidavit was signed, that customer's service may be discontinued per the provisions of this rule that apply to customers who are not registered low-income elderly or disabled customers and payment of all amounts due, as well as *[.]* a deposit may be required before service is reconnected.

(2) This rule **and section 393.109, RSMo**, take *[s/]* precedence over other rules on provision of heat-related utility service from November 1 through March 31 annually.

(3) Notice Requirements. From November 1 through March

31, prior to discontinuance of service due to nonpayment, the utility shall –

(C) Attempt to contact the customer at the time of the discontinuance of service in the manner specified by *[4 CSR 240-13.050(9)] 20 CSR 4240-13.050(9)*;

(E) Ensure that all of the notices and contacts required in this section shall describe the terms for provisions of service under this rule, including the method of calculating the required payments, the availability of financial assistance from the *[Division of Family] Department of Social Services* and social service or charitable organizations that have notified the utility that they provide that assistance and the identity of those organizations.

(5) Weather Provisions. Discontinuance of gas and electric service to all residential users, including all residential tenants of apartment buildings, for nonpayment of bills where gas or electricity is used as the source of space heating or to control or operate the only space-heating equipment at the residence is prohibited –

(A) On any day when the National Weather Service local forecast between 6:00 a.m. to 9:00 *[a.m.] p.m.*, for the following *[twenty-four (24)] seventy-two (72)* hours predicts that the temperature will drop below thirty-two degrees Fahrenheit (32°F); or

(B) On any day when utility personnel will not be available to reconnect utility service during the immediately succeeding day(s) *[P/]period of [U]unavailability* and the National Weather Service local forecast between 6:00 a.m. to 9:00 *[a.m.] p.m.* predicts that the temperature during the *[P/]period of [U]unavailability* will drop below thirty-two degrees Fahrenheit (32°F); or

(6) Discontinuance of Service. From November 1 through March 31, a utility may not discontinue heat-related residential utility service due to nonpayment of a delinquent bill or account provided –

(A) The customer contacts the utility and states *[his/her] the customer's* inability to pay in full;

(7) Whenever a customer*[.]* with a cold-weather rule payment agreement*[.]* moves to another residence within the utility's service area **or adjacent service area**, the utility shall permit the customer to receive service if the customer pays in full the amounts that should have been paid pursuant to the agreement up to the date service is requested, as well as *[.]* amounts not included in a payment agreement that have become past due. No other change to the terms of service to the customer by virtue of the change in the customer's residence with the exception of an upward or downward adjustment to payments necessary to reflect any changes in expected usage between the old and new residence shall be made.

(14) This section only applies to providers of natural gas services to residential customers. Other providers of heat-related utility services will continue to provide such service under the terms of sections (1) through (13) of this rule. The provisions of sections (1) through (13) of this rule continue to apply to providers of natural gas service except where inconsistent with the terms of this section.

(E) A gas utility shall describe the provisions of section (14) in any notices or contacts with customers. In telephone **or other** contacts with customers expressing difficulty paying their gas bills, gas utilities shall inform those customers of their options under section (14).

(15) Each utility providing heat-related utility service shall submit as a non-case related filing a report with the commission for each calendar month no later than the twentieth *[(20th)]* day of the following month. The utility shall *[provide a copy of each report to]* **also serve the report on** the Office of the Public Counsel. The utility shall report for each operational district into which the utility has divided its Missouri service territory the number of days it was permitted to discontinue service under this regulation, and the utility shall separately report on the information listed below for customers receiving energy assistance and customers who are affected by this regulation and not known to be receiving energy assistance. All information submitted shall be considered public information; however, no customer-specific information shall be reported or made public. Utilities providing both electric and gas service shall report the following information separately for their gas-only territory:

*AUTHORITY: [sections 386.250, 393.130, and 393.140, RSMo 2016.] sections 386.250 and 393.140, RSMo 2016, and sections 393.109 and 393.130, RSMo Supp. 2025. This rule originally filed as 4 CSR 240-13.055. Original rule filed June 13, 1984, effective Nov. 15, 1984. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Aug. 28, 2025.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) 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 amendment with the Missouri Public Service Commission, Nancy Dippell, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before Oct. 31, 2025, and should include a reference to commission Case No. OX-2026-0047. 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 amendment is scheduled for Nov. 5, 2025, at 12 p.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, MO. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions. Any person 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.