

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

In the Matter of a Proposed Rule Regarding)
Staff Assisted Small Utility Rate Cases)

File No. AX-2018-0050

STAFF’S MEMORANDUM

COMES NOW 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 the rule, 4 CSR 240-10.075, to public and private entities have not exceeded the estimates by more than 10 percent.

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

Respectfully submitted,

/s/ Mark Johnson

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Attorney for Staff of the
Missouri Public Service Commission

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been emailed this 15th day of July, 2019 to all counsel of record in this proceeding.

/s/ Mark Johnson

MEMORANDUM

TO: Case File for Case No. AX-2018-0050

FROM: Jim Busch, on Behalf of the Commission Staff

SUBJECT: Accuracy of Cost Estimates for Rule Implementation of
4 CSR 240-10.075 – Compliance with the Requirements of GP-1 of the
Commission’s General Procedures

DATE: July 15, 2019

The Commission Staff has investigated the cost of implementing the rule revision adopted by the Commission through this case and reports that it has not discovered any information showing the cost estimate published in the *Missouri Register* was inaccurate. On May 6, 2019, the Commission issued its *Invitation to File Comments Regarding Costs of Compliance* in this case. It directed all interested parties to file comments regarding the actual cost of compliance with this rule with the Commission by June 6, 2019; no party filed responsive comments. Additionally, the Staff reports that it has not received any other information from any party potentially or actually affected by these rules showing the cost estimate published in the *Missouri Register* was inaccurate.

The Commission’s General Procedure GP-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 the 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 rule, amendment or rescission. If the Staff investigation shows 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. 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 recession. The change in the rules subject to this case became effective on April 16, 2018. The first full fiscal year after implementation ended on June 30, 2019. Accordingly, September 28, 2019 represents 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 the published cost estimates have not been exceeded, no *Missouri Register* publication is required under Section 536.200.2 RSMo.

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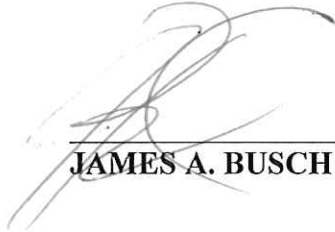
In the Matter of the Amendment of the)
Commission's Rule Regarding Solar Rebates)
4 CSR 240-20.100(4)) Case No. AX-2018-0050

AFFIDAVIT OF JAMES A. BUSCH

STATE OF MISSOURI)
)
COUNTY OF COLE) ss.

COMES NOW JAMES A. BUSCH and on his oath declares that he is of sound mind and lawful age; that he contributed to the foregoing *Staff Recommendation* in Memorandum form; and that the same is true and correct according to his best knowledge and belief.

Further the Affiant sayeth not.

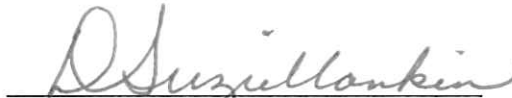


JAMES A. BUSCH

JURAT

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 12th day of July 2019.

D. SUZIE MANKIN
Notary Public - Notary Seal
State of Missouri
Commissioned for Cole County
My Commission Expires: December 12, 2020
Commission Number: 12412070



Notary Public