

**Title 4 - DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 - Public Service Commission Chapter 10 - Utilities**

PROPOSED RULE

4 CSR 240-10.:XXX Promotional Practices

PURPOSE: This rule prescribes standards governing promotional practices of electric and gas utilities and sets forth promotional practices ~~that which~~ are prohibited by the Public Service Commission.

(1)Definitions:

(A) For purposes of this rule promotional practices shall mean any consideration offered or granted by a public utility or its affiliate to any person for the purpose, express or implied, of inducing the person to select and use the service or use additional service of the utility or to select or install any appliance or equipment designed to use the utility service, or for the purpose of influencing the person's choice or specification of the efficiency characteristics of appliances, equipment, buildings, utilization patterns or operating procedures; but does not include the following activities:

1. Making any emergency repairs to appliances or equipment of customers;
2. Providing appliances or equipment for demonstrations of sixty (60) days or less;
3. Providing light bulbs, street or outdoor lighting service, wiring, service pipe or other service equipment or appliances, in accordance with tariffs filed with and approved by the commission;
4. Providing appliances or equipment to an educational institution for the purpose of instructing students in the use of the appliances or equipment;
5. Merchandising appliances or equipment at retail and, in connection therewith, the holding of inventories, making and fulfillment of reasonable warranties against defects in material and workmanship existing at the time of delivery and financing;
6. Inspecting and adjusting of appliances or equipment by an electric or gas utility;
7. Repairing and other maintenance to appliances or equipment by an electric or gas utility if charges are at cost or above;
8. Providing free or below-cost energy audits or other information or analysis regarding the feasibility and cost-effectiveness of improvements in the efficiency characteristics of appliances, equipment, buildings, utilization patterns or operating procedures;
9. Offering to present or prospective customers by an electric or gas utility technical or engineering assistance; and
10. Advertising or publicity by an electric or gas utility which is under its name and on its behalf and which does not in any manner, directly or indirectly, identify, describe, refer to, mention or relate to any architect, builder, engineer, subdivider, developer or other similar person, or which mentions no less than three (3) existing projects, developments or subdivisions;

~~40.11.~~ Support for customer cogeneration applications, including, but not limited to, those pursued in conjunction with other utilities.

(B)Affiliate shall include any person who, directly or indirectly, controls or is controlled by or is under common control with a public utility;

(C)Appliance or equipment shall mean any device which consumes electric or gas energy and any ancillary device required for its operation;

~~(C)~~(D) Cogeneration shall have the same meaning as in the Public Utility Regulatory Policies Act of 1978 (PURPA).

~~(D)~~(E) Consideration shall be interpreted in its broadest sense and shall include any cash, donation, gift, allowance, rebate, discount, bonus, merchandise (new or used), property (real or personal), labor, service, conveyance, commitment, right or other thing of value;

~~(F)~~ Cost effective is determined by the Utility Cost Test, 4 CSR 240-20.092(1)(:XX);

~~(G)~~(F) Demand-side resource means any inefficient energy-related choice other than those choices approved by the Commission under its Missouri Energy Efficiency Investment Act rules - that can be influenced cost-effectively by a utility. The meaning of this term shall not be construed to include load- building programs but shall include programs designed to support customer cogeneration applications and programs enabling the repayment of energy efficiency upgrades through customer utility bills. A demand-side resource acquired or evaluated in compliance with this rule shall not be considered a prohibited promotional practice;

~~(H)~~(G) Energy service means the need that is served or the benefit that is derived by the ultimate consumer's use of energy;

~~(I)~~(H) Financing shall include acquisition of equity or debt interests, loans, guarantees of loans, advances, sale and repurchase agreements, sale and leaseback agreements, sales on open account, conditional or installment sales contracts or other investments or extensions of credit;

~~(J)~~(I) Inefficient energy-related choice means any decision that causes the life-cycle cost of providing an energy service-service to be higher than it would be for an available alternative choice;

~~(K)~~(J) Life-cycle means the expected useful lifetime of appliances, equipment or buildings;

~~(L)~~(K) Load-building program means an organized promotional effort by a utility to persuade energy- related decision makers to choose the form of energy supplied by that utility instead of other forms of energy for the provision of energy service or to persuade customers to increase their use of that utility's form of energy, either by substituting it for other forms of energy or by increasing the level or variety of energy services used. This term is not intended to include the provision of technical or engineering assistance, information about filed rates and tariffs or other forms of routine customer service. This term also does not include support for customer cogeneration applications or the provision of facilities or commission-approved incentives to meet new or incremental customer demands.

~~(M)~~(L) Person shall include any individual, ~~-~~group, firm, partnership, corporation, association or other organization;

~~(N)~~(M) Public utility or utility shall mean any electrical corporation or gas corporation as defined in section 386.020, RSMo;_____.

(2) Filing Requirements:

(A) Any promotional practices offered by an electric or gas utility must meet the promotional practices requirements set out in this rule.

(B) No electric or gas utility or its affiliate shall offer or grant any additional

Commented [A1]: DE recommends removing references to specific cost-effectiveness tests. Cost-effectiveness should be determined on a case-by-case basis using contextually appropriate standards.

Commented [A2]: It is unclear whether this language is intended to exempt programs under the Missouri Energy Efficiency Investment Act from the requirements of this rule. Such programs should be exempted from the Promotional Practices rule, per DE's recommended language at (4).

promotional practice or vary or terminate any existing promotional practice, directly or indirectly, or in concert with others, or by any means whatsoever, until a tariff filing showing the addition or variation or termination in the form prescribed by this rule has been made with the commission and a copy furnished to each other electric or gas utility providing the same or competing utility service in any portion of the service area of the filing utility.

(C)The utility shall provide the following information on the tariff sheets:

1. The name, number or letter designation of the promotional practice;
2. The class of persons to which the promotional practice is being offered or granted;
3. Whether the promotional practice is being uniformly offered to all persons within that class;
4. A description of the promotional practice and a statement of its purpose or objective;
5. A statement of the terms and conditions governing the promotional practice;
6. If the promotional practice is offered or granted, in whole or in part, by an affiliate or other person, the identity of the affiliate or person and the nature of their participation; and
7. Any other information relevant to a complete understanding of the promotional practice.

(D)The utility shall provide the following supporting information for each promotional practice:

1. A description of the advertising or publicity to be employed with respect to the promotional practice;
2. For promotional practices that are designed to evaluate the cost-effectiveness of potential demand-side resources, a description of the evaluation criteria, the evaluation plan and the schedule for completing the evaluation;
3. For promotional practices that are designed to acquire demand-side resources, documentation of the criteria used and the analysis performed to determine that the demand-side resources are cost-effective; and
4. The utility filing the application shall show proof of service of a copy of the application on each public utility providing the same or competing utility service in all or any portion of the service area of the filing utility.

5. On written application by a utility the commission may grant variances from the rules contained in this chapter for good cause shown.

(3)Prohibited promotional practices. ~~No~~ Except as provided for in this rule, ~~no~~ utility may offer the following activities:

(A)The financing of real property, including the construction of any building, when the property is not owned or otherwise possessed by the utility or its affiliate;

(B)The furnishing of consideration to any architect, builder, engineer, subdivider, developer or other person for work done or to be done on property not owned or otherwise possessed by the utility or its affiliate, except for studies to determine comparative capital costs and expenses to show the desirability or feasibility of selecting one (1) form of energy over another;

(C) The acquisition from any builder, subdivider, developer or other person of any easement, right-of-way, license, lease or other property for consideration in excess of the reasonable cost or value;

Commented [A3]: DE recommends moving this provision out from (2)(D)5 to be a stand-alone portion of this rule. This would clarify that, consistent with common practice, any portion of the rule can be waived for good cause shown.

Commented [A4]: This addition is intended to clarify that exempted activities are not subject to these prohibitions.

(D) The furnishing of consideration to any dealer, architect, builder, engineer, subdivider, developer or other person for the sale, installation or use of appliances or equipment;

(E) The provision of free, or less than cost or value, wiring, piping, appliances or equipment to any other person; provided, that a utility, engaged in an appliance merchandising sales program, shall not be precluded from conducting legitimate closeouts of appliances, clearance sales and sales of damaged or returned appliances, and no utility shall be precluded from offering to assist low-income customers with repairs or replacements of damaged wiring, piping, appliances, or equipment if such wiring, piping, appliances, or equipment would result in unsafe and potentially disconnected service to customers absent repair or replacement;

(F) The provision of free, or less than cost or value, installation, operation, repair, modification or maintenance of appliances, equipment, wiring or piping of any other person, and no utility shall be precluded from offering to assist low-income customers with repairs or replacements of damaged wiring, piping, appliances, or equipment if such wiring, piping, appliances, or equipment would result in unsafe and potentially disconnected service to customers absent repair or replacement;

(G) The granting of a trade-in allowance on the purchase of any appliance or equipment in excess of the market value of the trade-in as well as the granting of an allowance for the appliance or equipment when the allowance varies by the type of energy consumed in the appliance or equipment;

(H) The financing of the acquisition of any appliance or equipment at a rate of interest or on terms more favorable than those generally applicable to sales by nonutility dealers in the appliances or equipment, except sales to company employees and programs enabling the repayment of energy efficiency or other demand-side management-related upgrades through customer utility bills;

(I) The furnishing of consideration to any person for any advertising or publicity purpose of that person, except for payments not exceeding one-half (1/2) of the reasonable cost or value for joint advertising or publicity with a dealer in appliances or equipment for the sale or other provision of same if the utility is prominently identified as a sponsor of the advertisement; and

(J) The guaranteeing of the maximum cost of electric or gas utility service, except the guaranteeing of the cost of space heating or cooling for a single season, when the cost is at or above the cost of providing service and when the guarantee is for the purpose of improving the utility's off-peak season load -factor, and except for economic development rates approved by the Commission.

~~(K)~~ None of the above practices is prohibited if the Commission makes a determination that such practice is in the public interest.

(4) Nothing contained in this rule shall be construed to prohibit any activity, practice or business otherwise allowed by statute and particularly those businesses exempt from the jurisdiction of this commission as provided under section 393.140(12), RSMo., demand-side programs offered by electrical corporations as provided for under section 393.1075, RSMo., economic development rates offered pursuant to section 393.1640, RSMo., rate limitations under section 393.1655, RSMo., or employee benefit programs approved by the commission and consistent with the

provisions of this rule.

(5) No public utility or its affiliate, directly or indirectly, in any manner or by any device whatsoever, shall offer or grant to any person any form of promotional practice except as is uniformly and contemporaneously extended to all persons in a reasonable defined class. No public utility or its affiliate, in the granting of a promotional practice, shall make, offer or grant any undue or unreasonable preference or advantage to any person or subject any person to any undue or unreasonable prejudice or disadvantage. No public utility or its affiliate shall establish or maintain any unreasonable difference in the offering or granting of promotional practices either as between localities or as between classes to whom promotional practices are offered or granted.

(6) All promotional practices of a public utility or its affiliate shall be just and reasonable, reasonable as a business practice, economically feasible and compensatory and reasonably calculated to benefit both the utility and its customers.

(7) The promotional practices of a public utility or affiliate shall not vary the rates, charges and rules of the tariff pursuant to which service is rendered to a customer. No new promotional practice which has not been previously filed with the commission shall be made or offered unless first filed on a tariff with the commission.

4 CSR 240-3.100 Definitions Pertaining Specifically to Electric Utility Rules

PURPOSE: This rule removes unnecessary definitions. Definitions relevant to promotional practices will be included in a streamlined promotional practices rule in 4 CSR 240-10.

[(I 3) Promotional practices means any consideration offered or granted by an electric utility or its affiliate to any person for the purpose, express or implied, of inducing the person to select and use the service or use additional service of the utility or to select or install any appliance or equipment designed to use the utility service, or for the purpose of influencing the person's choice or specification of the efficiency characteristics of appliances, equipment, buildings, utilization patterns or operating procedures. The term promotional practices shall not include the following activities:

(A) Making any emergency repairs to appliances or equipment of customers;

(B) Providing appliances or equipment incidental to demonstrations of sixty (60) days or less in duration;

(C) Providing light bulbs, street or outdoor lighting service, wiring, service pipe or other service equipment or appliances, in accordance with tariffs filed with and approved by the commission;

(D) Providing appliances or equipment to an educational institution for the purpose of instructing students in the use of the appliances or equipment;

(E) Merchandising appliances or equipment at retail and, in connection therewith, the holding of inventories, making and fulfillment of reasonable warranties against defects in material and workmanship existing at the time of delivery and financing; provided that the merchandising shall not violate any prohibition contained in 4 CSR 240-14.020;

(F) Inspecting and adjusting of appliances or equipment by an electric utility;

(G) Repairing and other maintenance to appliances or equipment by an electric utility if charges are at cost or above;

(H) Providing free or below-cost energy audits or other information or analysis regarding the feasibility and cost-effectiveness of improvements in the efficiency characteristics of appliances, equipment, buildings, utilization patterns or operating procedures;

(I) Offering to present or prospective customers by an electric utility technical or engineering assistance; and

(J) Advertising or publicity by an electric utility which is under its name and on its behalf and which does not in any manner, directly or indirectly, identify, describe, refer to, mention or relate to any architect, builder, engineer, subdivider, developer or other similar person, or which mentions no less than three (3) existing projects, developments or subdivisions.]

(13[14]) Purchase means the purchase of electric energy or capacity or both from a qualifying facility by an electric utility.

(14 [15]) Qualifying facility means a cogeneration facility of a small power production facility which is a qualifying facility under Subpart B of Part 292 of the Federal Energy Regulatory Commission's (FERC) regulations.

(15 [16]) Sale means the sale of electric energy or capacity or both by an electric utility to a qualifying facility.

*AUTHORITY: section 386.250, RSMo 2000. * Original rule filed Aug. 16, 2002, effective April 30, 2003.*

**Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996.*

PUBLIC COST: These proposed amendments will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: These proposed amendments will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rule with the Missouri Public Service Commission, 200 Madison Street. P.O. Box 360, Jefferson City MO 65102-0360. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for [time, place and address of hearing].*

Commented [A5]: It is unclear to DE whether these parts of the rule were intended to be rescinded and consolidated with the rest of the Promotional Practices rules.

**Title 4 - DEPARTMENT OF
ECONOMIC DEVELOPMENT
Division 240 - Public Service Commission
Chapter 3-Filing and Reporting Requirements**

PROPOSED RESCISSION

4 CSR 240-3.150 Filing Requirements for Electric Utility Promotional Practices

PURPOSE: This rule is being rescinded in its entirety and a new rule will be promulgated with streamlined requirements in 4 CSR 240-10.

AUTHORITY: section 386.250, RSMo 2000. Original rule filed Aug. 16, 2002, effective April 30, 2003.*

**Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996.*

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRJVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rescission with the Missouri Public Service Commission, 200 Madison Street. P.O. Box 360, Jefferson City MO 65102-0360. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for [time, place and address of hearing].*

**Title 4 - DEPARTMENT OF
ECONOMIC DEVELOPMENT
Division 240 - Public Service Commission
Chapter 3-Filing and Reporting Requirements**

4 CSR 240-3.200 Definitions Pertaining Specifically to Gas Utility Rules

PURPOSE: This rule removes unnecessary definitions. Definitions relevant to promotional practices will be included in a streamlined promotional practices rule in 4 CSR 240-10.

[(15) Promotional practices means any consideration offered or granted by a gas utility or its affiliate to any person for the purpose, express or implied, of inducing the person to select and use the service or use additional service of the utility or to select or install any appliance or equipment designed to use the utility service, or for the purpose of influencing the person's choice or specification of the efficiency characteristics of appliances, equipment, buildings, utilization patterns or operating procedures. The term promotional practices shall not include the following activities:

- (A) Making any emergency repairs to appliances or equipment of customers;*
- (BJ) Providing appliances or equipment incidental to demonstrations of sixty (60) days or less in duration;*
- (C) Providing light bulbs, street or outdoor lighting service, wiring, service pipe or other service equipment or appliances, in accordance with tariffs filed with and approved by the commission;*
- (D) Providing appliances or equipment to an educational institution for the purpose of instructing students in the use of the appliances or equipment;*
- (E) Merchandising appliances or equipment at retail and, in connection therewith, the holding of inventories, making and fulfillment of reasonable warranties against defects in material and workmanship existing at the time of delivery and financing; provided that the merchandising shall not violate any prohibition contained in 4 CSR 240-14.020;*
- (F) Inspecting and adjusting of appliances or equipment by a gas utility;*
- (G) Repairing and other maintenance to appliances or equipment by a gas utility if charges are at cost or above;*
- (H) Providing free or below-cost energy audits or other information or analysis regarding the feasibility and cost-effectiveness of improvements in the efficiency characteristics of appliances, equipment, buildings, utilization patterns or operating procedures;*
- (I) Offering to present or prospective customers by a gas utility technical or engineering assistance; and*
- (J) Advertising or publicity by a gas utility which is under its name and on its behalf and which does not in any manner, directly or indirectly, identify, describe, refer to, mention or relate to any architect, builder, engineer, subdivider, developer or other similar person, or which mentions no less than three (3) existing projects, developments or subdivisions.]*

(15[16]) Service line means a distribution line that transports gas from a common source of supply to a) a customer meter or the connection to a customer's piping, whichever is farther downstream, or b) the connection to a customer's piping if there is no customer meter. A customer meter is the meter that measures the transfer of gas from an operator to a consumer.

(16[1?]) Transmission line means a pipeline, other than a gathering line, that:

(A) Transports gas from a gathering line or storage facility to a distribution center, storage facility, or large volume customer that is not downstream from a distribution center (A large volume customer may receive similar volumes of gas as a distribution center, and includes factories, power plants, and institutional users of gas);

(B) Operates at a hoop stress of twenty percent (20%) or more of specified minimum yield strength (SMYS); or

(C) Transports gas within a storage field.

(17[18]) Transportation of gas means the receipt of gas at one point on a regulated gas corporation's system and the redelivery of an equivalent volume of gas to the retail customer of the gas at another point on the regulated gas corporation's system including, without limitation, scheduling, balancing, peaking, storage, and exchange to the extent such services are provided pursuant to the regulated gas corporation's tariff, and includes opportunity sales.

(18[19]) Yard line means an underground fuel line that transports gas from the service line to the customer's building. If multiple buildings are being served, building shall mean the building nearest to the connection to the service line. For purposes of this definition, if aboveground fuel line piping at the meter location is located within five feet (5') of a building being served by that meter, it shall be considered to the customer's building and no yard line exists. At meter locations where aboveground fuel line piping is located greater than five feet (5') from the building(s) being served, the underground fuel line from the meter to the entrance into the nearest building served by that meter shall be considered the yard line and any other lines are not considered yard lines.

AUTHORITY: section 386.250, RSMo 2000. Original rule filed Aug. 16, 2002, effective April 30, 2003.*

**Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996.*

PUBLIC COST: These proposed amendments will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: These proposed amendments will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rule with the Missouri Public Service Commission, 200 Madison Street. P.O. Box 360, Jefferson City MO 65102-0360. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for [time, place and address of hearing].*

Commented [A6]: It is unclear to DE whether these parts of the rule were intended to be rescinded and consolidated with the rest of the Promotional Practices rules.

**Title 4 - DEPARTMENT OF
ECONOMIC DEVELOPMENT
Division 240 - Public Service Commission
Chapter 3 - Filing and Reporting**

Requirements PROPOSED RESCISSION

4 CSR 240-3.255 Filing Requirements for Gas Utility Promotional Practices

PURPOSE: This rule is being rescinded in its entirety and a new rule will be promulgated with streamlined requirements in 4 CSR 240-10.

AUTHORITY: section 386.250, RSMo 2000. Original rule filed Aug. 16, 2002, effective April 30, 2003.*

**Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996.*

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rescission with the Missouri Public Service Commission, 200 Madison Street. P.O. Box 360, Jefferson City MO 65102-0360. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for [time, place and address of hearing].*

**Title 4-DEPARTMENT OF
ECONOMIC DEVELOPMENT
Division 240-Public Service Commission
Chapter 14-Utility Promotional
Practices**

PROPOSED RESCISSION

4 CSR 240-14.010 General Provisions

PURPOSE: This rule is being rescinded in its entirety and a new rule will be promulgated with streamlined requirements previously contained in 4 CSR 240-10.

AUTHORITY: sections 386.040, 386.610 and 393.140, RSMo 1986 and 386.250, RSMo Supp. 1991. Original rule filed June 28, 1971, effective July 8, 1971. Amended: Filed Sept. 15, 1972, effective Sept. 25, 1972. Amended: Filed April 1, 1988, effective June 6, 1988. Amended: Filed June 12, 1992, effective May 6, 1993.*

**Original authority: 386.040, RSMo 1939; 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991; 386.610, RSMo 1939; and 393.140, RSMo 1939, amended 1949, 1967.*

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rescission with the Missouri Public Service Commission, 200 Madison Street, P.O. Box 360, Jefferson City MO 65102-0360. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for [time, place and address of hearing].*

**Title 4-DEPARTMENT OF
ECONOMIC DEVELOPMENT
Division 240-Public Service Commission
Chapter 14-Utility Promotional
Practices**

PROPOSED RESCISSION

4 CSR 240-14.020 Prohibited Promotional Practices .

PURPOSE: This rule is being rescinded in its entirety and a new rule will be promulgated with streamlined requirements previously contained in 4 CSR 240-10.

AUTHORITY: sections 386.040, 386.610 and 393.140, RSMo 1986 and 386.250, RSMo Supp.

*1991. * Original rule filed June 28, 1971, effective July 8, 1971. Amended: Filed Sept. 15, 1972, effective Sept. 25, 1972. Amended: Filed June 12, 1992, effective May 6, 1993.*

**Original authority: 386.040, RSMo 1939; 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991; 386. 10, RSMo 1939; and 393.140, RSMo 1939, amended 1949, 1967.*

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will riot cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rescission with the Missouri Public Service Commission, 200 Madison Street. P.O. Box 360, Jefferson City MO 65102-0360. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for [time, place and address of hearing].*

**Title 4-DEPARTMENT OF
ECONOMIC DEVELOPMENT
Division 240-Public Service Commission
Chapter 14-Utility Promotional
Practices**

PROPOSED RESCISSION

4 CSR 240-14.030 Promotional Practices Standards

PURPOSE: This rule is being rescinded in its entirety and a new rule will be promulgated with streamlined requirements previously contained in 4 CSR 240-10.

*AUTHORITY: sections 386.040, 386.610 and 393.140, RSMo 1986 and 386.250, RSMo Supp. 1991. * Original rule filed June 28, 1971, effective July 8, 1971. Amended: Filed Sept. 15, 1972, effective Sept. 25, 1972. Amended: Filed June 12, 1992, effective May 6, 1993.*

**Original authority: 386.040, RSMo 1939; 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991; 386.610, RSMo 1939; and 393.140, RSMo 1939, amended 1949, 1967.*

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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