

FILED

OCT 31 2013

MEMORANDUM

TO: Morris L. Woodruff, Secretary

**Missouri Public
Service Commission**

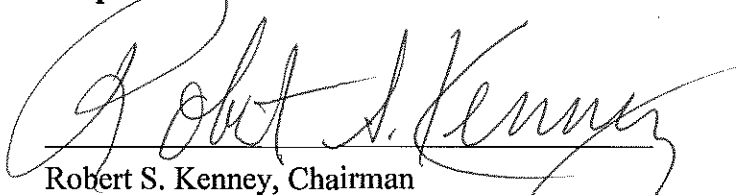
DATE: October 30, 2013

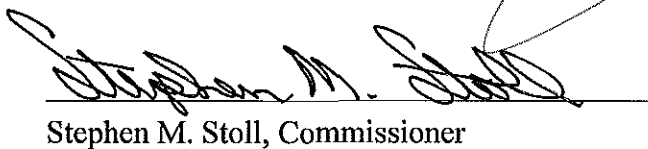
RE: Authorization to File Final Order of Rulemaking with the Office of Secretary of State

CASE NO: WX-2013-0448

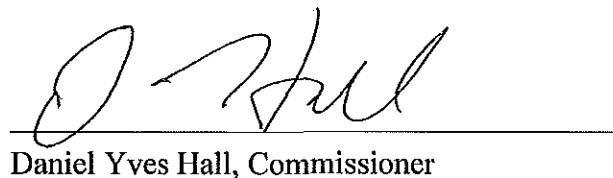
The undersigned Commissioners hereby authorize the Secretary of the Missouri Public Service Commission to file the following Final Order of Rulemaking with the Office of the Secretary of State, to wit:

Proposed Rule 4 CSR 240-50.050 – Environmental Cost Adjustment Mechanism


Robert S. Kenney, Chairman


Stephen M. Stoll, Commissioner


William P. Kenney, Commissioner


Daniel Yves Hall, Commissioner

Robin Carnahan

Secretary of State
Administrative Rules Division

RULE TRANSMITTAL

Administrative Rules Stamp

Rule Number 4 CSR 240-50.050

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 Chris Koenigsfeld Phone 573-751-4256 FAX 573-526-6010

Email address christine.koenigsfeld@psc.mo.gov

Interagency mailing address Public Service Commission, 9th Fl, Gov.Ofc Bldg, JC, MO

TYPE OF RULEMAKING ACTION TO BE TAKEN

☐ Emergency rulemaking, include effective date

☐ Proposed Rulemaking

☐ Withdrawal ☐ Rule Action Notice ☐ In Addition ☐ Rule Under Consideration

☒ Order of Rulemaking

Effective Date for the Order

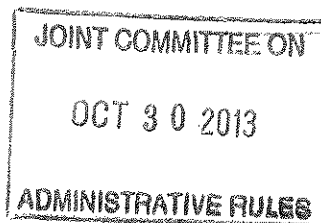
☐ Statutory 30 days OR Specific date

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

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

Small Business Regulatory
Fairness Board (DED) Stamp

JCAR Stamp





Commissioners

ROBERT S. KENNEY
Chairman

STEPHEN M. STOLL

WILLIAM P. KENNEY

DANIEL Y. HALL

Missouri Public Service Commission

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Secretary

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Director of Administration
and Regulatory Policy

CHERLYN D. VOSS
Director of Regulatory Review

KEVIN A. THOMPSON
Chief Staff Counsel

Jason Kander
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, Missouri 65101

Re: 4 CSR 240-50.050 Environmental Cost Adjustment Mechanism

Dear Secretary Kander,

CERTIFICATION OF ADMINISTRATIVE RULE

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

Statutory Authority: sections 386.310 and 393.140, 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

Morris L. Woodruff
Chief Regulatory Law Judge

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 50 – Water Utilities**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.310 and 393.140 RSMo 2000, and section 386.266 RSMo Supp. 2012, the commission adopts a rule as follows:

4 CSR 240-50.050 Environmental Cost Adjustment Mechanism is adopted.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 16, 2013 (38 MoReg 1477). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended October 16, 2013, and the commission held a public hearing on the proposed amendment on October 24, 2013. The commission received a timely written comment from Missouri American Water Company. The Office of the Public Counsel, Missouri American Water Company, and the commission's Staff appeared at the hearing.

COMMENT: Missouri American Water Company's written comment indicates the company supports the rule as proposed by the commission. Frank L. Kartmann, President of Missouri American Water Company, appeared at the hearing and again offered Missouri American's support for the rule as proposed.

RESPONSE: The commission thanks Missouri American Water Company for its comment.

COMMENT: Public Counsel appeared at the hearing and indicated it has no comments either in support or in opposition to the proposed rule.

RESPONSE: The commission thanks Public Counsel for its comment.

COMMENT: The commission's staff appeared at the hearing and indicated its willingness to answer any questions about the proposed rule. Staff had no other comments either in support or in opposition to the proposed rule.

RESPONSE: The commission thanks its staff for its willingness to answer questions.

