

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Proposed Amendment
of the Commission's Rule 20 CSR 4240-
13.055 Relating to Cold Weather
Maintenance of Service

)
) **Case No. OX-2026-0047**
)
)

ORDER CORRECTING ORDER OF RULEMAKING

Issue Date: January 8, 2026

Effective Date: January 8, 2026

The Commission issued its Order of Rulemaking on December 3, 2025. That order included nonsubstantive changes to subsections (3)(A) and (3)(D) of 20 CSR 4240-13.055. However, because the Commission did not publish those subsections for comment in the original notice of proposed rulemaking, the Commission will correct its Order of Rulemaking to rescind and remove its previous determination to amend subsections (3)(A) and (3)(D).

THE COMMISSION ORDERS THAT:

1. The Commission's Order of Rulemaking is corrected as stated in the attached Order of Rulemaking.
2. This order shall be effective when issued.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

Nancy Dippell, Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 8th day of January, 2026.

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 Cold Weather Maintenance of Service: Provision of Residential Heat-Related Utility Service During Cold Weather 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: The commission agrees with staff and will not make the major unpublished changes that OPC suggests. The commission will also not make the minor language changes in subsections (3)(A) and (3)(D) that OPC suggests because the relevant subsections were not published in the commission’s notice of rulemaking. 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.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 8th day of January 2026.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

January 8, 2026

File/Case No. OX-2026-0047

MO PSC Staff

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

**Office of the Public Counsel
(OPC)**

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opc@opc.mo.gov

MO PSC Staff

Scott Stacey
200 Madison Street
Jefferson City, MO 65101
scott.stacey@psc.mo.gov

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Nancy Dippell
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.