

# John R. Ashcroft

Secretary of State  
Administrative Rules Division

RULE TRANSMITTAL

Administrative Rules Stamp

Rule Number 4 CSR 240-18.010

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:

Content Morris Woodruff Phone 573-751-2849 FAX 573-526-6010

Email address Morris.Woodruff@psc.mo.gov

Data Entry Christine Koenigsfeld Phone 573-751-4256 FAX 573-526-6010

Email address Christine.koenigsfeld@psc.mo.gov

Interagency mailing address Public Service Commission, 9<sup>th</sup> Floor, Gov. Office Bldg., JC

## TYPE OF RULEMAKING ACTION TO BE TAKEN

Emergency Rulemaking \_\_ Rule \_\_ Amendment \_\_ Rescission \_\_ Termination  
Effective Date for the Emergency \_\_\_\_\_

Proposed Rulemaking \_\_ Rule \_\_ Amendment \_\_ Rescission

Rule Action Notice  In Addition  Rule Under Consideration

Request for Non-Substantive Change

Statement of Actual Cost

Order of Rulemaking \_\_ Withdrawal \_\_ Adopt  Amendment \_\_ Rescission  
Effective Date for the Order \_\_\_\_\_

Statutory 30 days OR Specific date \_\_\_\_\_

Does the Order of Rulemaking contain changes to the rule text?  NO

YES—LIST THE SECTIONS WITH CHANGES, including any deleted rule text:

Section (1)

Small Business Regulatory  
Fairness Board (DED) Stamp

JCAR Stamp

JOINT COMMITTEE ON  
NOV 01 2017  
ADMINISTRATIVE RULES



GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

ERIC R. GREITENS  
GOVERNOR

P.O. Box 720  
(573) 751-3222

October 30, 2017

Daniel Hall  
Public Service Commission  
200 Madison Street  
P.O. Box 360  
Jefferson City, Missouri 65102

Dear Chairman Hall:

This office has received your rulemaking for Electric Utility Demand-Side Programs Investment Mechanisms Filing and Submission Requirements, 4 CSR 240-3.163 (rescission); Electric Utility Demand-Side Programs Filing and Submission Requirements, 4 CSR 240-3.164 (rescission); and Safety Standards for Electrical Corporations, Telecommunications Companies and Rural Electric Cooperatives, 4 CSR 240-18.010 (amendment).

Executive Order 17-03 requires this office's approval before state agencies release proposed regulations for notice and comment, amend existing regulations, rescind regulations, or adopt new regulations. After our review of this rulemaking, we approve the rules' submission to JCAR and the Secretary of State.

Sincerely,

A handwritten signature in black ink, appearing to read "Justin D. Smith".

Justin D. Smith  
Deputy Counsel



Commissioners

DANIEL Y. HALL  
Chairman

STEPHEN M. STOLL

WILLIAM P. KENNEY

SCOTT T. RUPP

MAIDA J. COLEMAN

SHELLEY BRUEGGEMANN  
General Counsel

MORRIS WOODRUFF  
Secretary

LOYD WILSON  
Director of Administration

NATELLE DIETRICH  
Staff Director

*Missouri Public Service Commission*

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John R. Ashcroft  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, Missouri 65101

Re: 4 CSR 240-18.010 Safety Standards for Electrical Corporations, Telecommunications Companies and Rural Electric Cooperatives

Dear Secretary Ashcroft,

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order of rulemaking lawfully submitted by the Missouri Public Service Commission.

Statutory Authority: sections 386.310 and 394.160, RSMo 2000

If there are any questions regarding the content of this order of rulemaking, please contact:

Morris L. Woodruff, Chief Regulatory Law Judge  
Missouri Public Service Commission  
200 Madison Street  
P.O. Box 360  
Jefferson City, MO 65102  
(573) 751-2849  
[Morris.Woodruff@psc.mo.gov](mailto:Morris.Woodruff@psc.mo.gov)

Morris L. Woodruff  
Chief Regulatory Law Judge

Enclosures



Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 18 – Safety Standards

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.310, and 394.160 RSMo 2016, the commission amends a rule as follows:

**4 CSR 240-18.010 Safety Standards for Electrical Corporations,  
Telecommunications Companies and Rural Electric Cooperatives is  
amended.**

A notice of proposed rulemaking containing the proposed amendment was published in the *Missouri Register* on September 1, 2017 (42 MoReg 1232). Changes to the proposed amendment are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended October 2, 2017, and the commission held a public hearing on the proposed amendment on October 5, 2017. The commission's staff, and Kansas City Power & Light Company (KCP&L) and KCP&L Greater Missouri Operations Company (GMO) submitted timely written comments. Russ Mitten, representing Union Electric Company d/b/a Ameren Missouri appeared at the hearing and offered a comment.

**COMMENT #1:** The purpose of this rulemaking is to update the rule's reference to the 2017 edition of the National Electric Safety Code from the 2012 edition referenced in the existing rule. Staff indicated an additional errata has been issued to the 2017 edition of the code during the rulemaking process. To make the reference as up-to-date as possible, Staff asks the commission to add a reference to the March 31, 2017 errata. No comment opposed that update and Ameren Missouri supported that update.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission will reference the additional errata in the rule.

**COMMENT #2** KCP&L and GMO, as well as Ameren Missouri, indicated their support for the amendment.

**RESPONSE:** The commission thanks KCP&L and GMO and Ameren Missouri for their comments.



#### **4 CSR 240-18.010 Safety Standards for Electrical Corporations, Telecommunications Companies and Rural Electric Cooperatives**

(1) The minimum safety standards relating to the operation of electrical corporations, telecommunications companies, and rural electric cooperatives are Parts 1, 2, and 3 and Sections 1, 2, and 9 of the *National Electrical Safety Code* (NESC); 2017 Edition as approved by the American National Standards Institute on August 1, 2016, as modified by Errata thereto issued on September 13, 2016 and March 31, 2017, and published by the Institute of Electrical and Electronics Engineers, Inc., 3 Park Avenue, New York, NY 10016-5997. The NESC is composed of four (4) different parts and four (4) sections, each of which pertain to different aspects of the electric and telecommunications industries. Part 1 specifies rules for the installation and maintenance of equipment normally found in electric generating plants and substations. Part 2 pertains to safety rules for overhead electric and communication lines. Part 3 contains safety rules for underground electric and communication lines. Section 1 is an introduction to the NESC, Section 2 defines special terms, and Section 9 requires certain grounding methods for electric and communications facilities. The full text of this material is available at the Energy Analysis Section of the Utility Operations Department of the Public Service Commission, Suite 700, 200 Madison, Jefferson City, Missouri. This rule does not incorporate any subsequent amendments or additions.

# MEMORANDUM

**TO:** Morris L. Woodruff, Secretary

**DATE:** November 1, 2017

**RE:** Authorization to File Final Order of Rulemaking with the Office of Secretary of State

**CASE NO:** EX-2017-0153

The undersigned Commissioners hereby authorize the Secretary of the Missouri Public Service Commission to file the following Final Order of Rulemaking with the Office of the Secretary of State, to wit:

## **Amendment to Rules 4 CSR 240-18.010**



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Daniel Y. Hall, Chairman

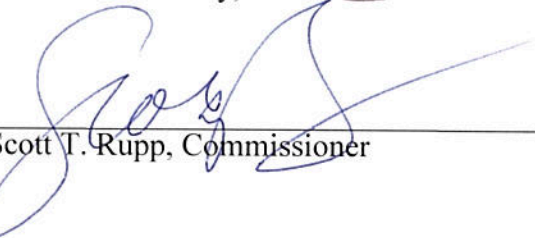
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Stephen M. Stoll, Commissioner



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William P. Kenney, Commissioner



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Scott T. Rupp, Commissioner

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Maida J. Coleman, Commissioner