

4 CSR 240-18.010 Rulemaking Issue Paper

RULEMAKING ISSUE PAPER

What is the problem and the proposed solution?

Problem: 4 CSR 240-18.010 became effective on April 30, 2004, adopting portions of the 2002 National Electrical Safety Code (NESC). The NESC is an American National Standard which implies a consensus of those substantially concerned with its scope and provisions. Utilities use the NESC to determine construction standards and minimum clearance for electric lines. This code is revised periodically and presently it is revised every five years. The 2007 NESC was published in August 2006 and became effective in February 2007.

Errata to 2007 Edition of the National Electrical Safety Code were issued October 5, 2006 and on May 14, 2007 which are included with the revised rule.

Solution: The Commission rules should be updated to include the most recent safety standards of the 2007 NESC to protect the public.

What rule(s) would be affected?

4 CSR 240-18.010

What is the rationale for making the suggested change now? The 2007 NESC embodies revisions to provide added protection to the public and clarity for the users of the code in determining appropriate clearances. Adoption of the 2007 NESC would apply only to new construction. Existing facilities should be in compliance with the code in effect at the time of construction.

Examples of revisions in the 2007 Edition of the NESC include grouping sections to aid users in calculating and applying code requirements, increase clearance for service drops from 8 feet to 10 feet, expanded footnotes to provide more information plus, added ice and wind gust figures for design loads which may affect poles in excess of 60 feet. (A utility reports that an ice and wind load on poles over 60 feet is a change that may have the most potential impact for construction of new transmission lines.)

Would this rule change existing or establish new process or procedures? Describe step by step.

No

Who will be affected by the new rule?

Missouri regulated electric utilities, telecommunications companies and rural electric cooperatives are required to comply with 4 CSR 240-18.010 of the Commission rules.

What is the fiscal impact to PSC? To utilities/businesses or citizens?

No fiscal impact to the PSC is expected. The regulated utilities may report some increase in cost for compliance with the 2007 NESC, but compliance with a national safety standard is necessary for provision of electric service to the public in a safe manner.