

ment of the meter should s/he so desire. The meter will be returned with a special seal which, if the meter is to be reinstalled on this consumer's premises, shall not be disturbed until after the consumer has been given an opportunity to inspect the meter. A fee of two dollars (\$2) will be charged by this commission and paid to the Division of Collections of the Missouri Department of Revenue for each water service meter tested ranging in size up to one inch (1"). For larger meters a proportionally larger fee will be charged, depending upon the size of the meter. If the meter is fast beyond the prescribed limit in section (37) of this rule, the utility will be required to pay the test fee and cost of shipping meter; otherwise these expenses shall be borne by the consumer requesting the test.

(41) Each utility furnishing metered water service in cities of three thousand (3,000) or more inhabitants shall maintain one (1) or more suitable water meter testers and keep the water meter tester in proper adjustment so as to register accurately the condition of the meters tested at all times. Meter testers must be located in a suitable working space, easily accessible and equipped with all necessary facilities and accessories. Meter testing equipment shall at all reasonable hours be accessible for inspection by any authorized representative of the commission or by any authorized representative of any department of weights and measures of Missouri or any political subdivision in which the utility operates.

(42) Preliminary engineering reports followed by detailed plans and specifications for new constructions, additions to or changes or alterations to any existing public water supply or water purification plant shall be submitted to the Department of Health for examination and written approval secured from the Department of Health before contracts are let or construction begun. Water utilities must comply with all regulations of the Department of Health or other regulatory bodies having jurisdiction pertaining to installation, extension and operation of public water supplies.

(43) Utilities shall determine the characteristics of service to be made available to each consumer, based upon the location of the premises, size and operating characteristics of the consumer's equipment and shall furnish information, upon request, as to the standard class of service to be furnished which, in the case of either new or enlarged electric connections, shall specify the nominal voltage and number of phases and the

number of wires over which service will be delivered. Utilities, when requested, shall provide reasonable assistance to consumers in the selection of equipment best adapted to the service to be furnished and inform consumers as to conditions under which efficient use of service may be realized.

AUTHORITY: section 393.140, RSMo 1986. Original rule filed March 5, 1953, effective March 15, 1953. Amended: Filed Sept. 22, 1959, effective Oct. 1, 1959. Amended: Filed May 2, 1968, effective May 16, 1968.*

**Original authority: 393.140, RSMo 1939, amended 1949, 1967.*

4 CSR 240-10.040 Service and Billing Practices for Commercial and Industrial Customers of Electric, Gas, Water and Steam Heat Utilities

PURPOSE: This rule establishes service and billing and payment standards to be observed by electric, gas, water and steam heat utilities, and their commercial and industrial customers in resolving questions regarding these matters so that reasonable and uniform standards exist for service and billing and payment practices for all electric, gas, water and steam heat utilities.

(1) Whenever a utility is unable to gain access to a customer's premises for the purpose of reading and testing meters or servicing or maintaining the utility's equipment or for other appropriate purposes, following calls made at the customer's premises during the usual course of business, the customer, on request from the utility, in which a particular time is specified, shall give access to his/her premises to representatives of the utility for those purposes at the time specified, which time shall be within the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, otherwise the utility may estimate for billing purposes the meter reading subject to correction when the utility may read the meter.

(2) Except for the provisions of this rule, all bills rendered to customers for metered service furnished will show the reading of the meter at the beginning and end of the period for which the bill is rendered and shall give the dates of readings, the number of units of service supplied and the basis of charge or reference. Where, by reason of the use of postal or other card form of billing or for other good reasons, this information cannot reasonably be placed on the bills, any utility may present for filing with the commission, in conjunction with its rules, a proposed form of billing. The commission may authorize,

deny or require modification of any such proposed form of billing.

(3) No utility shall discontinue the service of any customer for violation of any rule of that utility except on written notice of intention to discontinue service. This notice shall state the reason for which service will be discontinued, specify a date after which the discontinuance may be effected and shall be mailed to or served upon the customer not less than forty-eight (48) hours prior to that date. This may be waived where a bypass is discovered on a customer's service meter, or in the event of discovery of dangerous leakage or short circuit on a customer's premises, or in the case of a customer utilizing the service in a manner as to make it dangerous for occupants of the premises, thus making the immediate discontinuance of service to the premises imperative or in the case of an order from a governmental agency directing the discontinuance of service. In the event of discontinuance of service for any of these reasons, the customer shall be notified of the discontinuance immediately with a statement concerning the reason for discontinuance.

(4) Each utility may require from any customer at any time a cash deposit or, at its option, a personal guarantee of a responsible person provided that the amount of any such deposit or guarantee so required shall not exceed an estimated bill covering one (1) billing period plus thirty (30) days. A cash deposit shall bear interest at a rate specified in the utility's tariffs, approved by the commission, which shall be credited annually upon the account of the customer or paid upon the return of the deposit, whichever occurs first, and provided the cash deposit remains for a period of at least six (6) months. The rate of interest of the cash deposit shall be only three percent (3%) per annum if the utility keeps the cash deposit in a separate and distinct trust fund and deposited as such in some bank or trust company and not used by the utility in the conduct of its business. These provisions shall not apply to any deposits or guarantees made by the customer for the purpose of securing an extension of or additions to a utility's distributing system in accordance with the utility's rules covering these extensions as filed with this commission. Interest shall not accrue on any cash deposit after the date the utility has made a bona fide effort to return that deposit to the depositor. The utility, in its records, shall keep evidence of its effort to return the deposit. Each utility shall file with the commission, by April 12, 1993, a tariff setting forth the interest rate payable on cash

deposits, unless the utility already has a rate of interest set forth in its tariff.

(5) A statement of the practice of any utility covering deposits or guarantees of surety, together with interest rate payable upon cash deposits, must be filed with the commission as a portion of the utility's schedule of rates under the provisions of the commission's rules covering the filing and publication of rate schedules. A statement of the practice governing service main or line extensions by any utility must likewise be filed with the commission as a portion of the schedule of rates on file. Each utility shall adjust customer's bills for incorrect meter readings or improper meter registration in a reasonable and equitable manner consistent with the rules which it has on file with the commission. Any specific rule adopted by a utility covering these adjustments shall be filed with the commission in conformance with the commission's rules covering the filing and publication of rate schedules.

(6) Customer, as used in this rule, means a commercial or industrial customer of an electric, gas, water or steam heat utility.

AUTHORITY: sections 386.250, *RSMo Supp.* 1991 and 393.140 and 393.290, *RSMo* 1986.* Original rule filed March 5, 1953, effective March 15, 1953. Amended: Filed Sept. 22, 1959, effective Oct. 1, 1959. Amended: Filed May 2, 1968, effective May 16, 1968. Amended: Filed June 10, 1992, effective Feb. 26, 1993.

*Original authority: 386.250, *RSMo* 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991; 393.140, *RSMo* 1939, amended 1949, 1967; and 393.290, *RSMo* 1939, amended 1967.

4 CSR 240-10.050 Termination of Utility Service During Cold Weather—When (Rescinded November 15, 1984)

4 CSR 240-10.060 Gross Receipts Tax

PURPOSE: This rule establishes a procedure by which the commission may obtain the information it needs to give notice of rate increases of seven percent or more to cities and counties that impose a utility gross receipts tax.

(1) When any gas, electric, sewer or water corporation, pursuant to a commission report and order or under a Purchased Gas Adjustment provision in its tariffs, files a tariff which includes an increase in annual rev-

enues in excess of seven percent (7%) in the whole or within any part of that company's service territory, the corporation shall file with the tariff the following information:

(A) A list of all cities and counties within its certificate area which implies a business license tax on the corporation's gross receipts, together with the name, mailing address and title (that is, collector, treasurer, clerk) of the official responsible for administration of the gross receipts tax or business license tax in each of the listed cities and counties. The corporation shall update this list throughout the period of time before the date the tariff takes effect;

(B) A reasonable estimate of the resulting annual increase in the corporation's annual gross receipts in each affected city and county; and

(C) An explanation of the methods used in developing those estimates.

(2) If the commission allows a filed tariff containing a general rate increase in excess of seven percent (7%) to go into effect without suspension and that tariff was not authorized by commission order prior to the filing, the filing gas, electric, sewer or water corporation shall file the information required in subsections (1)(A)–(C) of this rule within ten (10) days after the effective date of the tariff.

AUTHORITY: section 393.275(1), *RSMo* 1986.* Original rule filed Oct. 6, 1987, effective Jan. 14, 1988.

*Original authority: 393.275, *RSMo* 1984, amended 1985.

4 CSR 240-10.070 Minimum Filing Requirements For General Rate Increase Requests

(Rescinded April 30, 2003)

AUTHORITY: sections 392.210, *RSMo Supp.* 1987, 392.220, *RSMo Supp.* 1991 and 393.140, *RSMo* 1986. Original rule filed Feb. 4, 1993, effective Oct. 10, 1993. Rescinded: Filed Aug. 16, 2002, effective April 30, 2003.

4 CSR 240-10.080 Annual Report Filing Requirements

(Rescinded April 30, 2003)

AUTHORITY: sections 392.210 and 393.140, *RSMo* 1994. Original rule filed March 19, 1996, effective Oct. 30, 1996. Rescinded: Filed Aug. 16, 2002, effective April 30, 2003.



otherwise requested by the customer and agreed to by the utility.

(11) A utility may include charges for special services together with utility charges on the same bill if the charges for special services are designated clearly and separately from utility charges. If partial payment is made, the utility shall first credit all payments to the balance outstanding for gas, electric or water charges, before crediting a deposit.

(12) During the billing period prior to any tariffed seasonal rate change, a utility shall notify each affected customer, on the bill or on a notice accompanying the bill, of the direction of the upcoming seasonal rate change and the months during which the forthcoming seasonal rate will be in effect.

AUTHORITY: sections 386.250(6), *RSMo Supp.* 1991 393.140(11), *RSMo* 1986. * *Original rule filed Dec. 19, 1975, effective Dec. 30, 1975. Amended: Filed Oct. 14, 1977, effective Jan. 13, 1978. Rescinded and readopted: Filed Sept. 22, 1993, effective July 10, 1994.*

**Original authority: 386.250(6), RSMo 1939, amended 1963, 1967, 1980, 1987, 1988, 1991 and 393.140(11), RSMo 1939, amended 1949, 1967.*

4 CSR 240-13.025 Billing Adjustments

PURPOSE: *This rule establishes billing adjustments in the event of an overcharge or an undercharge.*

(1) For all billing errors, the utility will determine from all related and available information the probable period during which this condition existed and shall make billing adjustments for the estimated period involved as follows:

(A) In the event of an overcharge, an adjustment shall be made for the entire period that the overcharge can be shown to have existed not to exceed sixty (60) consecutive monthly billing periods, or twenty (20) consecutive quarterly billing periods, calculated from the date of discovery, inquiry or actual notification of the utility, whichever comes first;

(B) In the event of an undercharge, an adjustment shall be made for the entire period that the undercharge can be shown to have existed not to exceed twelve (12) monthly billing periods or four (4) quarterly billing periods, calculated from the date of discov-

ery, inquiry or actual notification of the utility, whichever was first;

(C) No billing adjustment will be made where the full amount of the adjustment is less than one dollar (\$1);

(D) Where, upon test, an error in measurement is found to be within the limits prescribed by commission rules, no billing adjustment will be made; and

(E) When evidence of tampering is found, or there are misrepresentations of the use of service by the customer, the utility will calculate the billing adjustment period in accordance with the applicable statute of limitations for the prosecution of such claim after determining the probable period during which such condition existed from all related and available information.

AUTHORITY: section 393.140(11), *RSMo* 1986. * *Original rule filed Sept. 22, 1993, effective July 10, 1994.*

**Original authority 1939, amended 1940, 1967.*

4 CSR 240-13.030 Deposits and Guarantees of Payment

PURPOSE: *This rule establishes reasonable and uniform standards regarding deposits and guarantees required by utilities.*

(1) A utility may require a deposit or other guarantee as a condition of new residential service if—

(A) The customer has outstanding with a utility providing the same type of service, an unpaid bill which accrued within the last five (5) years and, at the time of the request for service, remains unpaid and not in dispute;

(B) The customer has in an unauthorized manner interfered with or diverted the service of a utility providing the same service situated on or about or delivered to the customer's premises within the last five (5) years; or

(C) The customer is unable to establish an acceptable credit rating under standards contained in tariffs filed with and approved by the commission. The customer shall be deemed *prima facie* to have established an acceptable credit rating if the customer meets any of the following criteria:

1. Owns or is purchasing a home;
2. Is and has been regularly employed on a full-time basis for at least one (1) year;
3. Has an adequate regular source of income; or

4. Can provide adequate credit references from a commercial credit source.

(2) A utility may require a deposit or guarantee as a condition of continued residential service if—

(A) The service of the customer has been discontinued by the utility for nonpayment of a delinquent account not in dispute;

(B) In an unauthorized manner, the customer interfered with or diverted the service of the utility situated on or about or delivered to the customer's premises; or

(C) The customer has failed to pay an undisputed bill on or before the delinquent date for five (5) billing periods out of twelve (12) consecutive monthly billing periods, or two (2) quarters out of four (4) consecutive quarters. Prior to requiring a customer to post a deposit under this subsection, the utility shall send the customer a written notice explaining the utility's right to require a deposit or include such explanation with each written discontinuance notice.

(3) Deposits for gas and electric service assessed under the provisions of subsection (2)(A) or (C) of this rule during the months of November, December and January may be paid, if the customer is unable to pay the entire deposit, by installments over a six (6)-month period.

(4) A deposit shall be subject to the following terms:

(A) It shall not exceed two (2) times the highest bill for utility charges actually incurred or estimated to be incurred by the customer during the most proximate twelve (12)-month period at the service location or, in the case of a new customer, who is assessed a deposit under subsection (1)(C) of this rule, one-sixth (1/6) of the estimated annual bill for monthly billed customers and one-third (1/3) of the estimated annual bill for quarterly billed customers for utility charges at the requested service location;

(B) It shall bear interest at a rate specified in utility tariffs, approved by the commission, which shall be credited annually upon the account of the customer or paid upon the return of the deposit, whichever occurs first. Interest shall not accrue on any deposit after the date on which a reasonable effort has been made to return it to the customer. Records shall be kept of efforts to return a deposit. This rule shall not preclude a utility from crediting interest upon each service account during one (1) billing cycle annually;

Laclede Gas Company
Name of Issuing Corporation or MunicipalityFor Refer to Sheet No. R-1
Community, Town or City

MAY 14 1997

RULES AND REGULATIONS

MISSOURI
Public Service Commission9. Resale

The gas supplied to a customer will be for the use of the customer only and shall not be remetered or submetered for resale to another or others, except for gas supplied for use as a vehicular fuel.

10. Meter Tests and Billing AdjustmentsA. Meter Tests.

Meters are the property of Company and shall be subject to testing in accordance with the statistical sampling authorized by the Commission in Case No. GO-95-320 in which the Commission granted the Company a variance from the requirements of 4 CSR 240-10.030(19) relating to the removal, testing and inspection of gas meters.

Company at any time, upon the written or verbal request of a customer, will test the meter of such customer, provided only one such test shall be made free of charge within a twelve-month period, and the customer shall pay the cost of any additional tests within this period unless meter is shown to be inaccurate in excess of 2%. The customer may, if he notifies Company, be present at such tests. In the event the registration is proved, by this test by the Company under standard methods, to be inaccurate in excess of 2%, bills will be adjusted by an amount to compensate for the excess or deficiency for a period equal to one-half of the time elapsed since the previous meter test, but not to exceed the applicable time period set forth in B(A) below. No part of a minimum charge will be refunded.

In the event of the stoppage or the failure of any meter to register, the customer shall be billed for such period on an estimated consumption based upon his use of gas in a similar period of like use.

B. Billing Adjustments.

(A) For all billing errors, the Company will determine from all related and available information the probable period during which such condition existed and shall make billing adjustments for the period estimated to be involved as follows (except for as provided in (B), (C) and (D) of this rule) for:

FILED

DATE OF ISSUE May 14, 1997
month day yearDATE EFFECTIVE May 31, 1997
month day yearISSUED BY K. J. Neises, Senior Vice President, 720 Olive Street, St. Louis, MO 63101
name of officer title address

Schedule 4

Laclede Gas Company
Name of Issuing Corporation or MunicipalityFor Refer to Sheet No. R-1
Community, Town or City

RULES AND REGULATIONS

AUG 21 1992

10. Meter Tests and Billing Adjustments (Continued).Residential Customers:

MO. PUBLIC SERVICE COM. 91.

In the event of an overcharge: An adjustment shall be made for the entire period that the overcharge existed not to exceed sixty consecutive billing periods, calculated from the date of discovery, inquiry or actual notification of the Company, whichever was first. In the event of an undercharge: An adjustment shall be made for the entire period that the undercharge existed not to exceed twelve consecutive billing periods, calculated from the date of discovery, inquiry or actual notification of the Company, whichever was first.

Customers Other Than Residential:

In the event of an overcharge: An adjustment shall be made for the entire period that the overcharge existed not to exceed sixty consecutive billing periods, calculated from the date of discovery, inquiry or actual notification of the Company, whichever was first.

In the event of an undercharge: An adjustment shall be made for the entire period that the undercharge existed not to exceed sixty consecutive billing periods, calculated from the date of discovery, inquiry or actual notification of the Company, whichever was first.

(B) No billing adjustment will be made where the full amount of the adjustment is less than \$1.00.

(C) Where, upon test, a meter error is found to be 2% or less, no billing adjustment will be made.

(D) When evidence of tampering is found, or misrepresentations of the use of service by the Customer, the Company will calculate the billing adjustment period in accordance with the applicable statute of limitations for the prosecution of such claim after determining the probable period during which such condition existed from all related and available information.

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SEP 1 1992

92-165

Public Service Commission

DATE OF ISSUE August 21, 1992

DATE EFFECTIVE September 1, 1992

ISSUED BY

K. J. Neises, Vice President, 720 Olive St., St. Louis, MO 63101

CANCELLING All Previous Schedules

Laclede Gas Company

Name of Issuing Corporation or Municipality

For

Refer to Sheet No. R-1

Community, Town or City

ROLES AND REGULATIONS

Missouri Public
Service Commission

30. Usage Estimating Procedure

REC'D OCT 16 1998

The usage estimating procedure utilized by Laclede involves the development and periodic review of factors for each customer based on past usage for the premise where possible, and upon system averages where this is not possible.

For customers with heating usage two factors are developed: The Normal Base Load Adjustment Factor ("Norm") and the Average Use Per Degree Day ("ADD").

The Norm represents the non-heating use per day. It is calculated from past actual usage during the summer months and is adjusted, where necessary, by a Normalization Adjustment Factor ("NAF") to compensate for changes in base load during certain months of the year. Estimated base load usage is the product of the Norm, the number of days in the month and, where necessary, the appropriate NAF.

The ADD is a factor that accounts for weather sensitive consumption which is calculated by dividing past actual heating usage by the degree days of the same time period. Such actual heating usage is determined by subtracting base usage from the total usage for the past period. Estimated heating usage is the product of the ADD factor and the number of degree days in the period for which usage is estimated.

Total estimated usage is the sum of the estimated base load and the estimated heating load for the period.

For accounts without heating usage, Laclede uses only the Norm for each customer, calculated in the same manner as for customers with heating usage, but a different NAF is applied.

Missouri Public
Service Commission
98 - 374
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DATE OF ISSUE October 15, 1998
month day year

DATE EFFECTIVE October 15, 1998
month day year

ISSUED BY K.J. Neises, Senior Vice President, 720 Olive Street, St. Louis, MO 63101
name of officer title address