

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

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RULES OF PRACTICE AND PROCEDURE
AND FORMS GOVERNING MATTERS
BEFORE THE COMMISSION

Adopted April 24, 1913
Effective May 1, 1913



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**RULES OF PRACTICE AND PROCEDURE AND FORMS
GOVERNING MATTERS BEFORE THE PUBLIC
SERVICE COMMISSION OF THE STATE
OF MISSOURI**

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RULE I. Sessions of the Commission.

The principal office of the Commission shall be in Jefferson City, and shall always be open during business hours, Sundays and legal holidays excepted.

The regular monthly session of the Commission shall be held in its office on the first Tuesday of each month, at 9 o'clock a. m., at which time any person having business with the Commission may appear and be heard. The Commission will hold other sessions at Jefferson City and elsewhere in the State at such times as it may designate. The sessions of the Commission shall be public.

RULE II. Secretary to Furnish Information.

The Secretary of the Commission will, upon request, advise as to the form of petition, answer, or other papers necessary to be

filed in any case, and furnish such information from the files of the Commission as will conduce to a full presentation of material facts.

RULE III. Formal Proceedings—General Matters Applicable to All Cases.

1. *Address of the Commission.* All communications should be addressed to "Public Service Commission, Jefferson City, Missouri."

2. *Case Numbers and Titles.* Each matter coming formally before the Commission will be known as a case and shall receive a number and a title, descriptive of the subject matter. Such number and title shall be used on all papers in the case.

3. *Documents Filed.* All documents filed with the Commission shall be printed or typewritten, and, so far as practicable, shall be upon paper 8½ by 13 inches in size.

4. *Service of Papers.* Notices, orders or other papers may be served personally or by mail as provided by section 25 of the Public Service Commission Law and by the Code of Civil Procedure, and when any party has appeared by attorney, service upon such attorney will be deemed proper service upon the party.

5. *Witnesses and Subpoenas.* Subpoenas requiring the attendance of witnesses for the purpose of taking testimony may, upon the application of any party, be signed and issued by any member of the Commission or by the Secretary.

Subpoenas for the production of books, papers or documents (unless directed to issue by the Commission upon its own motion) will only be issued, in the discretion of a Commissioner, upon application in writing.

6. *Amendments.* The Commission may, in its discretion, allow any complaint, answer, petition or other paper to be amended or corrected or omission to be supplied therein.

7. *Orders.* All orders made by the Commission will be filed in the office of the Commission and certified copies thereof shall be served upon the parties to be affected thereby.

8. *Intervention.* In any formal proceeding, the Commission may permit any corporation, association, body politic or person, having an interest in the result of such proceeding, to intervene and be heard, after opportunity has been given to the party or parties to such proceeding to be heard on such intervention. Leave thus granted shall entitle the intervener to have

notice of and to appear at the taking of testimony, to produce and cross-examine witnesses, and to be heard in person or by counsel on the argument.

RULE IV. Complaints—Contests and Proceedings up to Hearing.

1. *Who May Complain.* Complaint may be made by the Commission of its own motion, or by any corporation or person, chamber of commerce, board of trade, or any civic, commercial, mercantile, traffic, agricultural or manufacturing association or organization, or any body politic or municipal corporation, by petition or complaint in writing, setting forth any act or thing done or omitted to be done by any corporation, person or public utility including any rule, regulation or charge heretofore established or fixed by or for any corporation, person or public utility in violation, or claimed to be in violation, of any provision of law, or of any rule or order or decision of the Commission: Provided, that no complaint shall be entertained by the Commission, except upon its own motion, as to the reasonableness of any rates or charges of any gas, electric, water or telephone corporation, unless the same be signed by the mayor or the president or chairman of the board of aldermen or a majority of the council, commission or other legislative body of any city, town, village or county, within which the alleged violation occurred, or not less than twenty-five consumers or purchasers, or prospective consumers or purchasers, of such gas, electricity, water or telephone service.

(a) Any public utility shall have the right to complain on any of the grounds upon which complaint may be made by other parties.

2. *Contests of Complaint.* Each complaint shall show the venue, "Before the Public Service Commission of the State of Missouri," shall bear a heading showing the name of the complainant and the name of the defendant and shall state:

(a) The full name and postoffice address of the complainant.

(b) The full name and postoffice address of the defendant.

(c) Fully, clearly and with reasonable certainty the act or thing done or omitted to be done, of which complaint is made, with a reference, where practicable, to the law, order or rule, and the section or sections thereof, of which a violation is claimed.

(d) Such other matters or facts, if any, as may be necessary to acquaint the Commission fully with the details of the alleged violation.

3. *Signature of Complainant.*

(a) The complaint shall be signed by the complainant or his attorney, if any, and shall show the name and postoffice address of such attorney and shall be verified. Complaints by unincorporated associations may be verified by any officer or director thereof.

(b) No oral or unsigned complaint will be entertained or acted upon by the Commission.

4. *Copies to Accompany Complaint.* At the time complainant files his original complaint, he must also file copies thereof equal in number to one more than twice the number of corporations or persons to be served.

5. *Procedure of Commission on Filing of Complaint.* Upon the filing of such complaint, the Commission shall immediately examine the same to ascertain whether it establishes a *prima facie* case and conforms to these rules. If the Commission is of the opinion that the complaint does not establish a *prima facie* case or does not conform to these rules, it shall notify the complainant or his attorney to that effect, and opportunity may be given to amend the complaint within the specified time. If the complaint is not so amended within such time or such extension thereof as the Commission, for good cause shown, may grant, it will be dismissed.

If the Commission is of the opinion that such complaint, either as originally filed or as amended, does establish a *prima facie* case and conform to these rules, the Commission shall serve upon each corporation or person complained of an order under the hand of its secretary and attested by its seal, accompanied by a copy of said complaint, directed to such corporation or person and requiring that the matter complained of be satisfied, or that the complaint be answered in writing within ten days from the date of service of such order, provided that the Commission may, in particular cases, require the answer to be filed within a shorter time.

6. *Satisfaction of Complaint.* If the defendant desires to satisfy the complaint, he may submit to the Commission, within the time allowed for the satisfaction or answer, a statement of the relief which he is willing to give. On the acceptance of this offer by the complainant and the approval of the Commission, no further proceedings need be taken.

7. *Answer to Complaint.* If satisfaction be not made as aforesaid, the corporation or person complained of must, within the time specified in the order of such extension thereof as the Commission, for good cause shown, may grant, file an answer to the complaint, with admission of service by complaint or his attorney endorsed thereon, or an affidavit of service. The answer must contain a specific denial of such material allegations of the complaint as controverted by the defendant and also a statement of any new matter constituting a defense. If the answering party has no information or belief upon the subject sufficient to enable him to answer an allegation of the complaint, he may so state in his answer and place his denial upon that ground.

RULE V. Hearings and Rehearings—In All Formal Proceedings.

1. *When Hearings will be Given.* Except as otherwise determined in specific cases, the Commission will grant a hearing in the following classes of cases:

(a) When an order to satisfy a complaint or to make answer thereto has been made and the corporation or person complained of has not satisfied the cause of complaint.

(b) When an application has been made in a formal proceeding.

2. *Notice of Place of Hearing.*

(a) Notice of the day and hour of a hearing shall be served at least ten days before the time set therefor, unless the Commission shall find that public necessity requires the hearing to be held at an earlier date. Hearings shall be held in the office of the Commission in Jefferson City unless elsewhere specified in the notice.

(b) In formal applications, the Commission may, in its discretion, give all other corporations or persons who may be affected thereby an opportunity to be heard, either by service upon them of a copy of the petition or by publication of the substance thereof, at the expense of the applicant, for such length of time and in such newspaper or newspapers as the Commission may designate. In such cases, the form of the notice must be submitted to the Secretary of the Commission for approval, and proof of the publication thereof must be filed with the Secretary at or before the hearing.

3. *Stipulation as to Facts.* The parties to any proceeding or investigation before the Commission may, by stipulation in writing filed with the Commission or entered in the record, agree upon the facts or any portion thereof involved in the controversy, which stipulation shall be regarded and used as evidence at the hearing. It is desirable that the facts be thus agreed upon whenever practicable. The Commission may in such cases require such additional evidence as it may deem necessary.

4. *Procedure at Hearings.*

(a) Witnesses will be examined orally and under oath before the Commission or a Commissioner unless facts are stipulated or the Commission or Commissioner otherwise orders.

(b) The complainant must establish the facts upon which he bases his complaint, unless the defendant admits the same. The defendant must likewise give evidence of the facts alleged in the answer, unless admitted by the complainant, and must fully disclose its defense at the hearing. In case of failure to answer, the Commission will take such proof of the facts as may be deemed proper and reasonable and make such order thereon as the circumstances of the case may require.

(c) If documentary evidence is offered, the Commission in lieu of requiring the originals to be filed, may, in its discretion, accept certified, or otherwise authenticated, copies of such documents or such portions of the same as may be relevant, or may require such evidence to be transcribed as part of the record.

5. *Adjournments.* Hearings may be adjourned from time to time by or at the direction of the Commission or a Commissioner.

6. *Briefs.* The Commission or a Commissioner may require the submission of briefs.

7. *Investigations on Commission's Own Motion.* The Commission may at any time, of its own motion, make investigations and order hearings into any act or thing done or omitted to be done by any public utility, which the Commission may believe is in violation of any provision of law or of any order or rule of the Commission. It may also, through its own experts or employees,

or otherwise, secure such evidence as it may consider necessary or desirable in any formal proceeding in addition to the evidence presented by the parties.

8. *Rehearings.* Any party to a formal proceeding or any stockholder or bondholder or other party pecuniarily interested in the public utility affected may apply for a rehearing as to any matters determined by the Commission and specified in the application for the rehearing, and the Commission may grant and hold such rehearing on said matters if in its judgment sufficient reason therefor be made to appear. Such application shall set forth specifically the ground or grounds on which the applicant considers the Commission's decision or order to be unlawful, unjust or unreasonable. Rehearings must be asked for before the effective date of the decision or order complained of. In further respects, rehearings will be governed by the provisions of section 110 of the Public Service Commission Law.

RULE VI. Applications—General Matters Applicable to All.

1. All applications for the approval, determination, consent, permission, certificate or authorization of the Commission in cases where such approval, determination, consent, permission, certificate or authorization is required by law, shall be by petition, duly verified. Five copies of the petition shall also be filed. In all cases there must be annexed to the original petition certified or verified copies of the certificate of organization of every corporation directly affected by the proposed action, and certified copies of all such certificates, statements or records which modify, change or extend the purposes or powers of such corporations.

The petition must contain such further statements as may be required by any provision of law or of these rules and must show in detail compliance therewith.

2. *Documents Filed With Application.* Whenever under these rules any map, profile, certificate, statement or other document is required to be filed with a petition and the same has theretofore been filed with the Commission, the petition may state the fact of such filing, with the date and the proceedings in which, or occasion on which, the filing was made.

3. *Procedure of Commission on Filing of Petition.* Upon the filing of such petition, the Commission shall examine the same to see whether it establishes a *prima facie* case for action on the part of the Commission and conforms to these rules. If the peti-

tion fails in either of these respects, the Commission will give notice of the defects to the applicant, who may correct the same. If the petition be found to state a *prima facie* case and to comply with the rules, the Commission may make an order *ex parte* granting the application or will appoint a time and place for a hearing on the same.

RULE VII. Financial Condition Defined.

Wherever an applicant is required to set forth its financial condition, such financial condition shall be given so far as practicable in proper schedules annexed to and referred to and properly designated in the petition. Such schedules shall show the following:

- (1) Amount and kinds of stock authorized.
- (2) Amount and kinds of stock issued and outstanding.
- (3) Terms of preference of all preferred stock.
- (4) Brief description of each mortgage upon property of the applicant, giving date of execution, name of mortgagor, name of mortgagee or trustee, amount of indebtedness authorized to be secured thereby and amount of indebtedness actually secured.
- (5) Number and amount of bonds authorized and issued, giving name of company which issued and describing each class separately, giving date of issue, par value, rate of interest, date of maturity, and how secured.
- (6) Other indebtedness giving same by classes and describing security, if any. A brief statement showing devolution or assumption of any of the foregoing debts upon or by any person or corporation, if the original liability has been transferred.
- (7) Amount of interest paid during previous fiscal year and rate thereof. If different rates were paid, amount paid at each rate.
- (8) Rate and amount of dividends paid during previous five years.
- (9) Detailed statement of earnings and expenditures for and balance sheet showing conditions at the close of last fiscal year, unless already filed with the Commission as part of the annual report.

RULE VIII. Extension of Time to File Required Reports, Statements or Data, or to Comply With Commission's Orders—Applications For.

Whenever a public utility has been required by the Commission to file any report, statement or data or to comply with any other order of the Commission within a time specified, and for any reason is unable to do so within the time specified, it must, before the expiration of such time, file with the Commission an application for extension of time, in which event—

1. The petition shall set forth in detail:

(a) What, if any, effort has been made by the applicant to prepare such report, statement or data or to comply with such order.

(b) Any facts tending to show why the said report, statement or data cannot be filed or said order complied with within the time prescribed.

(c) Any other facts which may make an extension of time necessary or proper.

(d) The further period of time deemed necessary by the applicant within which to make and file such report, statement or data or to comply with such order.

2. The Commission may direct a hearing upon said petition and in that event the applicant shall attend before the Commission or the Commissioner holding the hearing and produce such witnesses and documents as the Commission may require.

RULE IX. Switch Connections and Spurs—Complaints For.

When complaint is made for the installation of a switch connection or spur, under the provisions of section 28 of the Public Service Commission Law:

1. The complaint, in addition to the requirements of Rule IV, 2, must state:

(a) Character and amount of business which will probably be tendered at such connection or spur.

(b) Length of track necessary to be built by defendant, and the cost of same.

2. With the complaint shall be filed:

(a) Map on scale of not less than 100 feet per inch, showing location of existing tracks; property lines; build-

ings and structures in the vicinity; and the location and length of the proposed switch connection or spur. Such map should be filed in triplicate; one copy shall be on tracing linen unless waived by the Commission.

RULE X. Applications for Consent to Discontinue a Station.

On an application for the consent of the Commission to discontinue a station.

1. The petition shall, in addition to the matters required by Rule VI, state:

(a) The fact upon which the applicant relies for the consent.

(b) Whether the station is situated on a line operated under lease or other agreement.

(c) Whether there is any agreement with the lessor or predecessor as to the maintenance of the station.

(d) Whether there is any agreement between the applicant or its lessor or predecessor and any person or persons, association or corporation or municipality, with reference to the maintenance of the station at the point in question.

(e) Whether any application as to the station in question has heretofore been made to the Board of Railroad Commissioners or to the Public Service Commission.

2. With the petition should be filed certified copies of any such agreement as are not already on file with the Commission.

RULE XI. Value of Property of Public Utilities.

Formal proceedings instituted by the Commission to ascertain the value of the property of a public utility shall be conducted as provided in the Public Service Commission Law. Whenever in any formal proceeding the value of the property, or a portion thereof, of a public utility becomes relevant and pertinent, the Commission may, through its own experts and employes, or otherwise, investigate and ascertain such value.

RULE XII. Railroad and Street Railroad Crossings—Applications for Construction, Alteration or Abolition of.

When application is made for the construction, alteration or abolition of crossings (1) of public roads, highways or streets by railroads, or (2) of railroads by public roads, highways or streets, or (3) of railroads by railroads, or (4) of railroads by street railroads, or (5) of street railroads by railroads, or (6) of public roads or highways by street railroads, or (7) of street railroads by public roads or highways, under the provisions of section 50 of the Public Service Commission Law.

1. The petition, in addition to the requirements of Rule VI, must state:

(a) If the application is for a crossing at grade, such facts, data and estimates of cost as tend to show that it is not reasonable or practicable to effect a separation of grades.

(b) Such safety device or other protection, if any, as the applicant may believe should be installed, with detailed information concerning the same.

2. With the petition shall be filed:

(a) Map on scale of not less than 200 feet per inch, showing accurately the location of all tracks, buildings, structures, property lines, streets and roads in the vicinity of the proposed crossing.

(b) Profiles showing ground lines and proposed grade lines of approaches on such public roads, highways or streets, railroads or street railroads as may be affected by the proposed crossing. In case of a contemplated crossing of a railroad by a railroad, the profile of each railroad shall show the customary information for not less than one (1) mile on each side of the proposed crossing.

RULE XIII. Safety Devices at Railroad Crossings—Applications For.

Whenever a railroad or street railroad desires to protect any crossing which it may have at grade with another railroad or street railroad, with an interlocking or other safety device, it may make application to the Commission for an order approving such device and directing its construction and also prescribing the

division of the cost of construction, maintenance and operation of the same.

1. The petition, in addition to the requirements of Rule VI, must state:

(a) The kind of device proposed, with a description thereof and an estimate of the cost of its construction and operation.

(b) The average number of trains of each class, and of cars in case of street railroads, operated daily over the crossing by each railroad over a period of not less than thirty (30) days.

2. With the petition shall be filed:

(a) Map on scale of not less than 100 feet per inch, showing the location of main tracks, the length and location of all switches, sidings and spur tracks, all buildings and obstructions to the view in the vicinity, the proposed location of tower, if any, and the proposed location of all derails, switches, signals and detector bars, which are proposed to be operated by the device.

(b) A profile of each railroad or street railroad, showing the customary information for not less than one (1) mile on each side of the crossing, in case of railroads, and not less than 1,000 feet in case of street railroads.

(c) Copies of such contracts or agreements, if any, as may have been entered into relating to the construction or protection of the crossing.

RULE XIV. New Construction or Extensions—Application For.

When application is made by a railroad corporation, street railroad corporation, gas corporation, electrical corporation, telephone corporation, water corporation, or heating company for a certificate that the present or future public convenience or necessity require, or will require a proposed new construction or an extension, as specified in the Public Service Commission Law.

1. The petition, in addition to the requirements of Rule VI, must state:

(a) The proposed location, route or routes, the method of construction, and the names of all public utility corporations or persons with whom the proposed new construction or extension is likely to compete.

(b) The manner, in detail, in which it is proposed to finance the proposed new construction or extension.

2. With the petition shall be filed:

(a) Map to suitable scale, showing the location or route of the proposed new construction or extension with its relation to other public utilities with which the same is likely to compete, which map shall contain all data necessary for a complete understanding of the situation.

(b) When the consent, franchise or permit of a county, city, municipal or other public authority is necessary, a certified copy of the application therefor and of the ordinance or other document granting such consent, franchise or permit. If it is impossible to file a copy of the application, the facts rendering such filing impossible shall be stated.

3. At the hearing, proof must be made that the proposed new construction or extension is or will be necessary or convenient for the public service, and proof must be made of the *bona fides* of the enterprise and of the financial ability of the applicant to build the new proposed construction or extension for which permission and approval are sought.

RULE XV. Franchises and Permits—Applications For Permission to Exercise.

When application is made by a railroad corporation, street railroad corporation, gas corporation, electrical corporation, telephone corporation, water corporation or heating company for a certificate that public convenience and necessity require the exercise of a right or privilege under a franchise or permit, in the cases specified in the Public Service Commission Law.

1. The petition, in addition to the requirements of Rule VI, must state:

(a) The financial condition of the applicant as defined in Rule VII.

(b) The facts showing the proceedings theretofore taken with reference to franchise or permit for which permission and approval are sought.

(c) If the application is for permission to exercise a right or privilege under any franchise or permit granted prior to April 15, 1913, but not theretofore ex-

exercised, or the exercise of which has been suspended for more than one year, the reason why such right or privilege has not been exercised or has been suspended.

(d) The facts showing that the exercise of such right or privilege under such franchise or permit is required by the public convenience and necessity.

2. With the petition shall be filed:

(a) A certified copy of the written application to the proper county, city, municipal or other public authority for its consent, franchise or permit and of the ordinance or other document, if any has been secured, granting such consent, franchise or permit. If it is impossible to file a copy of the application, the facts rendering such filing impossible shall be stated.

(b) Map to suitable scale, showing the streets, avenues and all other places and property in or upon or along which it is proposed to exercise such franchise or permit.

3. If a public utility desires to exercise a right or privilege under a franchise or permit which it contemplates securing, but which has not as yet been granted to it, such public utility may apply to the Commission for an order preliminary to the issue of the certificate. The Commission will, in its discretion, thereupon make an order declaring that it will thereafter, upon application, issue the desired certificate, upon such terms and conditions as it may designate, after the public utility has obtained the contemplated franchise or permit. Upon the presentation to the Commission of evidence satisfactory to it that such franchise or permit has been secured by such public utility, the Commission will thereupon issue such certificate.

RULE XVI. Sale, Lease, Assignment, Mortgage or Other Disposition of Property—Applications For.

When application is made by a railroad corporation, street railroad corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, or heating company for an order authorizing the sale, lease, assignment, mortgage or other disposition of the whole or any part of its railroad, street railroad, plant or system necessary or useful in the performance of its duties to the public, or any fran-

chise or permit or any right thereunder, or by any means whatsoever, direct or indirect, the merger or consolidation of its property, franchises or permits or any part thereof, with any other public utility, in the cases specified in the Public Service Commission Law:

1. The petition must be made by all the parties to the proposed transaction, and, in addition to the requirements of Rule VI, must state:

(a) The financial condition of each applicant, as defined in Rule VII.

(b) In detail the reasons upon the part of each applicant for entering into the proposed sale, lease, assignment, mortgage or other disposition of such property, franchise or permit and all the facts warranting the same and showing it is for the benefit of the public service.

2. With the petition shall be filed:

(a) A copy of proposed contract, agreement, lease or mortgage, and if prior agreements have been made between the parties relating to the same subject-matter, copies of such agreements must be filed with the petition or referred to as already on file with the Commission.

RULE XVII. Acquisition of Part or All of Capital Stock of Another Utility—Applications For.

When application is made by any public utility for authorization to purchase or acquire, take or hold any part of the capital stock of any other public utility, under the provisions of the Public Service Commission Law,

1. The petition must be made by the public utility proposing to purchase, acquire, take or hold the stock, and in addition to the requirements of Rule VI, must state:

(a) The financial condition of the applicant and of the corporation whose stock is sought to be purchased, acquired, taken or held, as defined in Rule VII.

(b) The reason why the applicant desires to secure the stock, and the amount of the stock of the public utility affected already owned or held by applicant, if any.

(c) Price proposed to be paid for the stock, the terms of payment with the market value thereof, the highest and lowest price during the period of at least one year prior to the application, and dividends, if any, paid for a period of five years.

RULE XVIII. Stocks, Bonds, Notes and Other Evidences of Indebtedness—Application For Order Authorizing Issue of.

When application is made by any public utility for an order authorizing the issue of stock or stock certificates, or bonds, notes or other evidences of indebtedness payable at periods of more than twelve months, after the date thereof, under the provisions of the Public Service Commission Law:

1. The petition, in addition to the requirements of Rule VI, shall state:

(a) The financial condition of the applicant as defined in Rule VII, and a description of the railroad, street railroad, plant or system, and equipment of the applicant, with its original cost, where possible, and its cost to the applicant, and the amount of its stock held by other corporations and their names, and the kind of stock held by each. If it is impossible to state the original cost, the facts creating such impossibility shall be stated.

(b) The amount and kind of stock, if any, which the public utility desires to issue, and, if preferred, the nature and extent of the preference; the amount of bonds, notes or other evidences of indebtedness, if any, which the public utility desires to issue, with terms, rate of interest, and whether and how to be secured.

(c) The use to which the capital to be secured by the issue of such stock or stock certificates, or bonds, notes or other evidences of indebtedness is to be put, with a definite statement of how much is to be used severally for the acquisition of property, the construction, completion, extension or improvement of facilities, the improvement of service, the maintenance of service, the discharge or refunding of obligations, and the reimbursement of moneys actually expended from income

or from any other moneys in the treasury, as provided by the Public Service Commission Law.

(d) The property in detail which is to be acquired, with its value, a detailed description of the contemplated construction, completion, extension or improvement of facilities set forth in such a manner that an estimate of cost may be made, a statement of the character of the improvement of service proposed, and of the reasons why the service should be maintained from its capital. If it is proposed to discharge or refund obligations or to reimburse moneys actually expended, a statement of the nature and description of such obligations and expenditures, including the par value of the obligations and the amount for which they were actually sold and the application of the proceeds and of the moneys expended, showing when, to whom and for what paid or applied.

(e) Whether any contracts have been made for the acquisition of such property, or for such construction, completion, extension or improvement of facilities, or for the reimbursement of expenditures, or for the disposition of any of the stock or stock certificates, or bonds, notes or other evidences of indebtedness which it is proposed to issue, or the proceeds thereof, and if any contracts have been made, copies thereof shall be annexed to the petition.

(f) Whether any of the outstanding stock or stock certificates or bonds, notes or other evidences of indebtedness of the public utility have been issued or used in capitalizing the right to be a corporation, or any franchise or permit, or the right to own, operate or enjoy any such franchise or permit, or any contract for consolidation or lease, and, if so, the amount thereof and the franchise right, contract or lease so capitalized.

(g) If the stock or stock certificates are to be issued by a corporation formed by the merger or consolidation of two or more corporations, the petition shall contain a complete statement of the financial condition of the corporations so to be merged or consolidated of the kind required by subdivision (a), hereinbefore set forth, and of their capital stock at the par value thereof.

(h) Such other facts as may be pertinent to the application.

2. With the petition must be filed:

(a) A certificate or proposed certificate of proceedings at the meeting of directors and stockholders authorizing the issue of the desired securities with a copy of the mortgage, if any.

(b) A certified list of the certificates of stock already outstanding, with the shares of stock represented by each certificate, and the amounts paid to the public utility on each certificate as originally issued, either in money, labor or property, stating the amount of each.

(c) Maps, profiles, plans and plats of proposed property and construction as will indicate to the Commission the property to be acquired and the location, extent and character of the proposed construction.

(d) Original deeds of property or certified copies thereof covered by proposed issue, with a detailed statement of its actual cost.

(e) Certified copies of all contracts for the acquisition of proposed property and equipment and for construction, with plans and specifications of such buildings and structures as may have been designed.

(f) Complete inventory of all property and equipment proposed to be acquired, and a statement of the cost thereof.

(g) A certified statement of all cash bonuses and other donations of property received, if any.

3. If the application is granted, in whole or in part, the Commission's order will:

(a) Prescribe the purposes and amounts for which the issue authorized or the proceeds thereof may be used.

(b) Direct the applicant to report under oath the sale or sales of the securities or obligations authorized, the terms and conditions of sale and the amount realized therefrom.

(c) Require the applicant to make a verified report at least every six months, showing in detail the use and application by it of the moneys so realized until such moneys shall have been fully expended.

(d) Specify such condition or conditions and prescribe such terms as the Commission may deem reasonable and necessary to the exercise of its permission. (See form No. 9 for forms of such orders.)

RULE XIX. Increase in Charges—Applications for Permission to Make.

When application is made by any public utility to raise any rate, fare, toll, rental or charge or so alter any classification, contract, practice, rule or regulation as to result in an increase in any rate, fare, toll, rental or charge, under the provisions of the Public Service Commission Law.

1. The petition, in addition to the requirements of Rule VI, must state:

(a) The rates, fares, tolls, rentals or charges in effect and the increases which it is desired to make. These allegations may be made by reference to schedules accompanying the petition.

(b) The reasons for the increase, to be stated in full, so that the Commission may clearly see the justification therefor.

2. With the petition must be filed:

(a) Such schedules or data, if any, as the Commission's tariff circulars or other applicable orders may, from time to time, specify.

3. If the Commission is satisfied with the showing so made, it may take action on the application *ex parte*; otherwise it may order a hearing and give notice thereof to such corporations or persons as it may consider necessary or desirable.

Rule XX. Long and Short Distance Messages: Thirty-Day Notice Rule—Applications for Relief From.

When application is made by a telegraph or telephone corporation for authorization to charge less for a longer than for a shorter distance service for the transmission of messages or conversation over the same line or route in the same direction, under the provisions of section 94 of the Public Service Commission Law.

1. The petition, in addition to the requirements of Rule VI, must state:

(a) Such facts in connection with the matter and the reasons for the desired relief as may be specified from time to time in the Commission's tariff circulars or other applicable orders or instructions.

2. With the petition must be filed:

(a) Such schedules or data, if any, as the Commission's tariff circulars or other applicable orders or instructions may, from time to time, specify.

3. If the Commission is satisfied with the showing so made, it may take action on the application *ex parte*; otherwise it may order a hearing and give notice thereof to such corporations or persons as it may consider necessary or desirable.

RULE XXI. Excessive or Discriminatory Charges—Applications for Permission to Refund.

When application is made by any public utility to make a reparation to any shipper or consumer on account of the rates charged to said shipper or consumer being excessive or discriminatory:

1. The petition, in addition to the requirements of Rule VI, must state:

(a) Such facts in connection with the matter as may be specified from time to time in the Commission's tariff circulars or other applicable orders or instructions.

2. With the petition shall be filed:

(a) Such admissions, undertakings or statements on the part of the applicant as the Commission's tariff circulars or other applicable orders or instructions may, from time to time, specify.

3. If the Commission is satisfied with the showing made, it may take action on the application *ex parte*; otherwise it may order a hearing and give notice thereof to such corporations or persons as it may consider necessary or desirable.

RULE XXII. Other Applications.

All applications relating to matters over which the Commission has jurisdiction, and which are not governed by any of the preceding rules, shall be made by petition, setting forth the name and address of the applicant, and the matter with reference to which the Commission's order, authorization or permission is desired. Thereupon the procedure shall be such as the Commission may prescribe.

RULE XXIII. Deviations From Rules—Authorizations For.

In special cases, for good cause shown, the Commission may permit deviations from these rules in so far as it may find compliance therewith to be impossible or impracticable.

RULE XXIV. Forms Prescribed For Use.

The following forms may be used in cases to which they are applicable, with such modifications as the circumstances may render necessary:

1. Formal Complaint.
2. Formal Application.
3. Answer to Formal Complaint.
4. Order to Satisfy or Answer a Complaint.
5. Notice of Hearing on Complaint.
6. Published Notice of Hearing on Application.
7. Application for Approval of Expenditures out of the Proceeds of the Authorized Sale of Stock, Bonds, Notes and other Evidences of Indebtedness.
8. Acknowledgment by a Company of Receipt of an Order of the Commission, as Required by Section 25 of the Public Service Commission Law.
9. Standard Clauses for Orders Approving Issuance of Stocks, Bonds and Other Obligations.

No. 1.

FORM OF FORMAL COMPLAINT.

Before the Public Service Commission of the State of Missouri.

(Insert name of complainant), <i>Complainant,</i>	}	No..... (To be inserted by the secretary of the Commission.)
vs. (Insert name of defendant), <i>Defendant.</i>		

COMPLAINT.

The complaint of (here insert full name of complainant) respectfully shows:

- (1) That (here state occupation and postoffice address of complainant).
- (2) That (here insert full name, occupation and postoffice address of defendant).
- (3) That (here insert fully, clearly and with reasonable certainty the act or thing done or omitted to be done which complainant claims constitutes a cause of complaint, with reference, where practicable, to the law, order or rule, and the section or sections thereof, of which a violation is claimed).

Wherefore, complainant asks (here state specifically the relief to which complainant believes he is entitled).

Dated at....., Missouri, this..... day of..... 19...

.....
(Complainant's name.)

State of Missouri, } County of..... } ss. (Name and address of attorney, if any.)
--	--

(Insert name of complainant or other person qualified to verify), being first duly sworn, deposes and says: that he is the complainant in the action entitled as above; that he has read the foregoing complaint and knows the contents thereof; and that the same is true of his own knowledge, except as to matters which are therein stated on information or belief, and that as to those matters he believes it to be true.

Subscribed and sworn to before me, this..... day of..... 19...

No. 2.

FORM OF FORMAL APPLICATION.

Before the Public Service Commission of the State of Missouri.

<i>In the matter of the Application of</i> (here insert name of applicant) <i>for</i> (here insert desired order, authorization, permission or certificate, thus: "order authorizing issue of stocks and bonds")	}	No..... (To be inserted by the secretary of the Commission.)

APPLICATION.

The petition of (here insert name of applicant) respectfully shows:

1. That (here insert principal place of business or postoffice address, character of business and territorial extent thereof, of applicant).

2. That (here insert fully, clearly and with reasonable certainty, the facts required by these rules and any additional facts which the applicant desires to state to show the relief which he desires and the facts on which it is based).

Wherefore, petitioner asks that the Public Service Commission of the State of Missouri (here state specifically the action which the applicant desires the Public Service Commission to take).

Dated at, Missouri, this day of, 19 . . .

(Petitioner's name.)

State of Missouri, } (Name and address of attorney, if any.)
County of }

Subscribed and sworn to before me, this day of, 19 . . .

No. 3.

FORM OF ANSWER OF FORMAL COMPLAINT.

Before the Public Service Commission of the State of Missouri.

(Insert name of complainant),
Complainant,
vs.
(Insert name of defendant),
Defendant. } No.
(To be inserted by the secretary of the Commission.)

ANSWER.

The above named defendant, for answer to the complaint in this proceeding, respectfully states:

1. That (here follow specific denials of such material allegations of the complaint as are controverted by the defendant, and also a statement of any new matter constituting a defense. Continue numbering each succeeding paragraph).

Wherefore, the defendant prays that the complaint be dismissed (or other appropriate prayer).

(Name of defendant.)

State of Missouri, }
County of } ss.

Subscribed and sworn to before me, this day of, 19 . . .

No. 4.

FORM OR ORDER TO SATISFY OR ANSWER A COMPLAINT.

Before the Public Service Commission of the State of Missouri.

(Insert name of complainant), <i>Complainant,</i>	}	No..... (To be inserted by the secretary of the Commission.)
vs.		
(Insert name of defendant), <i>Defendant.</i>		

ORDER TO SATISFY OR ANSWER.

To (here insert name and address of defendant):

You are hereby notified that a complaint has been filed in the action entitled as above against you as defendant, and you are hereby ordered to satisfy the matters therein complained of or to answer said complaint in writing within ten (10) days from the service upon you of this order and the copy of said complaint which is hereunto attached.

By order of the Public Service Commission.

Dated at Jefferson City, Missouri, this.....day of....., 19....

.....
Secretary, Public Service Commission
of the State of Missouri.

(Seal of Commission.)

No. 5.

FORM OF NOTICE OF HEARING ON COMPLAINT.

Before the Public Service Commission of the State of Missouri.

(Insert name of complainant), <i>Complainant,</i>	}	No..... (To be inserted by the secretary of the Commission.)
vs.		
(Insert name of defendant), <i>Defendant.</i>		

NOTICE OF HEARING.

To (here insert names of all parties):

You, and each of you, are hereby notified that the Public Service Commission of the State of Missouri has set the above entitled case for hearing before Commissioner.....on (day of week) the (day of month) day of (name of month), 19...., at.....o'clock...m., Jefferson City, Missouri, at which time and place you will be given an opportunity to be heard.

By order of the Public Service Commission.

Dated at Jefferson City, Missouri, this.....day of....., 19....

.....
Secretary, Public Service Commission
of the State of Missouri.

(Seal of Commission.)

No. 6.

FORM OF PUBLISHED NOTICE OF HEARING ON APPLICATION.

Before the Public Service Commission of the State of Missouri.

In the Matter of the Application of (here insert name of applicant) for (here insert desired order, authorization, permission or certificate). } No..... (To be inserted by the secretary of the Commission.)

NOTICE OF HEARING.

Notice is hereby given that the application of (name of applicant in full) for the (approval, determination, consent, permission, certificate or authorization) of the Public Service Commission of the State of Missouri to (here state nature of consent asked) will be heard before Commissioner..... at the office of the Commission, Jefferson City, Missouri, on (day of week), the (day of month) day of (name of month), 19...., at.....o'clockm.

By order of the Public Service Commission.

Dated at Jefferson City, Missouri, this.....day of....., 19...

..... Secretary, Public Service Commission of the State of Missouri.

(Seal of Commission.)

No. 7.

FORM OF APPLICATION FOR APPROVAL OF EXPENDITURES OUT OF THE PROCEEDS OF THE AUTHORIZED SALE OF STOCK, BONDS, NOTES AND OTHER EVIDENCES OF INDEBTEDNESS.

Before the Public Service Commission of the State of Missouri.

In the Matter of the Application of (here insert name of applicant) for (here insert desired order, for approval of expenditures). } No..... (To be inserted by the secretary of the Commission.)

A P P L I C A T I O N is hereby made by the..... Company for the approval and consent of the Commission to the expenditure of the sum of \$.....from the proceeds of the sale of....., par or face value, of the (stock), (bonds), (notes, etc.) issued by the said company in accordance with the provisions of the Order of the Public Service Commission, dated....., 19...., the said expenditure to be for the purpose specified in the statement annexed hereto (marked Schedule "A") and made a part of this application.

The undersigned hereby certifies:

- (a) That the amount to be expended for each and every item in the statement hereunto annexed (Schedule "A") represents the actual and reasonable charge for the property received or service or labor performed;

(b) That no such item is in whole or in part directly or indirectly for the replacement, renewal or repair of any part of the fixed capital of the company as such fixed capital is defined in the accounting rules of the Commission;

(c) That no such item is in whole or in part directly or indirectly in substitution of any lost, wasted or expired capital;

(d) That no such item is properly chargeable to income, and

(e) That the proposed expenditure represents a real increase in the fixed capital of the company over and above all proper allowances for expired capital of every kind.

..... Company.
By

(Schedule "A" Annexed.)

No. 8.

FORM OF ACKNOWLEDGMENT BY A COMPANY OF RECEIPT OF AN ORDER OF THE COMMISSION, AS REQUIRED BY SECTION 25 OF THE PUBLIC SERVICE COMMISSION LAW.

Before the Public Service Commission of the State of Missouri.

Case No.....

....., 19.....

I—We

hereby admit service on this date of a certified copy of an order of the Public Service Commission of Missouri, dated.....

....., in the matter of.....

the terms of which are accepted and will be obeyed.

(SIGN HERE).....

No. 9.

FORMS OF STANDARD CLAUSES FOR ORDERS APPROVING ISSUANCE OF STOCK, BONDS AND OTHER OBLIGATIONS.

1. *Orders for Approval of Stock.* All orders submitted to the Commission for the approval of stock shall contain standard clauses 1, 2, 10, 11, 12 and 14. (See clauses set out under this form.)

2. *Orders for Approval of Mortgage.* All orders submitted to the Commission for the approval of a mortgage shall contain standard clauses 3, 13, and 14. (See clauses.)

3. *Orders for Approval of Bonds.* All orders submitted to the Commission for the approval of bonds, notes or other evidences of indebtedness shall contain standard clauses 4, 5 or 5-a, 6, 8 or 9, 10, 11, 12 and 14. (See clauses.)

4. *Orders for Public Sale of Securities.* Every order submitted to the Commission for approval which provides for the public sale of securities shall contain clause 7. (See clause.)

5. *Compliance with These Forms.* The Secretary shall advise the Commission before the adoption of an order approving a mortgage or the issuance of stock, bonds, notes or other evidences of indebtedness, that these forms have been complied with.

CLAUSE 1. CERTIFICATE OF NECESSITY—STOCK.

Section . Application having been made to the Public Service Commission by Company under provisions of the Public Service Commission Law for the consent of the Commission to the issuance by said company of capital stock to the amount of dollars (\$), par value, and a hearing having been duly held upon said application before the Commission, Honorable presiding; and it appearing to the Commission that the authorized capital stock of the said Company has been duly increased from dollars (\$) to dollars (\$) of which dollars (\$), par value, have been issued and are outstanding; and it being now the opinion of the Commission:

(1) That the money to be procured by a further issue of stock is reasonably required for [acquisition of property,] [construction, completion, extension or improvement of its facilities, plant or distributing system,] [discharge or lawful refunding of its obligations] or [reimbursements of moneys actually expended from income or from other moneys in the treasury of the corporation not secured by or obtained from the issue of stocks, bonds, notes, or other evidence of indebtedness of such corporation], for the [acquisition of property, construction, completion, extension or improvement of its facilities, plant or distributing system or discharge or lawful refunding of its obligations,] and particularly for the purposes which are hereinafter stated in this order, and

(2) That said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

CLAUSE 2. AUTHORITY TO ISSUE—STOCK.

Section . It is ORDERED, that the.....
 Company be and hereby is authorized to issue its..... stock to
 the amount of..... dollars (\$.....),
 par value; that all the stock hereby authorized shall be..... stock
 of said company to be issued for money.....

.....
 and that the proceeds thereof shall be applied only to the following purposes,
 that is to say:

- | | | |
|------------|--|----|
| (1) | For acquisition of property described as follows: | \$ |
| (2) | For acquisition of property to replace prop-
erty of the company, the property so acquired being
described as follows: | \$ |
| (3) | For maintenance of service..... | \$ |
| (4) | For discharge or refunding of obligations
of the company incurred for: | \$ |
| | (a) Acquisition of property..... | \$ |
| | (b) Construction, completion, extension or
improvement of its facilities, plant or dis-
tributing system..... | \$ |
| | (c) Maintenance of service..... | \$ |
| | (d) Replacement of property of the com-
pany..... | \$ |
| (5) | For reimbursement of moneys expended
from income or such other moneys in the treasury for: | \$ |
| | (a) Acquisition of property..... | \$ |
| | (b) Construction, completion, extension or
improvement of its facilities, plant or dis-
tributing system..... | \$ |
| | (c) Discharge of its obligations..... | \$ |
| Total..... | | \$ |

CLAUSE 3. APPROVAL OF MORTGAGE.

Section . Application having been made to the Public Service Com-
 mission by.....
 Company under provisions of the Public Service Commission law for the con-
 sent of the Commission to the execution and issuance by said company of a
 mortgage to..... as trustee, and
 a hearing having been duly held upon said application before the Commission,
 Honorable..... presiding; and it appearing to the Commission that
 the owners of capital stock of said..... Company to an
 amount equal to that required by law have consented to the issuance of said
 mortgage;

Section . It is ORDERED, that the Public Service Commission does
 hereby consent to the issuance and execution by said..... Com-
 pany unto said....., as trustee of a
 mortgage, said mortgage to be dated as of the.....
 day of....., 19... to secure an issue of.....
 dollars (\$.....) of bonds of said..... Company,

said bonds to be dated as of the day of....., 19...., and to be payable on the..... day of....., 19...., redeemable at.....() per cent of the par value thereof and accrued interest, and the said bonds to bear interest at..... () per cent per annum, payable..... annually upon the terms and conditions in said mortgage set forth and contained. The form of such mortgage submitted by said..... Company to the Commission is hereby approved and ordered filed and properly identified by reference thereon to the application under authority of which this order is issued.

Said company, however, shall have no right or authority to issue any bonds pursuant to the terms of said mortgage except as hereafter authorized by the Commission.

CLAUSE 4. CERTIFICATE OF NECESSITY—BONDS, ETC.

Section . Application having been made to the Public Service Commission by..... Company under provisions of the Public Service Commission Law for the consent of the Commission to the issuance by said Company of [bonds] [notes] or [other evidence of indebtedness] to the amount of..... dollars (\$), face value, said [bonds] [notes, etc.] to be payable on the..... day of....., 19...., and to bear interest at... () per cent per annum, payable..... annually and secured by a mortgage upon all the property of the company; and a hearing having been duly held upon said application before the Commission, Honorable presiding; and it being now the opinion of the Commission:

(1) That the money to be procured by the issue of said [bonds] [notes] or [other evidence of indebtedness] of the said..... Company to the amount of..... dollars (\$) face value, payable at a period of more than twelve months after the date thereof, is necessary to and reasonably required by said company for the [acquisition of property], [construction, completion, extension or improvement of its facilities, plant or distributing system], [improvement or maintenance of its service], [discharge or lawful refunding of its obligations] or [reimbursement of moneys actually expended from income or from other moneys in the treasury of the corporation not secured by or obtained from the issue of stocks, bonds, notes or other evidence of indebtedness of such corporation], for the [acquisition of property, construction, completion, extension or improvement of its facilities, plant or distributing system or discharge or lawful refunding of its obligations], and particularly for the purposes which are hereinafter stated in this order; and

(2) That, except as to the following specified amounts of said [bonds], [notes], or [other evidence of indebtedness] authorized to be issued hereunder to procure money for the purposes following, to wit:

\$....., or so much thereof as may be necessary, to pay expenses of sale and make up discount;

\$.....for maintenance of service;

\$.....for acquisition of property to replace property of the company;

\$....., or so much thereof as in the opinion of the Commission may be necessary, to discharge or refund obligations of the company incurred for [maintenance of service] [acquisition of property to replace property of the company],

said purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

CLAUSE 5. AUTHORITY TO ISSUE BONDS, ETC.

Section . It is ORDERED, that the Public Service Commission does hereby authorize the issue by the said..... Company of.....dollars (\$) face value of principal of [bonds] [notes] or [other evidence of indebtedness] of said company, maturing the.....day of.....19...., redeemable at any time after the.....day of....., 19...., at.....() per cent of the par or face value thereof besides accrued interest and to bear interest at.....() per cent per annum, payable.....annually under and in pursuance of the terms of the mortgage hereby approved, to be made and executed by the said..... Company to....., as trustee.

CLAUSE 5a. AUTHORITY TO ISSUE BONDS, ETC.

Section . It is ORDERED, that the Public Service Commission does hereby authorize the issue by the said..... Company of.....dollars (\$) face value of principal of [bonds] [notes, etc.] of said company, maturing the.....day of....., 19...., redeemable at any time after the.....day of....., 19...., at.....() per cent of the par or face value thereof besides accrued interest and to bear interest at..... () per cent per annum, payable..... annually, under and in pursuance of the terms of the mortgage heretofore and on the.....day of....., 19...., made and executed by the said..... Company to the....., as trustee.

CLAUSE 6. PURPOSES OF ISSUE.

Section . It is ORDERED, that said issue of [stock] [bonds] [notes, etc.] is authorized upon the conditions following and not otherwise, to wit:

First: That the said..... Company shall sell the said [bonds] [notes, etc.] hereby authorized so as to net the said company not less than.....() per cent of the par value of the principal thereof besides interest accrued thereon, and that the proceeds thereof shall be applied only to the following purposes, that is to say:

- (1) For acquisition of property described as follows: \$
- (2) For acquisition of property to replace property of the company, the property so acquired being described as follows: \$
- (3) For maintenance of service..... \$
- (4) For discharge or refunding of obligations of the company incurred for:
 - (a) Acquisition of property..... \$
 - (b) Construction, completion, extension or improvement of its facilities, plant or distributing system..... \$

(c) Maintenance of service.....	\$
(d) Replacement of property of the company.....	\$
(5) For reimbursement of moneys expended from income or such other moneys in the treasury for:	
(a) Acquisition of property.....	\$
(b) Construction, completion, extension or improvement of its facilities, plant or distributing system.....	\$
(c) Discharge of its obligations.....	\$
(6) For expenses of sale of bonds hereby authorized and to make up the discount or deficiency, if any, in the amount realized from the sale to net not less than..... () per cent of par of the bonds sold for the purposes specified in subdivisions..... () and..... () of section..... () and to be applied pro rata for the purposes therein stated, not exceeding the sum of.....	\$
Total.....	\$

CLAUSE 7. PUBLIC SALE OF SECURITIES.

Second: That no [bonds] [notes, etc.] authorized hereunder shall be sold by the company for less than..... () per cent of par with interest accrued thereon, unless the same shall be first offered to public subscription as herein provided. Whenever the company shall desire to sell [bonds] [notes, etc.] issued hereunder except for not less than..... () per cent of par and accrued interest, the treasurer of the company shall invite proposals for the purchase of such [bonds] [notes, etc.] by public advertisement for not less than once a week for four successive weeks in such newspaper or newspapers as the Commission may designate, and shall award the same to the highest bidder or bidders therefor. The said proposals shall only be publicly opened by the treasurer of the company and in the presence of the Public Service Commissioners or such of them as shall attend at the time and place specified in such public advertisement. It shall be a condition of said sale (and the advertisement calling for proposals therefor shall so declare) that any bidder may bid for all or none of said bonds at one price, or for all or any portion at one price, or for portions at different prices, and any bidder who shall bid for a portion of said [bonds] [notes, etc.] may be required to accept a part of the portion bid for by him at the same rate as may be specified in his bid, and any bid which conflicts with this condition may be rejected; and if the board of directors deem it to be in the interest of the company so to do, they may award the [bonds] [notes, etc.] to the bidder offering the highest price for all or a number of the said [bonds] [notes, etc.], and provided also that if the board of directors deem it to be in the interest of the company they may reject all bids. The board of directors may prescribe such other conditions incident to and providing for the proposal for the purchase of [bonds] [notes, etc.] as it may see fit.

CLAUSE 8. SINKING FUND AND PAYMENTS.

Third: That to provide for..... said
 Company shall establish and
 maintain a cumulative sinking fund, and that for said purpose said company
 shall pay in cash into said fund out of the revenue at least.....
 dollars (\$), beginning on the..... day of.....
 19..., and on the..... day of..... in each and every year
 thereafter, and continuing until the..... day of....., 19...,
 or until said funds with accumulations shall have aggregated.....
dollars (\$). Said company shall use the cash funds
 in said sinking fund for the acquisition, at the authorized price of issue, of bonds
 issued by said company directly to said fund. Said company shall, if there are
 cash funds in said sinking fund not either used or required for the purchase of
 bonds, as hereinbefore provided, use such funds for the purchase of bonds in the
 following manner: Between..... and..... of
 each year said company shall cause an advertisement to be inserted in at least
 two newspapers of general circulation published in the city of St. Louis or Kan-
 sas City, or one in each of said cities, once in each week for four successive weeks,
 that the company will purchase upon..... for the sinking fund of the
 extent of the cash sinking fund in its hands, bonds of said company then out-
 standing, at the lowest price for which the same shall be offered, not exceeding
 () per cent of the par value thereof, besides interest
 accrued thereon. Upon..... said
 company shall apply the cash in sinking fund then in its hands to the purchase
 of bonds of said company with unmatured coupons attached tendered to it as
 aforesaid, at not exceeding..... () per cent of the face value there-
 of, besides the interest accrued thereon, giving preference in said purchases to
 the bonds which shall be offered at the lowest price; and in case bonds shall be
 offered by two or more holders at the same price, to an amount in the aggregate
 exceeding the cash in sinking fund applicable thereto, then giving preference to
 such bonds in the order of the date of the reception by said company of the offer
 to sell the same. If there are any cash funds in said sinking fund not used or
 required for the acquisition of bonds, as hereinbefore provided, said company
 may invest said funds or any portion thereof in such manner and under such
 conditions as may be approved by the Public Service Commission. Any cash
 funds remaining in the sinking fund after application as hereinbefore provided
 shall be deposited in a bank in a separate fund. All bonds and coupons ac-
 quired for the sinking fund shall be stamped as irrevocably belonging to the
 sinking fund and shall not again be issued. Said coupons shall be detached
 when and as said coupons become due and payable and shall be delivered to
 the treasurer of said company as evidence that the respective amounts have
 been paid into the said sinking fund, and said company shall pay into said
 sinking fund the amounts indicated by said coupons when and as they become
 due and payable.

CLAUSE 9. AMORTIZATION FUND.

Fourth: That all discounts, commissions and expenses in connection with
 the approval, issuance and sale of the said [bonds] [notes, etc.] authorized
 to be issued under this order not to exceed.....dollars
 (\$) shall be amortized out of the income of the company before the
day of..... 19..., by the payment of [a monthly]
 [an annual] installment, so long as may be necessary, of an amount not less
 than....., such [monthly] [annual]
 installment to begin.....

CLAUSE 10. ACCOUNTS, REPORTS AND AUDIT.

Fifth: That said company shall keep separate, true and accurate accounts showing the receipt and application in detail of the proceeds of the sale or disposal of the [stock] [bonds] [notes, etc.] hereby authorized to be issued and at the end of each six months the company shall make verified reports to the Commission stating the sale or sales of said [stock] [bonds] [notes, etc.] during the previous six months, the terms and conditions of sale, the moneys realized therefrom, and the use and application of such moneys; and said accounts, vouchers and records shall be open to audit and may be audited from time to time by accountants and examiners designated for such purpose by the Commission.

CLAUSE 11. WITHDRAWAL OF FUNDS ON APPROVAL.

Sixth: That none of the proceeds of the aforementioned [stocks] [bonds] [notes, etc.] hereby authorized for the purposes specified in subdivision of paragraph of section of this order, other than the receipts on account of accrued interest, shall be expended by the said company for the purpose specified therein until a properly itemized bill for each proposed expenditure shall have been submitted to the Commission by the company with the certificate of one of its officers that such expenditure represents a real increase in its fixed capital as defined in the accounting rules of the Commission and not a replacement of any part of such fixed capital or a substitution for wasted capital or other loss properly chargeable to income, and until such bill shall have been approved by the Commission.

CLAUSE 12. LIMIT OF AUTHORITY.

Seventh: That the authority hereby given to issue such [stock] [bonds] [notes, etc.] shall apply only to [stock] [bonds] [notes, etc.] issued by the said company on or before the [thirtieth day of June] [thirty-first day of December], 19 . . .

CLAUSE 13. FILING OF MORTGAGE.

Eighth: That a duplicate original of the mortgage consented to and authorized as aforesaid upon execution thereof be filed by the petitioner with the Secretary of the Commission.

CLAUSE 14. ACCEPTANCE OF ORDERS.

Section . It is ORDERED, that this order take effect on the day of, 19 . . ., and, except as provided in the paragraph of section, limiting the duration of the authority to issue such [stock] [bonds] [notes, etc.] herein granted, continue in force until otherwise ordered by the Commission, and that within ten days after service upon it of a copy of this order said company notify the Commission whether the terms of this order are accepted and will be obeyed.

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

NOTICE OF REVISION OF RULES OF PRACTICE AND PROCEDURE
GOVERNING MATTERS BEFORE THE COMMISSION

RULE III. Formal Proceedings--General Matters Applicable to all
Cases.

9. After a case has been set on the docket for hearing and after notices have been sent to all interested parties, parties desiring a continuance in said cause for a good cause shown before said continuance shall be granted, shall be required to pay to the Commission ten cents (\$.10) for each notice to be sent to the parties interested notifying them of said continuance.

RULE IV. Complaints--Contest and Proceedings up to Hearing.

Section 4 has been revised so that it now reads as follows:

4. Copies to Accompany Complaint. At the time complainant files, his original complaint, he must also file nine copies thereof, five copies of which shall be accompanied by copies of exhibits, if any, filed with the original complaint. Additional copies of exhibits shall be furnished when requested by the Secretary.

RULE VI. Application--General Matters Applicable to all.

Section 1 has been revised so that it now reads as follows:

1. All applications for the approval, determination, consent, permission, certificate or authorization of the commission in cases where such approval, determination, consent, permission, certificate or authorization is required by law, shall be by petition, duly verified. Nine copies of the petition shall also be filed, five copies of which shall be accompanied by copies of the exhibits, if any, filed with the original petition. Additional copies of exhibits shall be furnished when requested by the Secretary. In all cases there must be annexed to the original petition certified or verified copies of the certificate of organization of every corporation directly affected by the proposed action and certified copies of all such certificates, statements or records which modify, change or extend the purposes or powers of such corporations.

The petition must contain such further statements as may be required by any provision of law or of these rules and must show in detail compliance therewith.