Denny Hoskins

Secretary of State / Administrative Rules

RULE TRANSMITTAL

1130

Administrative Rules Stamp

RECEIVED
By Administrative Rules at 2:38 pm, Oct 30, 2026

JCAR Stamp

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By JCAR at 12:59 pm, Sep 30, 2026

Rule number **20 CSR 4240-3.162**

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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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:
Sections 20 CSR 4240-3.162(2)(A); 20 CSR 4240-3.162((3)(A); and 20 CSR 4240-3.162(4)(A)

Missouri Public Service Commission

MAIDA J. COLEMAN
Commissioner

GLEN KOLKMEYER
Commissioner

KAYLA HAHN
Chair

JOHN P. MITCHELL
Commissioner

VACANT
Commissioner

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

Re: 20 CSR 4240-3.162 Electric Utility Environmental Cost Recovery Mechanisms Filing and Submission Requirements

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 section 386.266, RSMo Supp. 2025*

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

Nancy Dippell, Secretary
Missouri Public Service Commission
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Jefferson City, MO 65102
(573) 751-8518
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Nancy Dippell

Nancy Dippell, Secretary to the Commission

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Mike Kehoe
GOVERNOR
STATE OF MISSOURI

September 28, 2026

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 rulemakings for the following regulations:

Amendments

- **20 CSR 4240-3.150** Filing Requirements for Electric Utility Promotional Practices
- **20 CSR 4240-3.155** Requirements for Electric Utility Cogeneration Tariff Filings
- **20 CSR 4240-3.162** Electric Utility Environmental Cost Recovery Mechanisms Filing and Submission Requirements
- **20 CSR 4240-3.200** Definitions Pertaining Specifically to Gas Utility Rules
- **20 CSR 4240-3.205** Filing Requirements for Gas Utility Applications for Certificates of Convenience and Necessity

Rescission

- **20 CSR 4240-3.156** Electric Utility Renewable Energy Standard Filing Requirements

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,

Lowell Pearson

Lowell Pearson
General Counsel

Title 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 4240 – Public Service Commission
Chapter 3—Filing and Reporting Requirements

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2016, and section 386.266, RSMo Supp. 2025, the commission amends a rule as follows:

20 CSR 4240-3.162 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2026 (51 MoReg 819-821). 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 July 31, 2026, and the commission held a public hearing on the proposed amendment on August 5, 2026. The commission received two (2) written comments in support of the amendment and two (2) verbal comments at the hearing supporting the amendment but suggesting 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 with certain changes. Staff noted the majority of the proposed amendments were to update rules and statutory citations identified as needing correction during the commission's periodic rule review, and that some additions were also made to clarify or update requirements. Staff notes there were scrivener's errors in the notice requirements that should be corrected to show the current rule for notice requirements.
RESPONSE AND EXPLANATION OF CHANGES: The commission thanks its staff for its work updating the Chapter 3 – Filing Requirement rules. The commission will make changes to subsections 20 CSR 4240-3.162(2)(A), (3)(A), and (4)(A) as recommended to correct the scrivener's errors.

COMMENT #2: Lindsay VanGerpen of the Office of Public Counsel (OPC) submitted a written comment in support of the proposed changes and commented at the

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hearing regarding certain changes. OPC suggested changing the rule references as suggested in Comment #1. OPC further suggested simplifying the language within 20 CSR 4240-3.162(10)(B) to be more generalized. Staff responded to the comment and disagreed that the language proposed should be removed. Staff stated that the language relates to specific information and should not be generalized.
RESPONSE AND EXPLANATION OF CHANGES: The commission thanks OPC for its comment. The commission will make changes as recommended in Comment #1, to correct the scrivener's errors. However, with regard to the other suggestion, the commission agrees with staff that the language should not be generalized. No other changes were made in response to the comment.

20 CSR 4240-3.162 Electric Utility Environmental Cost Recovery Mechanisms Filing and Submission Requirements.

(2) When an electric utility files to establish an ECRM as described in 20 CSR 4240-20.091(2), the electric utility shall file the following supporting information as part of, or in addition to, its direct testimony:

(A) An example of the notice to be provided to customers as required by 20 CSR 4240-20.091(2)(I);

(3) When an electric utility files a general rate proceeding following the general rate proceeding that established its ECRM as described by 20 CSR 4240-20.091(2) in which it requests that its ECRM be continued or modified, the electric utility shall file with the commission and serve parties, as provided in sections (9) through (11) in this rule, the following supporting information as part of, or in addition to, its direct testimony:

(A) An example of the notice to be provided to customers as required by 20 CSR 4240-20.091(2)(I);

(4) When an electric utility files a general rate proceeding following the general rate proceeding that established its ECRM as described in 20 CSR 4240-20.091(3) in which it requests that its ECRM be discontinued, the electric utility shall file with the commission and serve parties, as provided in sections (9) through (11) in this rule, the following supporting information as part of, or in addition to, its direct testimony:

(A) An example of the notice to be provided to customers as required by 20 CSR 4240-20.091(3)(C);