

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Proposed Promulgation)
of Rule 4 CSR 240-3.440 Small Steam
Heating Utility Rate Case Procedure

Case No. HX-2004-

STATE OF MISSOURI)
)
COUNTY OF COLE)

AFFIDAVIT

1 Senate Substitute for Senate Committee Substitute for House Bill No. 208, Section 1, 92nd General Assembly, 1st Regular Session states, in part, that a steam heating company having fewer than 100 customers in Missouri may file under a small company rate procedure promulgated by the Commission, which shall be consistent with 4 CSR 240-3.240 Gas Utility Small Company Rate Increase Procedure.


2. There is not presently in place for a steam heating company any rate procedure promulgated by the Commission consistent with 4 CSR 240-3.240. The rate procedure presently in place is pursuant to Section 393.150 RSMo 2000 and is reflected in Commission rules, such as 4 CSR 240-3.030 Minimum Filing Requirements For Utility Company General Rate Increase Requests, 4 CSR 240-2.065 Tariff Filings Which Create Cases, 4 CSR 240-2.110 Hearings and 4 CSR 240-2.130 Evidence.

3. Senate Substitute for Senate Committee Substitute for House Bill No. 208, Section 1, 92nd General Assembly, 1st Regular Session goes into effect on August 28, 2003. There will be no small company rate procedure in place on and after August 28, 2003 unless the Commission promulgates a rule. Thus, adoption of the proposed rule will facilitate steam heating companies regulated by the Commission in obtaining less costly and expedited review

and resolution of rate increase requests than otherwise would be the situation, should such a steam heating company seek to proceed pursuant to the new statute.

4. Proposed Commission rule 4 CSR 240-3.440 is consistent with the small company rate procedure under 4 CSR 240-3.240 Gas Utility Small Company Rate Procedure.

I certify that I have read the foregoing statement and the facts therein are complete, true and accurate to the best of my knowledge and belief.


Warren T. Wood

Subscribed and sworn to before me, the undersigned notary public on this 6th day of August 2003.



My Commission Expires: _____

