

John R. Ashcroft

Secretary of State
Administrative Rules Division

RULE TRANSMITTAL

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SECRETARY OF STATE
ADMINISTRATIVE RULES

Rule Number 4 CSR 240-10.135

COPY

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

Name of person to call with questions about this rule:

Content Ron Pridgin Phone 573-751-7497 FAX 573-526-6010

Email address Ron.pridgin@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, 9th Floor Gov. Office Bldg, JC, Mo
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:

Small Business Regulatory
Fairness Board (DED) Stamp

JCAR Stamp

JOINT COMMITTEE ON

OCT 10 2018

ADMINISTRATIVE RULES



Commissioners

RYAN A. SILVEY
Chairman

WILLIAM P. KENNEY

DANIEL Y. HALL

SCOTT T. RUPP

MAIDA J. COLEMAN

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
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<http://psc.mo.gov>

SHELLEY BRUEGGEMANN
General Counsel

MORRIS WOODRUFF
Secretary

LOYD WILSON
Director of Administration

NATELLE DIETRICH
Staff Director

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

Re: 4 CSR 240-10.135 Filing Requirements for Electric, Gas, Water, Sewer and Steam Heating
Utility Applications for Authority to Acquire Stock of a Public Utility

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: section 386.250, RSMo 2016.

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

Ron Pridgin, Deputy Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102
(573) 751-7497
Ron.Pridgin@psc.mo.gov

Morris L. Woodruff
Chief Regulatory Law Judge

Enclosures

STATE CAPITOL
201 W. CAPITOL AVENUE, ROOM 216
JEFFERSON CITY, MISSOURI 65101



(573) 751-3222
WWW.GOVERNOR.MO.GOV

Michael L. Parson

GOVERNOR
STATE OF MISSOURI

September 27, 2018

Mr. Daniel Hall
Public Service Commission
200 Madison Street
PO Box 360
Jefferson City, MO 65102

RE: *Proposed Rulemaking*

Dear Daniel:

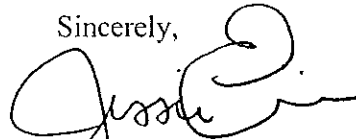
This office has received your Final Orders of Rulemaking for the regulations listed below.

- 4 CSR 240-3.110 Filing Requirements for Electric Utility Applications for Authority to Sell, Assign, Lease or Transfer Assets
- 4 CSR 240-3.115 Filing Requirements for Electric Utility Applications for Authority to Merge or Consolidate
- 4 CSR 240-3.120 Filing Requirements for Electric Utility Applications for Authority to Issue Stock, Bonds, Notes and Other Evidences of Indebtedness
- 4 CSR 240-3.125 Filing Requirements for Electric Utility Applications for Authority to Acquire the Stock of a Public Utility
- 4 CSR 240-3.165 Annual Report Submission Requirements for Electric Utilities
- 4 CSR 240-3.210 Filing Requirements for Gas Utility Applications for Authority to Sell, Assign, Lease or Transfer Assets
- 4 CSR 240-3.215 Filing Requirements for Gas Utility Applications for Authority to Merge or Consolidate
- 4 CSR 240-3.220 Filing Requirements for Gas Utility Applications for Authority to Issue Stock, Bonds, Notes and Other Evidences of Indebtedness
- 4 CSR 240-3.225 Filing Requirements for Gas Utility Applications for Authority to Acquire the Stock of a Public Utility
- 4 CSR 240-3.245 Annual Report Submission Requirements for Gas Utilities
- 4 CSR 240-3.310 Filing Requirements for Sewer Utility Applications for Authority to Sell, Assign, Lease or Transfer Assets
- 4 CSR 240-3.315 Filing Requirements for Sewer Utility Applications for Authority to Merge or Consolidate
- 4 CSR 240-3.320 Filing Requirements for Sewer Utility Applications for Authority to Issue Stock, Bonds, Notes or Other Evidences of Indebtedness

- 4 CSR 240-3.325 Filing Requirements for Sewer Utility Applications for Authority to Acquire the Stock of a Public Utility
- 4 CSR 240-3.335 Annual Report Submission Requirements for Sewer Utilities
- 4 CSR 240-3.405 Filing Requirements for Steam Heating Utility Applications for Authority to Sell, Assign, Lease or Transfer Assets
- 4 CSR 240-3.410 Filing Requirements for Steam Heating Utility Applications for Authority to Merge or Consolidate
- 4 CSR 240-3.415 Filing Requirements for Steam Heating Utility Applications for Authority to Issue Stock, Bonds, Notes and Other Evidences of Indebtedness
- 4 CSR 240-3.420 Filing Requirements for Steam Heating Utility Applications for Authority to Acquire the Stock of a Public Utility
- 4 CSR 240-3.435 Annual Report Submission Requirements for Steam Heating Utilities
- 4 CSR 240-3.605 Filing Requirements for Water Utility Applications for Authority to Sell, Assign, Lease or Transfer Assets
- 4 CSR 240-3.610 Filing Requirements for Water Utility Applications for Authority to Merge or Consolidate
- 4 CSR 240-3.615 Filing Requirements for Water Utility Applications for Authority to Issue Stock, Bonds, Notes and Other Evidences of Indebtedness
- 4 CSR 240-3.620 Filing Requirements for Water Utility Applications for Authority to Acquire the Stock of a Public Utility
- 4 CSR 240-3.640 Annual Report Submission Requirements for Water Utilities
- 4 CSR 240-10.115 Filing Requirements for Electric, Gas, Water, Sewer, and Steam Heating Utility Applications for Authority to Merge or Consolidate
- 4 CSR 240-10.105 Filing Requirements for Electric, Gas, Water, Sewer, and Steam Heating Utility Applications for Authority to Sell, Assign, Lease or Transfer Assets
- 4 CSR 240-10.125 Filing Requirements for Electric, Gas, Water, Sewer, and Steam Heating Utility Applications for Authority to Issue Stock, Bonds, Notes and Other Evidence of Indebtedness
- 4 CSR 240-10.135 Filing Requirements for Electric, Gas, Water, Sewer, and Steam Heating Utility Applications for Authority to Acquire the Stock of a Public Utility
- 4 CSR 240-10.145 Annual Report Submission Requirements for Electric, Gas, Water, Sewer, and Steam Heating Utilities

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 submission of these amendments, rules and rescissions to the Joint Committee on Administrative Rules and the Secretary of State.

Sincerely,



Jessie Eiler
Deputy Counsel

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 10 – Utilities**

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SECRETARY OF STATE
ADMINISTRATIVE RULES

ORDER OF RULEMAKING

COPY

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-10.135 Filing Requirements for Electric, Gas, Water, Sewer and Steam Heating Utility Applications for Authority to Acquire the Stock of a Public Utility is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1579-80). 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 August 15, 2018, and the commission held a public hearing on the proposed rule on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rule.

RESPONSE: The commission agrees, and will adopt the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rule.

RESPONSE: The commission agrees, and will adopt the rule.

