

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

In the Matter of an Update of)
the Commission's Gas Safety)
and Transportation Rules to)
Incorporate Current Federal)
Reporting Requirements)

Case No. GX-2021-0406

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission and for its *Recommendation* hereby states:

1. Pursuant to General Procedure 1, Staff files the attached memorandum stating that Staff finds the actual costs of implementing the updates to 20 CSR 4240-40.020; 20 CSR 4240-40.030 and 20 CSR 4240-40.080 do not exceed the estimates by more than 10 percent or , where appropriate, has not exceeded five hundred dollars.

WHEREFORE, Staff prays that the Commission will accept this *Recommendation* and grant such other and further relief as is just in the circumstances.

Respectfully submitted,

/s/ Whitney Scurlock

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, to all parties or their representatives pursuant to the Service List maintained by the Commission's Data Center for this file, on this 12th day of September, 2023.

/s/ Whitney Scurlock

MEMORANDUM

TO: Missouri Public Service Commission Official Case File No. GX-2021-0406

FROM: Kathleen A. McNelis, P.E. on Behalf of Commission Staff

SUBJECT: Staff's Review of Costs Incurred for Rulemakings in the Matter of an Update of the Commission's Gas Safety and Transportation Rules to Incorporate Current Federal Reporting Requirements, File No. GX-2021-0406

DATE: September 12, 2023

On June 16, 2021, the Missouri Public Service Commission (Commission) issued a Notice of Finding of Necessity to adopt recent changes to federal gas pipeline safety rules into Commission rules. The Commission ordered filing of proposed amendments with the Secretary of State as proposed rule amendments to Commission rules:

- 20 CSR 4240-40.020 – Incident, Annual, and Safety-Related Condition Reporting Requirements;
- 20 CSR 4240-40.030 – Safety Standards – Transportation of Gas by Pipeline; and
- 20 CSR 4240-40.080 – Drug and Alcohol Testing

Text of the proposed amendments was published in the *Missouri Register* on August 2, 2021 (46 MoReg 1460-1478), with a statement that there would be no cost to state agencies or political subdivisions, and that the cost to private entities would not exceed five hundred dollars (\$500) in total. The publication of proposed amendments included a Notice to Submit Comments to Commission Case No. GX-2021-0406 no later than September 1, 2021. A Notice of Public Hearing was also published with the proposed amendments, setting a hearing at 10 a.m. on September 7, 2021. No comments were received in either Commission Case No. GX-2021-0406 or during the public hearing regarding the cost of the proposed amendments to state agencies, political subdivisions, or private entities.

On November 1, 2021, the Commission issued Final Orders of Rulemaking in Commission Case No. GX-2021-0406, making no changes from the proposed amendments. An Order of Rulemaking was published for each of the amended rules in the *Missouri Register* on December 1, 2021 (46 MoReg 2297-2298), and the amended rules became effective on January 30, 2022.

The Commission Staff has not received any information from any party potentially or actually affected by the implementation of the subject rule amendments that would show that the cost estimate to implement the Rules published in the *Missouri Register* was inaccurate.