Clayton, Robert

From: Robyn, Angie
Sent: Monday, December 10, 2007 10:51 AM
To: Clayton, Robert
Subject: FW: Agenda Item Pre-discussion Form

Attachments: AR - Agenda Packet for 11-27-07.pdf

From: Senn, Nikki
Sent: Wednesday, November 21, 2007 3:15 PM
To: Commissioners - PSC
Cc: Advisory Staff - PSC; Division Directors - PSC; DPAs for Commissioners - PSC; Henderson, Wess; Wandel, Joan; VanEschen, John; Voight, William
Subject: Agenda Item Pre-discussion Form

Date of Agenda Requested: November 27, 2007

Summary of Item: 2007 Annual Report letters and forms to be sent to certificated utility companies; discussion continued from November 20, 2007 agenda meeting.

AR - Agenda Packet for 11-27-0...

Nikki Senn
Administrative Office Support Assistant
Utility Services Division
Missouri Public Service Commission
(573) 751-7433
(573) 526-4153 fax
nikki.senn@psc.mo.gov

DATE OF AGENDA:
11/27/2007

Date: 11/21/2007

AGENDA ITEM PREDISCUSSION FORM

(Continued from November 20, 2007 Agenda Meeting)

1. **Name of person placing item on agenda:** Joan Wandel / Nikki Senn

2. **Description of item:** 2007 Annual Report Forms - Proposed Changes

   Attachment 1 – Summary of Changes
   Attachment 2 – Cover Letters
   Attachment 3 – CLEC-IXC Annual Report Instructions for 5(a) and 5(b), Proposed revision
   Attachment 4 – Water Utility (Large) Annual Report Page F3, 2006 annual report page and proposed revision
   Attachment 5 – Highly Confidential language in 4 CSR 240-3.640 (Water utilities)

for "Case Discussion" "Closed Meeting" "Litigation" "Other "

3. **Summary of Item:**

   2007 Annual Report letters and forms to be sent to certificated utility companies.

4. **What Commission action/response is being sought:**

   Approval of the suggested changes by Staff is requested, as well as, direction from the Commission to send annual reports to all certificated utility companies including updates the PSC web site accordingly.

5. **Length of presentation:** 20 minutes

6. **Can the item be continued, if necessary** YES NO **and by what date is Commission action required:** If approved, Annual Reports forms need to be revised and converted to Adobe (pdf) fillable forms; a decision is requested no later than December 11, 2007 to ensure enough time to convert the forms.

7. **List of other Staff who should be called to the agenda for discussion:** Nikki Senn, John VanEschen, and Bill Voight

CC: Advisory Staff - PSC
Division Directors - PSC
DPAs for Commissioners - PSC
Wess Henderson
Joan Wandel
John VanEschen
Bill Voight

Proposed 2007 Annual Report Form Changes

OBJECTIVE: To approve Staff's edits/changes summarized below, to authorize the posting of the 2007 Annual Reports to the PSC website (http://www.psc.mo.gov/), and to authorize the distribution of the annual reports to all certificated utility companies.

GENERAL UPDATE TO ALL LETTERS, INTERNET SCREENS AND REPORTS:

- Date change of January 19, 2007 to January 15, 2008
- Date change of April 15, 2007 to April 15, 2008
- Calendar Year Change (2006 to 2007)

GLOBAL CHANGES TO ALL REPORTS

Cover Sheet

- Replacement of the following:
  "For the Year Ending December 31, _____"
  with: "For the Calendar Year of January 1 - December 31, _____"
- Insert verbiage above the public and non-public check boxes
  "Please **choose** one of the following filing options."
- Insertion of the following language (with corresponding utility type rule) to be located below the check box currently designated for Non-Public submission:

  For this filing to be considered Highly Confidential, additional submission of materials is **required** pursuant to Commission rule
  4 CSR 240-3.165 (Electric utilities),
  4 CSR 240-3.245 (Gas utilities),
  4 CSR 240-3.335 (Sewer utilities),
  4 CSR 240-3.435 (Steam Heating utilities),
  4 CSR 240-3.540 (Telecommunications companies), or
  4 CSR 240-3.640 (Water utilities).
- Change language under Company Name line from:
  Full Company Name (Do not abbreviate, yet include any Commission approved AKA/DBA/Fictitious Name, if applicable)
  to: Full Company Certificated Name (Do not abbreviate, and include any Commission approved AKA/DBA/Fictitious Name, if applicable)
- Insertion of a line and identifier verbiage for Parent Company Name below the Full Company Name line.

Instructions

- Add verbiage to the instructions stating the annual report must be filed on a calendar year basis.
- Add language stating, "If the document has been prepared by a third-party preparer, it is the responsibility of the company personnel attesting to the accuracy of the document to review the document before submission to the Missouri Public Service Commission."

Proposed 2007 Annual Report Form Changes

GLOBAL CHANGES TO ALL REPORTS (continued)

Page 1

- Question No.1 - Insert a line and designator wording for the Parent Company Name, if applicable, below the Company Name line.
- Question No. 2 and 7 will be reformatted as fillable boxes with designations under each separate field (Name, Address, E-mail address, Telephone Number, etc.)
- Question No. 7 - Remove the word "verifying", and replace individual with different verbiage, so that it reads as follows:

  . . .the company personnel or third-party preparer completing this report. .

Verification page

- Insertion of the word **from** to the left of the date lines (lower half of sheet) and insertion of the designator **(Date)** below the date lines
- Removal of the following language previously at the top of the page:

  Submitting this Annual Report is an "option" through EFIS.
- The top paragraph should be changed from:

  A registered official company representative is authorized to utilize this option, type in all necessary information below, including the Notary's information (pursuant to Sections 432.200 and 432.295). After submitting the Annual report through EFIS, you will receive a BMAR (confirmation) number. Indicate that BMAR number on the original and retain for your records.

  to: A registered official company representative is authorized to submit this Annual Report in EFIS once the form has been completed in its entirety (pursuant to Sections 432.200 through 432.295) and notarized. All seals must be present, if applicable. After submitting the Annual report in EFIS, a BMAR (confirmation) number should appear on the screen. Record the BMAR number on the original and retain for your records. After confirmed submission in EFIS, forwarding the original is unnecessary.
- Clarify line designators as follows:

Affiant, add:	(Company Official/Representative)
Respondent, add:	(Certificated Company Name)
Officer to administer oaths:	Notary Public

- Change verbiage at the bottom of the page from:

  Original in its entirety must be mailed (if not utilizing EFIS) to:

  to: If not utilizing EFIS, the original must be completed in its entirety, notarized (all applicable seals must be present), and mailed to:

CLEC-IXC FORMS

Page 1

- Question No. 3 and 4 - A line will be added for Case Number. This was inadvertently deleted during previous form changes.

Page 2

- Question No. 9 - The following verbiage will be added, "Please include an additional sheet, if enough space is not provided on this page, to completely provide the requested information."

CLEC-IXC FORMS (continued)

Page 3

- Question No. 11 - The following verbiage will be added under the table:
  "Completion of both columns in the table is required."

Instructions for Page 5(a)

Revise Instructions for Section B as follows:

Use these columns to report exchange access lines ~~to connect Internet Service Providers to the PSTN~~ **if interconnected VoIP service is provided with a non-certificated carrier who is providing local voice service to the end user. A carrier is considered to be the provider of local voice service if the carrier sets the end user's rates for local voice services. Only report lines in this column if the other carrier is providing local voice service and the other carrier** ~~. In addition, use these columns to report exchange access lines used to provide interconnected VoIP service to another carrier if the other carrier~~ is not certificated to provide telecommunications service by the Missouri Public Service Commission. Do not report any lines used to provide interconnected VoIP service to another carrier if the other carrier possesses a certificate to provide telecommunications service from the Missouri Public Service Commission. **In addition, do not report lines in this column if the filer of this annual report is the provider of local voice services to the end user; instead report such lines in the appropriate column in Section A.**

Instructions for Page 5(b)

Revise Instructions for Section B as follows:

Use these columns to report exchange access lines to connect Internet Service Providers to the PSTN **or if interconnected VoIP service is provided with a non-certificated carrier who is providing local voice service to the end user. A carrier is considered to be the provider of local voice service if the carrier sets the end user's rates for local voice services. Only report lines in this column if the other carrier is providing local voice service and the other carrier** ~~. In addition, use these columns to report exchange access lines used to provide interconnected VoIP service to another carrier if the other carrier~~ is not certificated to provide telecommunications service by the Missouri Public Service Commission. Do not report any lines used to provide interconnected VoIP service to another carrier if the other carrier possesses a certificate to provide telecommunications service from the Missouri Public Service Commission. **In addition, do not report lines in this column if the filer of this annual report is the provider of local voice services to the end user; instead report such lines in the appropriate column in Section A.**

Page 4, 5a and 5b

- Remove "0" from Total fields if fields above are blank so the zero will not show if the form is printed to be filled out by hand.

GAS

Page 2

- Under Missouri Jurisdictional Gas Annual Report, insert requirement of FERC Form 2 pp. 209 Total Gas Plant in Service (reflecting Balance at End of Year - column G, row 129).

Proposed 2007 Annual Report Form Changes

LARGE WATER FORMS

Page F-3

- Insert verbiage under No. 1 stating:

  "The fact that the information provided in this section is salary information is not deemed an adequate reason for this information to be treated as Highly Confidential."

- Split column e to include both Total and Regulated salary portions.

INTERNET ACCESS

PDF Fillable Forms

- The forms for the following utilities will be created as Adobe (pdf) documents with fillable boxes (including applicably modified instructions for this format) for the 2007 Calendar Year Annual Reports.
  - Shared Tenant Services (STS)
  - Competitive Local Exchange Carrier (CLEC-IXC)
  - Incumbent Local Exchange Carrier (ILEC)
- Forms for the remaining utility types are tentatively planned to be implemented the following year.
- The following language is to be added to the screens containing the Annual Report form document links:

  This form is designed to be filled out online. Save the file to your computer before submission in EFIS. For submission by mail, remember to sign the affidavit before sending. Please answer all questions carefully and completely, and send the completed form as instructed in the cover letter.

- Calculation and/or formula functions <u>may not</u> be included in the updates this year, unless time allows.
- Form Distribution: The PSC will provide the 2007 Annual Report forms electronically for all companies that have an Annual Report contacts listed in EFIS (with an e-mail address). The remaining companies will still be mailed a paper copy.
  - We are currently working on implementing this electronic distribution process for the 2007 forms.
    - Contact updates have been requested from the companies.
    - A test run of the e-mail addresses for distribution will be performed to ensure that they are valid before distribution of forms.
    - Read/Delivery receipts will be kept as proof of receipt.
    - This process should lower Commission postage/printing costs and staffing resources.

Commissioners

JEFF DAVIS
Chairman

CONNIE MURRAY

ROBERT M. CLAYTON III

LINWARD "LIN" APPLING

TERRY JARRETT

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
http://www.psc.mo.gov

WESS A. HENDERSON
Executive Director

DANA K. JOYCE
Director, Administration and Regulatory Policy

ROBERT SCHALLENBERG
Director, Utility Services

NATELLE DIETRICH
Director, Utility Operations

COLLEEN M. DALE
Secretary/Chief Regulatory Law Judge

KEVIN A. THOMPSON
General Counsel

January 15, 2008

Annual Report or Official Representative
«Util_Comp_Name» - «Utility_Sub_Type_Description»
«Street» and/or «Mailing»
«City», «State» «Zip»

RE: Calendar Year 2007 Annual Report

IMPORTANT NOTICE TO ALL MISSOURI PUBLIC UTILITIES

Pursuant to Section 392.210, RSMo., Section 393.140, RSMo., and the rules at 4 CSR 240-3.540 (Telecommunications Companies), public utilities are required to submit an annual report to the Missouri Public Service Commission.

Please Note:

- ✓ Due on or before **April 15, 2008.**
- ✓ The form(s) submitted to the Commission must be originals in loose-leaf format (in lieu of a hard copy, an electronic version may be submitted in the Commission's Electronic Filing and Information System, EFIS).
- ✓ Attempts to substitute forms such as stockholder reports without concurrently filing official Commission forms with appropriate cross-references will be considered non-compliant.
- ✓ Complete each question fully and accurately, even if it has been answered in a previous annual report. Enter the word "None", "0" or "N/A" where it truly and completely states the fact. An unanswered question will result in a deficiency notice requiring an additional response.
- ✓ Each utility must submit a report even if it had **NO** revenues during the reporting year.

Reports that do not meet these requirements will not be considered "submitted." Utilities will be subject to legal action under state law for failure to submit annual reports on time without a timely extension request. A utility that does not timely file its annual report, or its response to a notice that its annual report is deficient when a response is sought, is subject to a penalty of one hundred dollars for each day that it is late in filing its annual report or response to a notice of deficiency.

Requests to submit annual report data under seal:

Utilities may request classification of selected portions of their annual report as non-public. Please note that all information classified as non-public will still remain subject to potential disclosure as provided under the Missouri open records act (Chapter 610 RSMo) and Section 386.480, RSMo.

In order to take advantage of this procedure, the submitter, either through EFIS or in hard copy form, **must:**

A. Provide both a fully completed version to be kept under seal and a redacted public version that clearly informs the reader that the redacted information has been submitted under seal. The cover of each version must clearly identify whether it is the public or the non-public version. Each page of each version of the report containing non-public information should be clearly identified as containing such information.

B. Submit both versions of the annual report with a cover letter stating that the utility is designating some or all of the information in its annual report as confidential information, including the name, phone number and e-mail address (if available) of the person responsible for addressing questions regarding the confidential portions of the annual report.

C. Prominently attach a detailed affidavit to both versions that identifies the specific types of information to be kept under seal, provides a reason why the specific information should be a closed record, and stating that none of the requested information is available to the public in any format.

Requests for extension to submit annual report:

Utilities may request an extension of less than 30 days by 1) submitting a written notification prior to April 15th to the Manager of the Data Center (the EFIS option for this is located under "Filing/Submission - Non-case Related Submission - MO PSC Annual Report Extension Request") that states the reason for the extension, and 2) certifying that a copy of the written request was sent to all parties of record in pending cases where the Company's activities are the primary focus (i.e., where the Company is identified as a moving party in the case caption) of the proceeding.

All requests for an extension of 30 days or more must be filed prior to April 15th as a legal pleading. If the Company is a corporation or partnership, the pleading must be filed by an attorney licensed to practice in Missouri. If the utility is individually-owned, the Company owner may file this pleading. The pleading must state the reason for the extension and certify that a copy of the written request was sent to all parties of record in pending cases where the Company's activities are the primary focus of the proceeding (i.e., where the Company is identified as a moving party in the case caption). The filing should be submitted in pleading form and comply with the filing requirements of Chapter 2 of 4 CSR 240.

Questions about the annual report form or its content may be submitted to:
Joan Wandel (573) 751-4785 or by email at Joan.Wandel@psc.mo.gov

The completed document should be submitted under EFIS (accessible from the Commission's Web page http://www.psc.mo.gov/) or mailed to:

Manager of the Data Center
Missouri Public Service Commission
200 Madison Street, Suite 100, Jefferson City, MO 65101
(P.O. Box 360, Jefferson City, MO 65102-0360)

Sincerely,

Wess A. Henderson
Executive Director

Enclosure

Commissioners

JEFF DAVIS
Chairman

CONNIE MURRAY

ROBERT M. CLAYTON III

LINWARD "LIN" APPLING

TERRY JARRETT

Missouri Public Service Commission

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573-751-3234
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KEVIN A. THOMPSON
General Counsel

January 15, 2008

Annual Report or Official Representative
«Util_Comp_Name» - «Utility_Sub_Type_Description»
«Street» and/or «Mailing»
«City», «State» «Zip»

RE: Calendar Year 2007 Annual Report

IMPORTANT NOTICE TO ALL MISSOURI PUBLIC UTILITIES

Pursuant to Section 392.210, RSMo., Section 393.140, RSMo., and the rules at 4 CSR 240-3.165 (Electric Utilities), 4 CSR 240-3.245 (Gas Utilities), 4 CSR 240-3.335 (Sewer Utilities), 4 CSR 240-3.435 (Steam Heating Utilities), and 4 CSR 240-3.640 (Water Utilities), public utilities are required to submit an annual report to the Missouri Public Service Commission.

Please Note:

- ✓ Due on or before **April 15, 2008.**
- ✓ The form(s) submitted to the Commission must be originals in loose-leaf format (in lieu of a hard copy, an electronic version may be submitted in the Commission's Electronic Filing and Information System, EFIS).
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- ✓ Each utility must submit a report even if it had **NO** revenues during the reporting year.

Reports that do not meet these requirements will not be considered "submitted." Utilities will be subject to legal action under state law for failure to submit annual reports on time without a timely extension request. A utility that does not timely file its annual report, or its response to a notice that its annual report is deficient when a response is sought, is subject to a penalty of one hundred dollars plus an additional penalty of one hundred dollars for each day that it is late in filing its annual report or response to a notice of deficiency.

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B. Submit both versions of the annual report with a cover letter stating that the utility is designating some or all of the information in its annual report as confidential information, including the name, phone number and e-mail address (if available) of the person responsible for addressing questions regarding the confidential portions of the annual report.

C. Prominently attach a detailed affidavit to both versions that identifies the specific types of information to be kept under seal, provides a reason why the specific information should be a closed record, and stating that none of the requested information is available to the public in any format.

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Manager of the Data Center
Missouri Public Service Commission
200 Madison Street, Suite 100, Jefferson City, MO 65101
(P.O. Box 360, Jefferson City, MO 65102-0360)

Sincerely,

Wess A. Henderson
Executive Director

Enclosure

Instructions for completing the
Competitive Local Exchange Carrier (CLEC) Exchange Access Lines Report (Residential)

A. Instructions for Section A: Local Voice Service and IVoIP Service.
Use these columns to report exchange access lines used to provide local voice service, as defined by 392.245.5(3) RSMo, and interconnected VoIP service, as defined by 47 CFR 9.3, if the end user's rates for these services are set by the filer. Lines should include all analog and digital (whether circuit switched or packet switched) exchange lines and Key/PBX trunk facilities connecting end users to the Public Switched Telephone Network. Do not use these columns for any exchange access lines used for interconnected VoIP service provided to another carrier.

B. Instructions for Section B: Other.
Use these columns to report exchange access lines ~~to connect Internet Service Providers to the PSTN~~ **if interconnected VoIP service is provided with a non-certificated carrier who is providing local voice service to the end user. A carrier is considered to be the provider of local voice service if the carrier sets the end user's rates for local voice services. Only report lines in this column if the other carrier is providing local voice service and the other carrier** ~~. In addition, use these columns to report exchange access lines used to provide interconnected VoIP service to another carrier if the other carrier~~ is not certificated to provide telecommunications service by the Missouri Public Service Commission. Do not report any lines used to provide interconnected VoIP service to another carrier if the other carrier possesses a certificate to provide telecommunications service from the Missouri Public Service Commission. **In addition, do not report lines in this column if the filer of this annual report is the provider of local voice services to the end user; instead report such lines in the appropriate column in Section A.**

Page 5(a) Definition: Exchange Access Lines
Exchange Access Lines refers to analog or digital lines used in the provisioning of local voice service or interconnected VoIP service. For DS-1 or higher band-width facilities, whether circuit or packet switched, a voice grade equivalency must be used. For channelized service, report the number of channels subscribed to by the customer. For example, a fully configured DS-1 facility is to be counted as 24 voice-grade equivalent lines. For partially equipped DS-1 facilities, count only the number of channels actually subscribed to by the end user. For non-channelized facilities, filers are instructed to use a good-faith estimate of the number of voice grade equivalent lines used for voice communications.

Page 5(a) Column A: Exchange
Exchange refers to exchange names as provided in an incumbent local telephone company's tariff. Rate centers, wire centers, or central offices are not always the same as exchanges.

Page 5(a) Columns B, C, D, E: IVoIP Service
IVoIP Service refers to "Interconnected VoIP service" as defined in 47 CFR 9.3.

Page 5(a) Column B: Full Facility
Full Facility refers to arrangements where your company or an affiliate owns the switch and the local loop.

Page 5(a) Column C: Partial Facility
Partial Facility refers to arrangements where your company or an affiliate owns either the switch or the local loop.

Page 5(a) Column D: Other Resale
Other Resale refers to arrangements where your company leases facilities from an ILEC at a negotiated or arbitrated rate that is not simply a discount off the ILEC's tariffed rate. Examples include UNE-P arrangements, arrangements purchased via a commercial agreement.

Page 5(a) Column E: Pure Resale
Pure Resale refers to arrangements where your company leases facilities/services from the ILEC at a discount from the incumbent's tariffed rate.

Instructions for completing the

Competitive Local Exchange Carrier (CLEC) Exchange Access Lines Report (Business)

A. Instructions for Section A: Local Voice Service and IVoIP Service.

Use these columns to report exchange access lines used to provide local voice service, as defined by 392.245.5(3) RSMo, and interconnected VoIP service, as defined by 47 CFR 9.3, if the end user's rates for these services are set by the filer. Lines should include all analog and digital (whether circuit switched or packet switched) exchange lines and Key/PBX trunk facilities connecting end users to the Public Switched Telephone Network. Do not use these columns for any exchange access lines used for interconnected VoIP service provided to another carrier.

B. Instructions for Section B: Other.

Use these columns to report exchange access lines to connect Internet Service Providers to the PSTN **or if interconnected VoIP service is provided with a non-certificated carrier who is providing local voice service to the end user. A carrier is considered to be the provider of local voice service if the carrier sets the end user's rates for local voice services. Only report lines in this column if the other carrier is providing local voice service and the other carrier** ~~. In addition, use these columns to report exchange access lines used to provide interconnected VoIP service to another carrier if the other carrier~~ is not certificated to provide telecommunications service by the Missouri Public Service Commission. Do not report any lines used to provide interconnected VoIP service to another carrier if the other carrier possesses a certificate to provide telecommunications service from the Missouri Public Service Commission. **In addition, do not report lines in this column if the filer of this annual report is the provider of local voice services to the end user; instead report such lines in the appropriate column in Section A.**

Page 5(b) Definition: Exchange Access Lines

Exchange Access Lines refers to analog or digital lines used in the provisioning of local voice service or interconnected VoIP service. For DS-1 or higher band-width facilities, whether circuit or packet switched, a voice grade equivalency must be used. For channelized service, report the number of channels subscribed to by the customer. For example, a fully configured DS-1 facility is to be counted as 24 voice-grade equivalent lines. For partially equipped DS-1 facilities, count only the number of channels actually subscribed to by the end user. For non-channelized facilities, filers are instructed to use a good-faith estimate of the number of voice grade equivalent lines used for voice communications.

Page 5(b) Column A: Exchange

Exchange refers to exchange names as provided in an incumbent local telephone company's tariff. Rate centers, wire centers, or central offices are not always the same as exchanges.

Page 5(b) Columns B, C, D, E: IVoIP Service

IVoIP Service refers to "Interconnected VoIP service" as defined in 47 CFR 9.3.

Page 5(b) Column B: Full Facility

Full Facility refers to arrangements where your company or an affiliate owns the switch and the local loop.

Page 5(b) Column C: Partial Facility

Partial Facility refers to arrangements where your company or an affiliate owns either the switch or the local loop.

Page 5(b) Column D: Other Resale

Other Resale refers to arrangements where your company leases facilities from an ILEC at a negotiated or arbitrated rate that is not simply a discount off the ILEC's tariffed rate. Examples include UNE-P arrangements, arrangements purchased via a commercial agreement.

Page 5(b) Column E: Pure Resale

Pure Resale refers to arrangements where your company leases facilities/services from the ILEC at a discount from the incumbent's tariffed rate.

Page 5(b) Column G: ISP

ISP refers to lines/trunks solely connecting Internet Service Providers to the Public Switched Telephone Network.

Report of ______________________________

For the Year Ended December 31, ________________

OFFICERS

1. Report below the name, title, office address, and salary for the year of each general officer of the respondent. Report the information for each other employee whose annual salary is $50,000 or more. The salary information to be reported in column (d) is to be reported regardless of whether the respondent or an affiliate of the respondent actually paid the salary of the subject officers or employees. Please provide in column (e) the Missouri-allocated portion of the salary information provided in column (d).

Title (a)	Name of Officers (b)	Principal Business Address (City and State) (c)	Annual Salary (d)	Missouri Allocated (e)

2. If any officer or other employee reported in this schedule received renumeration from respondent, directly or indirectly, other than the salary reported in column (d), such as commissions, bonuses, shares in profits, money paid, set aside or accrued pursuant to any pension, retirement, savings or similar plan (exclusive of plans qualified under Section 401 of the Internal Revenue Code of 1954) including premiums paid for retirement annuities, or life insurance where the respondent is not the beneficiary, or any other advantageous arrangement which constitutes a form of compensation, give the essentials of the plan not previously reported, the basis of determining the ultimate benefits receivable, and the payments or provisions made during the year with respect to each person reported herein. If the word "none" correctly states the facts with respect to the matters referred to in this instruction, so state:

3. State the annual benefits estimated to be payable to each of the three highest paid officers named herein in the event of retirement at normal retirement date pursuant to any pension or retirement plan:

4. Describe all transactions since the beginning of the year in which any person who was an officer of the respondent at any time during the year received remuneration, directly or indirectly, from the respondent in the form of securities, options, warrants, rights or other property, or through the exercise or though the exercise or disposition thereof. If the response "none" correctly states the facts with respect to the matters referred to in this instruction, so state:

5. State briefly any arrangement under which any officer is insured or indemnified against liability which he may incur in his capacity as an officer. If there are no such arrangements, so state:

6. If a change was made during the year in the incumbent of any position, show name and address and total renumeration of the previous incumbent and date change in incumbency was made:

7. Utilities which are not required to file copies of this report with the Securities and Exchange Commission may omit the data called for by instructions 2, 3, 4 and 5. Omission of responses to such instruction for this reason should be stated.

Attachment 4-1

Report of ______________________________

For the Year Ended December 31, ______________

OFFICERS

1. Report below the name, title, office address, and salary for the year of each general officer of the respondent. Report the information for each other employee whose annual salary is $50,000 or more. The salary information to be reported in column (d) is to be reported regardless of whether the respondent or an affiliate of the respondent actually paid the salary of the subject officers or employees. Please provide in column (e) the Missouri-allocated portion of the salary information provided in column (d). The fact that the information provided in this section is salary information is not deemed an adequate reason for this information to be treated as Highly Confidential.

Title (a)	Name of Officers (b)	Principal Business Address (City and State) (c)	Total Corporate Annual Salary (d)	Missouri Allocated Portion Total* (e)	Regulated**

* This column should include the total Missouri allocated portion of the salary including regulated and non-regulated portions.

** This column should include the portion allocated for Missouri regulated companies only.

2. If any officer or other employee reported in this schedule received renumeration from respondent, directly or indirectly, other than the salary reported in column (d), such as commissions, bonuses, shares in profits, money paid, set aside or accrued pursuant to any pension, retirement, savings or similar plan (exclusive of plans qualified under Section 401 of the Internal Revenue Code of 1954) including premiums paid for retirement annuities, or life insurance where the respondent is not the beneficiary, or any other advantageous arrangement which constitutes a form of compensation, give the essentials of the plan not previously reported, the basis of determining the ultimate benefits receivable, and the payments or provisions made during the year with respect to each person reported herein. If the word "none" correctly states the facts with respect to the matters referred to in this instruction, so state:

3. State the annual benefits estimated to be payable to each of the three highest paid officers named herein in the event of retirement at normal retirement date pursuant to any pension or retirement plan:

4. Describe all transactions since the beginning of the year in which any person who was an officer of the respondent at any time during the year received remuneration, directly or indirectly, from the respondent in the form of securities, options, warrants, rights or other property, or through the exercise or though the exercise or disposition thereof. If the response "none" correctly states the facts with respect to the matters referred to in this instruction, so state:

5. State briefly any arrangement under which any officer is insured or indemnified against liability which he may incur in his capacity as an officer. If there are no such arrangements, so state:

6. If a change was made during the year in the incumbent of any position, show name and address and total renumeration of the previous incumbent and date change in incumbency was made:

7. Utilities which are not required to file copies of this report with the Securities and Exchange Commission may omit the data called for by instructions 2, 3, 4 and 5. Omission of responses to such instruction for this reason should be stated.

and audit of the company, it must do so within the same time period as staff's investigation and audit;

(B) The commission staff, within twenty-one (21) days from the completion of its investigation, shall arrange a conference with the company and shall notify the public counsel of the conference prior to the conference, in order to provide the public counsel an opportunity to participate;

(C) If the conference between the commission staff, the company and the public counsel results in an agreement concerning additional revenue requirements and any other matters pertaining to the company's operations, including responses to customer concerns, the agreement between the commission staff, the company and the public counsel shall be reduced to writing. The company may then file tariff sheet(s) with an effective date which is not fewer than thirty (30) days after the tariff's issue date and no additional customer notice or local public hearing shall be required, unless otherwise ordered by the commission. The company shall file a copy of the agreement with its tariff;

(D) If the conference results in an agreement between the commission staff and the company only, the company at this time shall file the necessary tariff sheet(s) with the commission in accordance with the agreement. The tariff sheet(s) shall contain an effective date of not fewer than forty-five (45) days from the issue date. The company shall notify customers in writing of the proposed rates resulting from the agreement. The notice shall indicate that customers' responses may be sent to the appropriate commission department or the public counsel within twenty (20) days of the date shown on the notice. A copy of the notice shall be sent to the secretary of the commission and the public counsel. The commission staff and the public counsel shall exchange copies of the customer responses upon their receipt. The public counsel shall file a pleading indicating its agreement or disagreement with the tariff sheet(s) within twenty-five (25) days of the date the tariff sheet(s) is filed, unless a public hearing is requested;

(E) A request for a local public hearing may be filed after the tariff sheet(s) is filed by the company. The request shall be filed within twenty (20) days of the filing of the tariff sheet(s) by the company. Public counsel shall file a pleading indicating agreement or disagreement with the tariff sheet(s) within seven (7) days after the local public hearing;

(F) An agreement must be reached and tariff sheet(s) filed based upon the agreement within one hundred fifty (150) days from the date the letter initiating the case is filed. This time period may be extended with the consent of the company. Written consent for an extension shall be filed with the company's tariff; and

(G) If no agreement can be reached between the commission staff and the company, the company may initiate a standard rate case.

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.*

4 CSR 240-3.640 Annual Report Submission Requirements for Water Utilities

PURPOSE: Section 393.140(6), RSMo, includes an obligation for the commission to require every person and corporation under its supervision to submit an annual report to the commission. This rule establishes the standards for the submission of annual reports by water utilities that are subject to the jurisdiction of the commission, including the procedures for submitting nonpublic annual report information.

(1) All water utilities shall submit an annual report to the commission on or before April 15 of each year, except as otherwise provided for in this rule.

(2) Water utilities shall submit their annual reports either on a form provided by the commission or on a computer-generated replica that is acceptable to the commission. Reports being submitted on paper are to be prepared in loose-leaf format and sent to the attention of the secretary of the commission. Computer-generated reports can be submitted through the commission's electronic filing and information system (EFIS). Attempts to substitute forms such as stockholder reports without concurrently submitting official commission forms with appropriate cross-reference will be considered noncompliant. All requested information shall be included in the annual report, where applicable, even if it has been provided in a previous annual report.

(3) A water utility that receives a notice from the commission stating that deficiencies exist in the information provided in the annual report shall respond to that notice within twenty (20) days after the date of the notice, and shall provide the information requested in the notice in its response.

(4)

The staff on behalf of the commission will issue a deficiency letter to the company and if both versions of the annual report are not received within twenty (20) days of the notice, the submittal will be considered noncompliant. In addition to the foregoing, submittals made under this section must meet the following requirements:

(B) The cover of each version of the report must clearly identify whether it is the public or nonpublic version;

(D) Each page of each version of the report that contains nonpublic information shall be clearly identified as containing such information.

(5) If an entity asserts that any of the information contained in the nonpublic version of the annual report should be made available to the public, then that entity must file a pleading with the commission requesting an order to make the information available to the public, and shall serve a copy of the pleading on the utility affected by the request. The pleading must explain how the public interest is better served by disclosure of the information than the reason provided by the utility justifying why the information should be kept under seal. The utility affected by the request may file a response to a pleading filed under these provisions within fifteen (15) days after the filing of such a pleading. Within five (5) business days after the due date for the filing of the utility's response to a request filed under these provisions, the general counsel by filing of a pleading will make a recom-