



## **Case No. AX-2018-0257**

### **Comments of the Staff of the Missouri Public Service Commission**

As part of its review of Commission rules in compliance with Executive Order 17-03, Staff recommended rescission of certain duplicative filing requirements in Chapter 3, and promulgation of new consolidated filing requirements in Chapter 10. These changes are designed to streamline, simplify, and improve the user-friendliness of Commission rules.

Staff supports the proposed rescissions:

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 and 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

Staff supports the proposed rules in their entirety:

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 240-10.115 Filing Requirements for Electric, Gas, Water, Sewer, and Steam Heating Utility Applications for Authority to Merge or Consolidate  
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 Evidences 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

Staff recommendation with respect to 4 CSR 240-10.145:

Staff supports the proposed rule, 4 CSR 240-10.145 Annual Report Submission Requirements for Electric, Gas, Water, Sewer, and Steam Heating Utilities, but recommends that the stricken language below in Section (5) be removed as it is no longer consistent with Commission practice.

(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 recommendation to the commission advising whether the request should be granted.~~