

Robin Carnahan
Secretary of State
Administrative Rules Division

RULE TRANSMITTAL

Administrative Rules Stamp

Rule Number 4 CSR 240-18.010

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:

Content Morris Woodruff Phone 573-751-2849 FAX 573-526-6010

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Data

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Interagency mailing address Public Service Commission, 9th Fl, Gov.Ofc Bldg, JC, MO

TYPE OF RULEMAKING ACTION TO BE TAKEN

- Emergency rulemaking, include effective date
 Proposed Rulemaking
 Withdrawal Rule Action Notice In Addition Rule Under Consideration

Order of Rulemaking

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 WITH CHANGES, including any deleted rule text:

18.010(1)

Small Business Regulatory
Fairness Board (DED) Stamp

JCAR Stamp

JOINT COMMITTEE ON
OCT 16 2013
ADMINISTRATIVE RULES



Commissioners
ROBERT S. KENNEY
Chairman
STEPHEN M. STOLL
WILLIAM P. KENNEY
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Missouri Public Service Commission

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Chief Staff Counsel

Jason Kander
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, Missouri 65101

Re: 4 CSR 240-18.010 Safety Standards for Electrical Corporations, Telecommunications Companies and Rural Electric Cooperatives

Dear Secretary Kander,

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 386.310 and 394.160, RSMo 2000

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

Morris L. Woodruff, Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102
(573) 751-2849
morris.woodruff@psc.mo.gov

Morris L. Woodruff
Chief Regulatory Law Judge

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 18 – Safety Standards**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.310 RSMo 2000, and section 394.160 RSMo 2000, the commission amends a rule as follows:

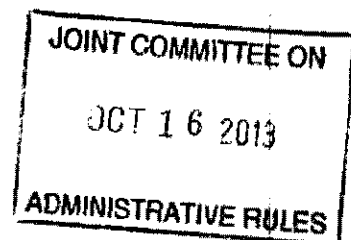
4 CSR 240-18.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 3, 2013 (38 MoReg 1377). 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 3, 2013, and the commission held a public hearing on the proposed amendment on October 4, 2013. The commission received a timely written comment from the staff of the Missouri Public Service Commission. The commission's Staff elaborated upon its comment at the hearing.

COMMENT: The commission's staff offered a written comment pointing out that the proposed amendment makes reference to an Errata issued on February 6, 2012 by the Institute of Electrical and Electronics Engineers, Inc. Subsequently, that Institute issued an updated Errata on April 29, 2013. Staff advises the Commission to modify the amendment to refer to the more recent April 29, 2013 Errata instead of the February 6, 2012 Errata.

RESPONSE AND EXPLANATION OF CHANGE: The commission has modified the amendment as proposed by Staff.



4 CSR 240-18.010 Safety Standards for Electrical Corporations, Telecommunications Companies and Rural Electric Cooperatives

(1) The minimum safety standards relating to the operation of electrical corporations, telecommunications companies, and rural electric cooperatives are Parts 1, 2, and 3 and Sections 1, 2, and 9 of the *National Electrical Safety Code* (NESC); 2012 Edition as approved by the American National Standards Institute on August 1, 2011, as modified by Errata thereto issued on April 29, 2013, and published by the Institute of Electrical and Electronics Engineers, Inc., 3 Park Avenue, New York, NY 10016-5997. The NESC is composed of four (4) different parts and four (4) sections, each of which pertain to different aspects of the electric and telecommunications industries. Part 1 specifies rules for the installation and maintenance of equipment normally found in electric generating plants and substations. Part 2 pertains to safety rules for overhead electric and communication lines. Part 3 contains safety rules for underground electric and communication lines. Section 1 is an introduction to the NESC, Section 2 defines special terms, and Section 9 requires certain grounding methods for electric and communications facilities. The full text of this material is available at the Energy Department of the Public Service Commission, Suite 700, 200 Madison, Jefferson City, Missouri. This rule does not incorporate any subsequent amendments or additions.

MEMORANDUM

TO: Morris L. Woodruff, Secretary

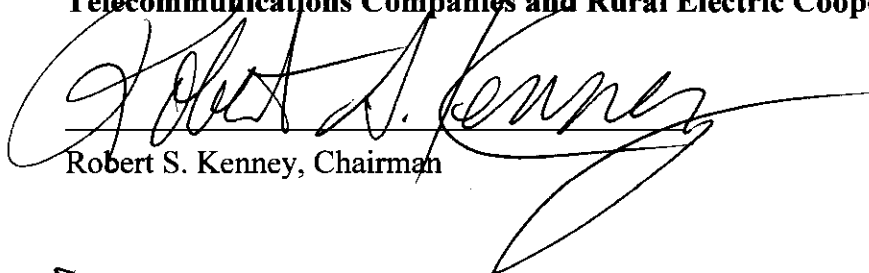
DATE: October 16, 2013

RE: Authorization to File Final Order of Rulemaking with the Office of Secretary of State

CASE NO: EX-2012-0332

The undersigned Commissioners hereby authorize the Secretary of the Missouri Public Service Commission to file the following Final Order of Rulemaking with the Office of the Secretary of State, to wit:

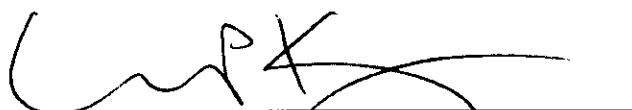
Amendment of 4 CSR 240-18.010 – Safety Standards for Electrical Corporations, Telecommunications Companies and Rural Electric Cooperatives



Robert S. Kenney, Chairman



Stephen M. Stoll, Commissioner



William P. Kenney, Commissioner



Daniel Yves Hall, Commissioner