

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

In the Matter of Proposed Revisions to) **File No. AX-2018-0395**
Improve the Commission's Rules)

STAFF'S MEMORANDUM

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through the undersigned counsel, and respectfully files the attached *Memorandum* pursuant to General Procedure 1, stating Staff's finding that the actual cost of implementing the rules within this docket to public and private entities has not exceeded the estimates by more than 10 percent or, where appropriate, has not exceeded five hundred dollars.

WHEREFORE, Staff files this *Memorandum* for the Commission's information and consideration.

Respectfully Submitted,

/s/ Travis J. Pringle

Travis J. Pringle
Associate Counsel
Missouri Bar No. 71128
Attorney for the Staff of the
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
573-751-4140 (Voice)
573-751-9285 (Fax)
travis.pringle@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand delivered, transmitted by facsimile or electronically mailed to all parties and/or counsel of record this 26th day of August, 2021.

/s/ Travis J. Pringle

MEMORANDUM

TO: Case File for Case No. AX-2018-0395

FROM: Contessa King, on Behalf of Commission Staff

SUBJECT: Commission Rules 4 CSR 240-13.055 Cold Weather Maintenance of Service: Provision of Residential Heat-Related Utility Service During Cold Weather, 4 CSR 240-13.070 Commission Complaint Procedures, 4 CSR 240-13.050 Discontinuance of Service, 4 CSR 240-13.030 Deposits and Guarantees of Payment, 4 CSR 240-13.025 Billing Adjustments, 4 CSR 240-13.020 Billing and Payment Standards, 4 CSR 240-13.015 Definitions, 4 CSR 240-13.010 General Provisions.

Commission Rules 4 CSR 240-10.040 Service and Billing Practices for Commercial and Industrial Customers of Electric, Gas, Water and Steam Heat Utilities, 4 CSR 240-10.020 Income on Depreciation Fund Investments.

Commission Rules 4 CSR 240-3.250 Submission of Gas Utility Residential Heat-Related Service Cold Weather Report, 4 CSR 240-3.180 Submission of Electric Utility Residential Heat-Related Service Cold Weather Report, 4 CSR 240-3.030 Minimum Filing Requirements for Utility Company General Rate Increase Requests, 4 CSR 240-3.025 Utility Company Tariff Filings Which Create Cases, 4 CSR 240-3.020 Filing Requirements Regarding Utility Company Name Changes, 4 CSR 240-3.015 Filing Requirements for Utility Company Applications for Waivers or Variances, 4 CSR 240-3.010 General Definitions.

Commission Rules 4 CSR 240-2.205 Variance or Waiver, 4 CSR 240-2.120 Presiding Officers, 4 CSR 240-2.070 Complaints, 4 CSR 240-2.010 Definitions.

DATE: August 26, 2021

The Commission Staff has investigated the cost of implementing the rules adopted by the Commission through this case, and reports that it has not discovered any information that would show that the cost estimate published in the *Missouri Register* was inaccurate in connection with the implementation of the rules referenced above,¹ in Case No. AX-2018-0395.

Additionally, Staff reports that it has not received any information from any party potentially or actually affected by the implementation of the subject rules that would show that the cost estimate to implement the rules published in the *Missouri Register* was inaccurate.

¹ On August 28, 2019, all Commission rules were moved to the Department of Commerce and Insurance. These rules are now: 20 CSR 4240-13.055, 20 CSR 4240-13.070, 20 CSR 4240-13.030, 20 CSR 4240-13.025, 20 CSR 4240-13.020, 20 CSR 4240-13.015, 20 CSR 240-13.010, 20 CSR 4240-10.040, 20 CSR 4240-10.020, 20 CSR 4240-3.030, 20 CSR 4240-3.010, 20 CSR 4240-2.205, 20 CSR 4240-2.120, 20 CSR 4240-2.070, 20 CSR 4240-2.010.

The Commission's General Procedure 1 ("GP-1") requires, among other things, that within 30 days before the end of the first full fiscal year after the implementation of a rule, amendment or rescission, that Staff is to investigate whether the cost to all affected entities, including the Commission, has exceeded by ten percent or more the estimated cost in the fiscal note, or, where appropriate, has exceeded five hundred dollars.

GP-1 also requires Staff to prepare a memorandum showing the results of its investigation within thirty (30) days after the end of the first full fiscal year of the implementation of the subject rule, amendment or rescission. If the Staff investigation shows that the costs have not exceeded ten percent for all entities or, where appropriate, the estimated five hundred dollars, Staff's Memorandum shall be entered into EFIS under the rulemaking's docket number.

Staff's response regarding the accuracy of the published cost estimates is within the time frame specified by Section 536.200.2, RSMo 2016. This statute requires publication in the *Missouri Register* of a report of any excess cost over estimated cost, or cost over five hundred dollars, where appropriate, within 90 days after the close of the "first full fiscal year" after the implementation of the subject rule, amendment or rescission. The rules that were the subject of this case became effective on July 30, 2019. The first full fiscal year after implementation of the rules thus ended on June 30, 2021. Accordingly, September 28, 2021, would represent the 90-day expiration period for the publication of a report regarding excess cost information in the *Missouri Register*. Since the Staff's investigation indicates that the published cost estimates related to the changes in the rule have not been exceeded, no *Missouri Register* publication is required under Section 536.200.2, RSMo 2016.

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

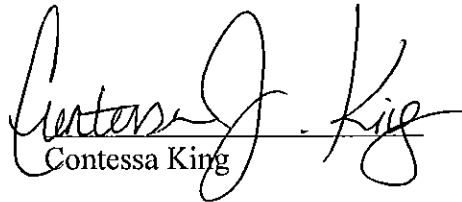
In the Matter of Proposed Revisions to)
Improve the Commission's Rules) File No. AX-2018-0395

AFFIDAVIT OF CONTESSA KING

STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

COMES NOW Contessa King, and on her oath declares that she is of sound mind and lawful age; that she contributed to the foregoing *Staff's Memorandum*; and that the same is true and correct according to her best knowledge and belief, under penalty of perjury.

Further the Affiant sayeth not.


Contessa King

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 26th day of August, 2021.


NOTARY PUBLIC

DIANNA L. VAUGHT
Notary Public - Notary Seal
State of Missouri
Commissioned for Cole County
My Commission Expires: July 18, 2023
Commission Number: 15207377