

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Proposed) **Case No. AX-2008-0201**
Revision to 4 CSR 240-4.020)

SUGGESTED REVISIONS TO PROPOSED RULE

COME NOW, the Office of the Public Counsel, Praxair, Inc., AG Processing, Inc., the Midwest Gas Users Association,¹ the Sedalia Energy Users Association,² the Missouri Industrial Energy Consumers,³ the Missouri Energy Group,⁴ AARP, and the Consumers Council of Missouri (collectively referred to as “Petitioners”), by and through their undersigned counsel, and for their Motion For Proposed Rulemaking, respectfully state as follows:

1. On December 19, 2007, Petitioners filed a petition asking the Commission to consider changes to 4 CSR 240-4.020.

¹ The Midwest Gas Users Association (“MGUA”) members are EnerSys Inc., ThyssenKrupp, Stahl Co., Wire Rope Corporation of America, North Kansas City Hospital, Archer Daniels Midland Corporation, AAA Uniform Service, and National Starch and Chemical, a division of ICI Inc.

² The Sedalia Energy Users Association (“SIEUA”) members are Pittsburgh Corning Corporation, Waterloo Industries, Hayes-Lemmerz International, EnerSys Inc., Alcan Cable Co., Gardner Denver Corporation, American Compressed Steel Corporation, and ThyssenKrupp Stahl Company.

³The Missouri Industrial Energy Consumers (“MIEC”) are Anheuser-Busch, BioKyowa, The Boeing Company, Cargill, Chrysler, Doe Run, Ford Motor Company, Enbridge, Explorer Pipeline, General Motors, GKN Aerospace, Hussmann Refrigeration, JW Aluminum, Monsanto, National Starch, Nestle Purina, Pfizer, Precoat Metals, Procter & Gamble, and U.S. Silica.

⁴ The Missouri Energy Group (“MEG”) members are Barnes-Jewish Hospital, Buzzi Unicem USA, Inc., Holcim US, Inc., and SSM HealthCare.

2. On January 7, 2008, a roundtable discussion was held in Case No. AO-2008-0192. As a result of comments and questions at that roundtable, Petitioners suggest certain changes to their proposed rule. These changes are intended to: A) clarify that the rule's provisions do not apply to rulemakings or non-contested investigations; B) apply the provisions of paragraph 10 to all persons communicating with Commissioners, not just utility representatives; C) clarify and make uniform references to Commissioners in paragraph 10; and D) eliminate the requirement in paragraph 14 that required automatic recusal.

3. Attached to this pleading are two documents. The first shows the suggested post-roundtable changes to specific paragraphs of Petitioners' proposed rule. The second shows the total effect on existing Rule 4 CSR 240-4.020 of the original proposal and these suggested post-roundtable changes.

WHEREFORE, Petitioners respectfully request that the Commission institute a rulemaking for the purpose of making the following modifications to Commission Rule 4 CSR 240-4.020.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 31st day of January 2008:

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