

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

*Administrative Rules Stamp

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MAR 24 2004

SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number 4 CSR 240-13.015
Diskette File Name 240-13.015 Word 2000
Name of Person to call with questions about this rule:
Content Lera Shemwell Phone 573-751-7431 FAX 573-751-9285
Data Entry Susan L. Sundermeyer Phone 573-751-4335 FAX Same as above
Email Address lera.shemwell@psc.mo.gov
Interagency Mailing Address Governor Office Building, 200 Madison St., Suite 800, Jefferson City, MO
Statutory Authority 386.250(6) Current RSMo date 2000
Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|----------------------------------------------------------------|-----------------------------------------------------------------------|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input checked="" type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages <u> </u> | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
- ☒ Proposed Rulemaking (check one) ☐ rule ☒ amendment ☐ rescission
☐ Order of Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
☐ Rule action notice
☐ In addition
☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

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E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☐ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☐ NO

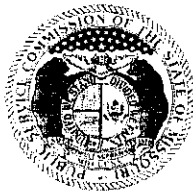
1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners

STEVE GAW
Chair

CONNIE MURRAY

ROBERT M. CLAYTON III

Missouri Public Service Commission

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JEFFERSON CITY MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
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ROBERT J. QUINN, JR.
Executive Director

WESS A. HENDERSON
Director, Utility Operations

ROBERT SCHALLENBERG
Director, Utility Services

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

March 24, 2004

Honorable Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65102

Dear Secretary Blunt:

Re: 4 CSR 240-13.015-DEFINITIONS

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the proposed amendment lawfully submitted by the Missouri Public Service Commission on this 24th day of March 2004.

Executive Order 03-15 requires state agencies to determine whether a proposed rulemaking will have direct economic impact on small businesses. A small business is defined in the Executive Order as "a for-profit enterprise consisting of fifty (50) or fewer full or part-time employees." Pursuant to the order, the Commission Staff has completed a "small business analysis" of the above referenced proposed amended rule. The Commission has determined that there will be no impact on small businesses and hereby certifies that finding.

The Missouri Public Service Commission also certifies that it has conducted an analysis of whether or not there has been a taking of real property pursuant to section 536.017, RSMo and that this proposed amendment does not constitute a taking of real property under relevant state and federal law.

Statutory authority: 386.250, RSMo 2000.

Missouri Public Service Commission Case No.: AX-2004-0308

If there are any questions, please contact: Lera L. Shemwell, Senior Counsel, Missouri Public Service Commission, 200 Madison Street, Post Office Box 360, Jefferson City, MO 65102, (573) 751-7434 or lera.shemwell@psc.mo.gov.

Sincerely,

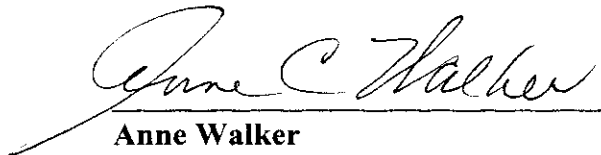
A handwritten signature in black ink, appearing to read "Dale Hardy Roberts".

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

AFFIDAVIT

STATE OF MISSOURI }
COUNTY OF COLE }

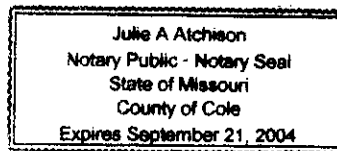
I, Anne Walker, Deputy Director of the Department of Economic Development, first being duly sworn on my oath state that it is my opinion that the attached fiscal note for *Proposed Amendment – 4 CSR 240-13.015 – Definitions.*



Anne Walker
Deputy Director
Department of Economic Development

Subscribed and sworn to before me this 18th day of February, 2004. I am
commissioned as a notary public within the County of Cole, State of
Missouri, and my commission expires on September 21, 2004


NOTARY PUBLIC



COPY

Title 4 —DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 —Public Service Commission
Chapter 13 —Service and Billing Practices for Residential
Customers of Electric, Gas and Water Utilities

MAR 24 2004

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

PROPOSED AMENDMENT

4 CSR 240-13.015 Definitions The commission is adding definitions for the terms “Applicant” and for “Denial of Service.”

PURPOSE: This amendment adds definitions for terms that are used in this chapter, specifically for “Applicant” and “Denial of Service.”

(1) The following definitions shall apply to this chapter:

(A) Applicant means an individual(s) who has applied to receive residential service from the utility;

([A/B]) Bill means a written demand for payment for service and the taxes and franchise fees related to it;

([B/C]) Billing period means a normal usage period of not less than twenty-six (26) nor more than thirty-five (35) days for a monthly billed customer nor more than one hundred (100) days for a quarterly billed customer, except for initial, corrected or final bills;

([C/D]) Complaint means an informal or formal complaint under 4 CSR 240-2.070;

([D/E]) Customer means a person or legal entity responsible for payment for service except one denoted as a guarantor;

([E/F]) Cycle billing means a system which results in the rendition of bills to various customers on different days of a month;

([F/G]) Delinquent charge means a charge remaining unpaid by a monthly billed customer at least twenty-one (21) days and for at least sixteen (16) days by a quarterly billed customer from the rendition of the bill by the utility or a charge remaining unpaid after the preferred payment date selected by the customer;

([G/H]) Delinquent date means the date stated on a bill, which shall be at least twenty-one (21) days for a monthly billed customer, and at least sixteen (16) days for a quarterly billed customer from the rendition of the bill or which shall be the preferred payment plan date selected by the customer, after which the utility may assess an approved late payment charge in accordance with a utility tariff on file with the commission;

(I) Denial of service means the utility’s refusal to commence service upon an applicant’s request for service at a particular location;

([H/J]) Deposit means a money advance to a utility for the purpose of securing payment of delinquent charges which might accrue to the customer who made the advance;

([I/K]) Discontinuance of service or discontinuance means a cessation of service not requested by a customer;

([J/L]) Due date means the date stated on a bill when the charge is considered due and payable;