

Denny Hoskins

Secretary of State / Administrative Rules

RULE TRANSMITTAL

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JCAR Stamp

RECEIVED

By JCAR at 4:27 pm, Dec 03, 2025

Rule Number 20 CSR 4240-13.055

Use a SEPARATE rule transmittal sheet for EACH individual rulemaking.

Name of person(s) Administrative Rules can contact with questions about this rule:

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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 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:

Subsections (3)(A) and (3)(D)



Missouri Public Service Commission

MAIDA J. COLEMAN
Commissioner

GLEN KOLKMEYER
Commissioner

KAYLA HAHN
Chair

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JOHN P. MITCHELL
Commissioner

VACANT
Commissioner

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

Re: 20 CSR 4240-13.055 Cold Weather Maintenance of Service: Provision of Residential Heat-Related Utility Service During Cold Weather

Dear Director Schappe,

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: *sections 386.250 and 393.140, RSMo 2016, and sections 393.109 and 393.130, SS#2 SB4, First Regular Session of the 103rd General Assembly*

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

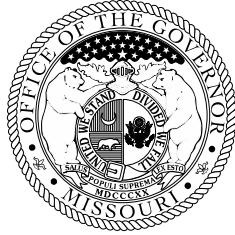
Nancy Dippell, Secretary
Missouri Public Service Commission
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102
(573) 751-8518
Nancy.Dippell@psc.mo.gov

A handwritten signature in cursive script that reads "Nancy Dippell".

Nancy Dippell
Secretary to the Commission



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



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Mike Kehoe

GOVERNOR
STATE OF MISSOURI

December 1, 2025

Kayla Hahn, Chair
Missouri Public Service Commission
P O Box 360
Jefferson City MO 65102

Dear Ms. Hahn:

Our office has received the Final Order of rulemaking for the following regulation:

- **20 CSR 4240-13.055** Cold Weather Maintenance of Service: Provision of Residential Heat-Related Utility Service During Cold Weather

Executive Order 25-13 requires this office's approval before state agencies release proposed regulations for notice and comment, amend existing regulations, or adopt new regulations. After our review, we approve submission of the rule and the regulatory impact report (if required) to JCAR and the Secretary of State.

Sincerely,

A handwritten signature in blue ink that reads "Lowell Pearson".

Lowell Pearson
General Counsel

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

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2016, and sections 393.109 and 393.130, RSMo Supp. 2025, the commission amends a rule as follows:

20 CSR 4240-13.055 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1376-1378). Those sections with changes 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 October 31, 2025, and the commission held a public hearing on the proposed amendment on November 5, 2025. The commission received four (4) written comments and four (4) comments at the hearing. All the comments were generally in support of the proposed amendment with a few suggested changes.

COMMENT #1: J. Scott Stacey on behalf of the staff of the commission filed written comments and commented at the hearing in support of the proposed amendment. Staff noted that the proposed amendments were necessary as a result of Senate Bill No. 4 (truly agreed to and finally passed on March 13, 2025, signed by Governor Kehoe on April 9, 2025, and effective August 28, 2025). Initially in their written comments, staff suggested the deletion of a portion of paragraph (14)(F)4. and all of subsection (14)(G) because those amendments had been inadvertently left out of the proposed amendment. However, in their hearing comments, staff withdrew those proposed changes since they were not published for comment. At the hearing, staff also responded to the comments of others as stated below.

RESPONSE: The commission agrees that these portions of the rule should not be deleted in this rulemaking since the deletion was not published for comment. The commission will consider these proposed changes for future amendments to this rule. No changes were made as a result of these comments.

COMMENT #2: Anna Kathryn Martin filed written comments and, along with Geoff Marke, commented at the hearing on behalf of the Office of the Public Counsel (OPC). OPC recommended removal of the portion of the rule that discusses utilities conducting income audits or move that to the section regarding “Payment Agreements;” changing the reference to one hundred fifty percent (150%) of the federal poverty level to sixty percent (60%) of the state median income to align

with section 660.100, RSMo; removing the portions of the rule in paragraph (14)(F)4. and subsection (14)(G) as originally proposed by staff; and revising the rule so that it includes the hot weather portion of section 393.108, RSMo, thus making this the “Extreme Temperature Maintenance of Service” rule. Additionally, OPC suggested a few minor edits to make the language of the rule consistent and remove outdated language. Staff stated it supported the minor edits of OPC but was opposed to the other edits because they were major changes to the rule that had not been published for comment.

RESPONSE AND EXPLANATION OF CHANGES: The commission agrees with staff and will not make the major unpublished changes that OPC suggests. However, the Commission will change “handicapped” to “disabled” in subsections (3)(A) and (3)(D) as OPC suggests. The other nonsubstantive changes suggested by OPC were either already made in the proposed amendment as published or were unnecessary.

COMMENT #3: John Coffman filed written comments and commented at the hearing on behalf of Consumers Council of Missouri (CCM). CCM generally supported the proposed amendment but recommended the time of day be removed from the rule in section (5). CCM fears that by having the time of day in the rule, the hours between 9:00 p.m. and 6:00 a.m. will not be considered when assessing the cold temperatures forecasted. Staff commented that it disagreed with removing the time from the rule because that language is in the statute. David Yonce on behalf of Spire Missouri Inc. also responded at the hearing to CCM’s comment regarding the times in the rule. Spire assured the commission that as a utility, it read the statute and the rule as meaning that the times of day noted were the time period within which the utilities must check the forecast for the entire following seventy-two (72) hours. Spire stated that if any forecast for the following seventy-two (72) hours was above or below the temperatures set out in the statute, then disconnection was prohibited. Spire indicated that it did not read the requirement in the way CCM was suggesting. CCM also commented about concerns with the National Weather Service term of “heat index” if the commission were to add a hot weather rule to the rule as proposed by OPC.

RESPONSE: The commission thanks CCM for their comments. However, because the proposed amendment language mirrors the statutory language, and because the utilities correctly interpret that language to ensure customers are not disconnected for the full seventy-two (72) hour period, the commission finds no change to the proposed amendment is necessary.

COMMENT #4: David Yonce commented at the hearing on behalf of Spire Missouri Inc. Spire explained how it interprets the requirement that customers not be disconnected when temperatures drop below specific temperature during the entire seventy-two (72) hour period.

RESPONSE: The commission thanks Spire for its comments and explanation. No changes were made as a result of this comment.

COMMENT #5: Roger W. Steiner on behalf of Evergy Missouri Metro and Evergy Missouri West (collectively referred to as “Evergy”) made a written comment.

Evergy commented that it was generally supportive of the proposed amendment. Evergy recommended one change to clarify what is meant by “adjacent service area” in section (7). Evergy suggested that if the commission intends to provide requirements for customers who move to a service area of an affiliated utility, the commission change the language to “service area of an affiliate.”

RESPONSE: The commission thanks Evergy for its comments and explanation. However, the commission does not find that clarification is necessary and no change was made as a result of this comment.

20 CSR 4240-13.055 Cold Weather Maintenance of Service: Provision of Residential Heat-Related Utility Service During Cold Weather.

(3) Notice Requirements. From November 1 through March 31, prior to discontinuance of service due to nonpayment, the utility shall—

(A) Notify the customer, at least ten (10) days prior to the date of the proposed discontinuance, by first-class mail, and in the case of a registered elderly or disabled customer the additional party listed on the customer’s registration form of the utility’s intent to discontinue service. The contact with the registered individual shall include initially two (2) or more telephone call attempts with the mailing of the notice;

(D) Make a personal contact on the premises with a registered elderly or disabled customer or some member of the family above the age of fifteen (15) years, at the time of the discontinuance of service; and