

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a session of the Public Service  
Commission held at its office  
in Jefferson City on the 26th  
day of August, 1994.

In the matter of the proposed adoption of Commission )  
rules 4 CSR 240-13.010-.070 relating to service and )  
billing practices for residential customers of electric, ) Case No. GO-95-8  
gas, and water utilities and the rescission of Commis- )  
sion rules 4 CSR 240-13.010.070. )  
)

ORDER CLOSING DOCKET

On July 12, 1994, Laclede Gas Company (Laclede) filed a document entitled Notice Of Compliance Status (Notice). This docket was established in order to receive the aforementioned Notice.

In the Notice, Laclede states that it was a full participant in the Commission's proceeding to adopt rules 4 CSR 240-13.010-.070 relating to service and billing practices for residential customers of electric, gas, and water utilities and the rescission of commission rules 4 CSR 240-13.010-.070 (Revised Rules). Laclede states that the Revised Rules were published in the Missouri Code of State Regulations, with an effective date of July 10, 1994. Laclede states that Section 4 CSR 240-13.010(4) gives utilities ninety (90) days after the effective date of the Revised Rules to submit any tariff revision required to comply with the requirements in the Revised Rules or to reflect any variances therefrom previously granted by the Commission. Laclede further states that it has interpreted Section 4 CSR 240-13.010(4) as providing a transition period during which utilities must bring both their tariffs and the terms and conditions of service rendered thereunder in full compliance with the rules. Laclede states that since it fully expects to be in compliance with the Revised Rules by the

expiration of this 90-day compliance period, it does not anticipate the need, at this time, to seek any variances from the Revised Rules.

Laclede points out several new requirements in the Revised Rules which Laclede will not be able to implement fully until September 1, 1994. Laclede states that since it will be able to comply with each of these requirements well before the expiration of the 90-day period specified in 4 CSR 240-13.010(4), it does not believe variances from the Revised Rules are required to accommodate the September 1, 1994 completion date for these activities. Laclede further states that should the Commission conclude that such variances are required under the circumstances described above, Laclede would request that the Commission issue a clarification order to that effect.

On July 28, 1994, Staff and the Office of the Public Counsel (Public Counsel) filed a Joint Motion To Close Docket (Joint Motion). Staff and Public Counsel state that the Revised Rules were published in the Code of State Regulations on May 27, 1994, effective July 10, 1994; and that by the terms of 4 CSR 240-13.010(4) utilities must file tariff revisions to comply with the rules as amended within 90 days of the effective date of this rule. Staff and Public Counsel calculate that utilities have until October 11, 1994, to file tariffs in compliance with the amended rule. Staff and Public Counsel further state that variances to authorize deviation from the amended rule are necessary only for utilities that will not file tariffs complying with the amended rules by October 11, 1994. Finally, Staff and Public Counsel state that no variances are required for tariffs in effect between July 10, 1994 and October 11, 1994 concerning compliance with the Revised Rules.

The Staff and Public Counsel request that the Commission close the docket with no further action.

The Commission has reviewed Section 4 CSR 240-13.010(4), the Notice filed by laclede and the Joint Motion To Close Docket filed by Staff and Public

Counsel and finds that the interpretations suggested by Laclede, the Staff and Public Counsel in their respective pleadings are reasonable. It appears that all parties to this docket agree that utilities must file tariffs in compliance with the Revised Rules by October 11, 1994, and that no variances are required for tariffs in effect between July 10, 1994 and October 11, 1994 and, therefore, there is no controversy upon which the Commission must rule. The Commission determines that no further action in this docket is necessary and will, therefore, close this docket.

**IT IS THEREFORE ORDERED:**

1. That Case No. GO-95-8 be hereby closed.
2. That this order shall become effective on the 6th day of September, 1994.

BY THE COMMISSION

  
David Rauch  
Executive Secretary

( S E A L )

McClure, Kincheloe and Crumpton,  
CC., concur.  
Mueller, Chm., and Perkins, C.,  
absent.