



**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.010 - General Definitions**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements

**RECEIVED**

JAN 23 2003

**ORDER OF RULEMAKING**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.010 General Definitions is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1578-1580). 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 commission did not receive any written comments regarding this proposed rule, but a representative of one entity offered testimony pertaining to the subject of the organization of the various Chapter 3 rules at the public hearing that the commission held regarding the rulemakings related to the development of the commission's new Chapter 3. The testimony offered at the public hearing focused on the definition rules in the new Chapter 3 and how the placement of those rules affected the overall organization of the Chapter 3 rules. The period for receiving written comments on this proposed rule and the other rulemakings related to the development of Chapter 3 ended on October 16, 2002. The public hearing that the commission held on this proposed rule and the other rulemakings related to the development of Chapter 3 occurred on October 25, 2002.

**COMMENTS:** Other than the testimony offered in support of the Chapter 3 related rulemakings by the staff of the commission at the public hearing, the only other testimony offered was presented by a representative of a local law firm. That same firm also offered substantial written comments regarding the subject rulemakings. In addition to testimony offered in response to questions from the commission regarding the firm's written comments, the firm's representative also raised an issue regarding the organization of the Chapter 3 rules. This testimony generally dealt with the fact that not all of the rules in the various "blocks" of rules in the proposed Chapter 3 were numbered consistently from the viewpoint of similar requirements that exist from block to block. Specifically, the firm's representative noted that it would have generally been easier to follow the rules if the first rule in every block covered the same subject. The firm's representative further noted that in all but two instances the first rule in each block was the rule that included the definitions of the terms used in the rules in each block. In response to questions from the commission during the hearing, the commission staff's representative testified that the two "blocks" of rules that did not begin with a definition rule did not need such a rule. The staff's representative testified that the reason for this is that all definitions needed for these blocks of rules (the block's pertaining to steam heating utilities and water utilities) are contained in rule 3.010, which is the "general" definition rule in Chapter 3. The staff's representative further testified that the staff would check with the Secretary of State's rulemaking division to see if the proposed rules in these blocks could be modified to include a "new" reference definition rule, which would also require renumbering of the other proposed rules and any internal rule references in those blocks.

**RESPONSE:** Based upon research conducted by its staff subsequent to the public hearing, the commission understands that the issue regarding the numbering inconsistency raised during the public hearing could be addressed. One way to address this issue would be to add a definition rule to the two blocks of rules that do not currently begin with a definition rule and renumber the other rules in those blocks accordingly. The commission has, however, chosen not to undertake that effort at this time. Rather, the commission will undertake that effort as a part of future rulemaking activities that affect these two blocks of rules. No changes have been made to this proposed rule, or any other proposed rule related to the development of the new Chapter 3, as a result of the comments offered at the public hearing.

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
**RULE TRANSMITTAL**

A. Rule Number 4 CSR 240-3.015  
 Diskette File Name Orders of Rulemaking - Chapter 3 Rules Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and  
 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

<input checked="" type="checkbox"/>	This transmittal completed	<input type="checkbox"/>	Incorporation by reference materials, if any
<input checked="" type="checkbox"/>	Cover letter	<input type="checkbox"/>	Authority with history of the rule
<input type="checkbox"/>	Affidavit	<input type="checkbox"/>	Public cost
<input type="checkbox"/>	Forms, number of pages ____	<input type="checkbox"/>	Private cost
<input type="checkbox"/>	Fiscal notes	<input type="checkbox"/>	Hearing and comment period

☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date \_\_\_\_\_

☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission

☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal

☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency

☐ Rule action notice

☐ In addition

☐ Rule under consideration

JCAR Stamp

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



**Commissioners**  
**KELVIN L. SIMMONS**  
Chair  
**CONNIE MURRAY**  
**SHEILA LUMPE**  
**STEVE GAW**  
**BRYAN FORBIS**

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

**ROBERT J. QUINN, JR.**  
Executive Director  
**WESS A. HENDERSON**  
Director, Utility Operations  
**ROBERT SCHALLENBERG**  
Director, Utility Services  
**DONNA M. PRENGER**  
Director, Administration  
**DALE HARDY ROBERTS**  
Secretary/Chief Regulatory Law Judge  
**DANA K. JOYCE**  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.015 - Filing Requirements for Utility Company Applications  
for Waivers or Variances**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 240 – Public Service Commission**  
**Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.015 Filing Requirements for Utility Company Applications for Waivers or Variances is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1580). 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: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF  
ADMINISTRATIVE RULES**



# RULE TRANSMITTAL

\*Administrative Rules Stamp

**RECEIVED**

JAN 23 2003

SECRETARY OF STATE  
ADMINISTRATIVE RULES

**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
RULE TRANSMITTAL

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.020  
Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
Name of Person to call with questions about this rule:  
Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>      </u>  | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

---

---

---

---

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.020 - Filing Requirements Regarding Utility Company Name Changes**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.020 Filing Requirements Regarding Utility Company Name Changes is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1580). 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: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY  
ADMINISTRATIVE FILES**

# **RULE TRANSMITTAL**

\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
**RULE TRANSMITTAL**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.025  
Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
Name of Person to call with questions about this rule:  
Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text? \_\_\_\_\_

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.025 - Utility Company Tariff Filings Which Create Cases**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.025** Utility Company Tariff Filings Which Create Cases **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1580-1581). No changes have been made in the text of the proposed rule, so it is not reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**



# RULE TRANSMITTAL (

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.030  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages _____          | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST include effective date**
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST complete page 2 of this transmittal**
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

---



---



---



---

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.030 - Minimum Filing Requirements for Utility Company  
General Rate Increase Requests**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.030** Minimum Filing Requirements for Utility Company General Rate Increase Requests **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1581-1582). No changes have been made in the text of the proposed rule, so it is not reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

JCAR Stamp

**RULE TRANSMITTAL (PAGE 2)**

---

**E. ORDER OF RULEMAKING: Rule Number** \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☒ YES

☐ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

**Summary of Changes for 3.100**

This rule has been modified to delete two definitions originally included in the rule. Specifically, the definitions of affiliated entity and affiliate transaction, which were originally included as sections (2) and (3), respectively, have been deleted. Accordingly, this required a renumbering of the remaining sections of the rule. This rule originally consisted of sections (1) thru (18), but now consists of sections (1) thru (16).

**NOTE:** ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.100 - Definitions Pertaining Specifically to Electric Utility Rules**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

SECRETARY  
ADMINISTRATIVE RULES

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.100 Definitions Pertaining Specifically to Electric Utility Rules is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1582-1583). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The commission received written comments from one entity regarding this proposed rule. The comments focused on the inclusion of definitions of terms that are not used in other rules. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

**COMMENTS:** The entity that submitted written comments regarding this proposed rule noted in its comments that this rule contains the definitions of certain terms that are not actually used in other rules, and suggested that the definition of any term that is not used in other rules should be removed from this rule. Specifically, the comments suggest that the definitions of terms such as affiliate, affiliated entity, affiliate transaction, avoided costs and control be removed.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission notes that it agrees with the suggestion that any unused definitions should be removed from the proposed rule. The commission also notes, however, that the terms affiliate, avoided costs and control are used in other definitions in rule 3.100 and/or in rules in the 3.105 thru 3.190 "block". As a result, the definitions of these terms will not be removed as suggested. Based on the above, the commission is removing any unused definitions from the proposed rule and renumbering the remaining definitions accordingly.

**4 CSR 240-3.100 Definitions Pertaining Specifically to Electric Utility Rules**

- (1) Affiliate means any person who, directly or indirectly, controls or is controlled by or is under common control with an electric utility.
- (2) Appliance or equipment means any device which consumes electric energy and any ancillary device required for its operation.
- (3) Avoided costs means the incremental costs to an electric utility of electric energy or capacity or both which, but for the purchase from the qualifying facility or qualifying facilities, that utility would generate itself or purchase from another source.
- (4) Consideration shall be interpreted in its broadest sense and shall include any cash, donation, gift, allowance, rebate, discount, bonus, merchandise (new or used), property (real or personal), labor, service, conveyance, commitment, right or other thing of value.
- (5) Control (including the terms "controlling," "controlled by," and "common control") means the possession, directly or indirectly, of the power to direct, or to cause the direction of the management or policies of an entity, whether such power is exercised through one (1) or more intermediary entities, or alone, or in conjunction with, or pursuant to an agreement with, one or more other entities, whether such power is exercised through a majority or minority ownership or voting of securities, common directors, officers or stockholders, voting trusts, holding trusts, affiliated entities, contract or any other direct or indirect means. The commission shall presume that the beneficial ownership of ten percent (10%) or more of voting securities or partnership interest of an entity constitutes control for purposes of this rule. This provision, however, shall not be construed to prohibit a regulated electrical corporation from rebutting the presumption that its ownership interest in an entity confers control.



(6) Cost-effective means that the present value of life-cycle benefits is greater than the present value of life-cycle costs to the provider of an energy service.

(7) Decommissioning means those activities undertaken in connection with a nuclear generating unit's retirement from service to ensure that the final removal, disposal, entombment or other disposition of the unit and of any radioactive components and materials associated with the unit, are accomplished in compliance with all applicable laws, and to ensure that the final disposition does not pose any undue threat to the public health and safety. Decommissioning includes the removal and disposal of the structures, systems and components of a nuclear generating unit at the time of decommissioning.

(8) Decommissioning costs means all reasonable costs and expenses incurred in connection with decommissioning, including all expenses to be incurred in connection with the preparation for decommissioning, including, but not limited to, engineering and other planning expenses; and to be incurred after the actual decommissioning occurs, including, but not limited to, physical security and radiation monitoring expenses, less proceeds of insurance, salvage or resale of machinery, construction equipment or apparatus the cost of which was charged as a decommissioning expense.

(9) Demand-side resource means any inefficient energy-related choice that can be influenced cost-effectively by a utility. The meaning of this term shall not be construed to include load-building program.

(10) Energy service means the need that is served or the benefit that is derived by the ultimate consumer's use of energy.

(11) Inefficient energy-related choice means any decision that causes the life-cycle cost of providing an energy service to be higher than it would be for an available alternative choice.

(12) Load-building program means an organized promotional effort by a utility to persuade energy-related decision makers to choose the form of energy supplied by that utility instead of other forms of energy for the provision of energy service or to persuade customers to increase their use of that utility's form of energy, either by substituting it for other forms of energy or by increasing the level or variety of energy services used. This term is not intended to include the provision of technical or engineering assistance, information about filed rates and tariffs or other forms of routine customer service.

(13) Promotional practices means any consideration offered or granted by an electric utility or its affiliate to any person for the purpose, express or implied, of inducing the person to select and use the service or use additional service of the utility or to select or install any appliance or equipment designed to use the utility service, or for the purpose of influencing the person's choice or specification of the efficiency characteristics of appliances, equipment, buildings, utilization patterns or operating procedures. The term promotional practices shall not include the following activities:

(A) Making any emergency repairs to appliances or equipment of customers;

(B) Providing appliances or equipment incidental to demonstrations of sixty (60) days or less in duration;

(C) Providing light bulbs, street or outdoor lighting service, wiring, service pipe or other service equipment or appliances, in accordance with tariffs filed with and approved by the commission;

(D) Providing appliances or equipment to an educational institution for the purpose of instructing students in the use of the appliances or equipment;

(E) Merchandising appliances or equipment at retail and, in connection therewith, the holding of inventories, making and fulfillment of reasonable warranties against defects in material and workmanship existing at the time of delivery and financing; provided that the merchandising shall not violate any prohibition contained in 4 CSR 240-14.020;

(F) Inspecting and adjusting of appliances or equipment by an electric utility;

(G) Repairing and other maintenance to appliances or equipment by an electric utility if charges are at cost or above;

(H) Providing free or below-cost energy audits or other information or analysis regarding the feasibility and cost-effectiveness of improvements in the efficiency characteristics of appliances, equipment, buildings, utilization patterns or operating procedures;

(I) Offering to present or prospective customers by an electric utility technical or engineering assistance; and

(J) Advertising or publicity by an electric utility which is under its name and on its behalf and which does not in any manner, directly or indirectly, identify, describe, refer to, mention or relate to any architect, builder, engineer, subdivider, developer or other similar person, or which mentions no less than three (3) existing projects, developments or subdivisions.

(14) Purchase means the purchase of electric energy or capacity or both from a qualifying facility by an electric utility.

(15) Qualifying facility means a cogeneration facility or a small power production facility which is a qualifying facility under Subpart B of Part 292 of the Federal Energy Regulatory Commission's (FERC) regulations.

(16) Sale means the sale of electric energy or capacity or both by an electric utility to a qualifying facility.

\*Administrative Rules Stamp

RECEIVED

JAN 23 2003

# SECRETARY OF STATE ADMINISTRATIVE RULES

**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
**RULE TRANSMITTAL**

A “SEPARATE” rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.105  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- |                                     |                             |                          |  |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed  | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter                | <input type="checkbox"/> | Authority with history of the rule           |
| <input type="checkbox"/>            | Affidavit                   | <input type="checkbox"/> | Public cost                                  |
| <input type="checkbox"/>            | Forms, number of pages ____ | <input type="checkbox"/> | Private cost                                 |
| <input type="checkbox"/>            | Fiscal notes                | <input type="checkbox"/> | Hearing and comment period                   |

### C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date \_\_\_\_\_
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

- D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

---

---

---

---

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be made in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER -  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.105 - Filing Requirements for Electric Utility Applications for  
Certificates of Convenience and Necessity**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr  
Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

SECRETARY OF STATE  
ADMINISTRATIVE RULES

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.105 Filing Requirements for Electric Utility  
Applications for Certificates of Convenience and Necessity is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1583-1584). No changes have been made in the text of the proposed rule, so it is not reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The commission received written comments from one entity regarding this proposed rule. The comments focused on the inclusion of the term "gas transmission lines" in one section of the rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

**COMMENTS:** The entity that submitted comments regarding this proposed rule stated that the inclusion of the term "gas transmission lines" in subsection (1)(B) is an apparent mistake as this rule applies to electric utility applications for certificates of convenience and necessity, and that certificate application requirements related to gas transmission lines are covered in the corresponding rule related to gas utilities (4 CSR 240-3.205).

**RESPONSE:** The commission acknowledges that the requirements related to gas utility certificates of convenience and necessity are contained in 4 CSR 240-3.205 as is noted in the comments. The commission also notes, however, that it could be necessary for an electric utility to construct gas transmission lines, and thus necessary for the electric utility to obtain a certificate of convenience and necessity for such lines. It is for this reason that the term "gas transmission lines" is included in this rule. Based on the above, no changes have been made to the proposed rule as a result of these comments.

\*Administrative Rules Stamp

RECEIVED

JAN 23 2003

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
**RULE TRANSMITTAL**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.110  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- |                                     |                             |                          |  |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed  | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter                | <input type="checkbox"/> | Authority with history of the rule           |
| <input type="checkbox"/>            | Affidavit                   | <input type="checkbox"/> | Public cost                                  |
| <input type="checkbox"/>            | Forms, number of pages ____ | <input type="checkbox"/> | Private cost                                 |
| <input type="checkbox"/>            | Fiscal notes                | <input type="checkbox"/> | Hearing and comment period                   |

### C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date \_\_\_\_\_
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those change  
in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

~~(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)~~

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.





**Commissioners**  
**KELVIN L. SIMMONS**  
Chair  
**CONNIE MURRAY**  
**SHEILA LUMPE**  
**STEVE GAW**  
**BRYAN FORBIS**

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

**ROBERT J. QUINN, JR.**  
Executive Director  
**WESS A. HENDERSON**  
Director, Utility Operations  
**ROBERT SCHALLENBERG**  
Director, Utility Services  
**DONNA M. PRENGER**  
Director, Administration  
**DALE HARDY ROBERTS**  
Secretary/Chief Regulatory Law Judge  
**DANA K. JOYCE**  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.110 - Filing Requirements for Electric Utility Applications for Authority to Sell, Assign, Lease or Transfer Assets**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

↑  
Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

SECRETARY OF STATE  
ADMINISTRATIVE RULES

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.110** Filing Requirements for Electric Utility Applications  
for Authority to Sell, Assign, Lease or Transfer Assets **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1584). No changes have been made in the text of the proposed rule, so it is not reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

# RULE TRANSMITTAL (

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.115

Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000

Name of Person to call with questions about this rule:

Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285

Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above

Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us

Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO

Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000

Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST include effective date**
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST complete page 2 of this transmittal**
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

---



---



---



---

ICAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.115 - Filing Requirements for Electric Utility Applications for Authority to Merge or Consolidate**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240 – Public Service Commission

Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

SECRETARY  
ADMINISTRATIVE HOURS

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.115 Filing Requirements for Electric Utility  
Applications for Authority to Merge or Consolidate is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1584-1585). 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 commission received written comments from one entity regarding this proposed rule. The comments focused on the use of the term "purchaser" in one section of the rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

**COMMENTS:** The entity that submitted comments regarding this proposed rule stated the opinion that it is inappropriate for the commission to use the term "purchaser" in this rule, since the rule pertains to utility mergers and consolidations and there is no "purchaser" in such situations.

**RESPONSE:** The commission notes that the use of the referenced term comes from an existing rule related to this topic, and that in the interest of not making changes that could be considered substantive when comparing the existing rule and this proposed rule, the term "purchaser" was used in the proposed rule. While the commission agrees with the gist of the comments, it continues to be concerned that any changes to the subject language in the proposed rule could be considered substantive. Based on the foregoing, the commission is not making any changes to the proposed rule at this time.

\*Administrative Rules Stamp

RECEIVED

JAN 23 2003

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
**RULE TRANSMITTAL**

A “SEPARATE” rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.120  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

- |                                     |                             |                          |  |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed  | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter                | <input type="checkbox"/> | Authority with history of the rule           |
| <input type="checkbox"/>            | Affidavit                   | <input type="checkbox"/> | Public cost                                  |
| <input type="checkbox"/>            | Forms, number of pages ____ | <input type="checkbox"/> | Private cost                                 |
| <input type="checkbox"/>            | Fiscal notes                | <input type="checkbox"/> | Hearing and comment period                   |

### C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date \_\_\_\_\_
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be made in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.





Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.120 - Filing Requirements for Electric Utility Applications for Authority to Issue Stock, Bonds, Notes and Other Evidences of Indebtedness**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**RECEIVED**

**JAN 23 2003**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 386.250 as currently supplemented, the commission adopts a rule as follows:

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

**4 CSR 240-3.120 Filing Requirements for Electric Utility Applications for Authority  
to Issue Stock, Bonds, Notes and Other Evidences of Indebtedness is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1585). No changes have been made in the text of the proposed rule, so it is not reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

\*Administrative Rules Stamp

**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
**RULE TRANSMITTAL**

RECEIVED

JAN 23 2003

# SECRETARY OF STATE ADMINISTRATIVE RULES

A “SEPARATE” rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.125

Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000

Name of Person to call with questions about this rule:

Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285

Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above

Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us

Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO

Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000

Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- |                                     |                             |                          |  |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed  | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter                | <input type="checkbox"/> | Authority with history of the rule           |
| <input type="checkbox"/>            | Affidavit                   | <input type="checkbox"/> | Public cost                                  |
| <input type="checkbox"/>            | Forms, number of pages ____ | <input type="checkbox"/> | Private cost                                 |
| <input type="checkbox"/>            | Fiscal notes .              | <input type="checkbox"/> | Hearing and comment period                   |

### C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST include effective date**
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST complete page 2 of this transmittal**
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

- D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be made in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.125 - Filing Requirements for Electric Utility Applications for Authority to Acquire the Stock of a Public Utility**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**RECEIVED**

**JAN 23 2003**

**ORDER OF RULEMAKING**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.125 Filing Requirements for Electric 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 September 16, 2002 (27 MoReg 1585-1586). No changes have been made in the text of the proposed rule, so it is not reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

\*Administrative Rules Stamp

RECEIVED

JAN 23 2003

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
**RULE TRANSMITTAL**

A “SEPARATE” rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.130  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- |                                     |                             |                          |  |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed  | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter                | <input type="checkbox"/> | Authority with history of the rule           |
| <input type="checkbox"/>            | Affidavit                   | <input type="checkbox"/> | Public cost                                  |
| <input type="checkbox"/>            | Forms, number of pages ____ | <input type="checkbox"/> | Private cost                                 |
| <input type="checkbox"/>            | Fiscal notes                | <input type="checkbox"/> | Hearing and comment period                   |

### C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date \_\_\_\_\_
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

---

---

---

---

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be adopted in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.





Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.130 - Filing Requirements for Applications for Approval of Electric Service Territorial Agreements**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under sections 386.250, 386.800 and 394.312, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.130 Filing Requirements for Applications for  
Approval of Electric Service Territorial Agreements is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1586). 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: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

# RULE TRANSMITTAL (

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.135  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages _____          | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date \_\_\_\_\_
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

---



---



---



---

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the Missouri Register and the Code of State Regulations.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair

CONNIE MURRAY

SHEILA LUMPE

STEVE GAW

BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102 —  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director

WESS A. HENDERSON  
Director, Utility Operations

ROBERT SCHALLENBERG  
Director, Utility Services

DONNA M. PRENGER  
Director, Administration

DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.135 - Schedule of Fees Applicable to Applications for Approval of Electric Service Territorial Agreements, Petitions for Designation of Electric Service Areas And Applications for Resolution of Annexation-Related Disputes**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under sections 386.250, 386.800 and 394.312, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

— **4 CSR 240-3.135** Schedule of Fees Applicable to Applications for Approval of Electric Service Territorial Agreements, Petitions for Designation of Electric Service Areas and Applications for Resolution of Annexation-Related Disputes **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1586-1587). 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: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

# RULE TRANSMITTAL (

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

\*Administrative Rules Stamp

**RECEIVED**  
**JAN 23 2003**  
**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.140  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those change  
 in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text? \_\_\_\_\_

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.





Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY--  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.140 - Filing Requirements for Applications for Authority for a Change of Electrical Suppliers**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us).

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.140 Filing Requirements for Applications for  
Authority for a Change of Electrical Suppliers is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1587-1588). 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: No comments were received.

**RECEIVED**  
**JAN 23 2003**  
**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

\*Administrative Rules Stamp

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

RECEIVED

JAN 23 2003

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.145  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

**B. CHECK, IF INCLUDED:**

- |                                     |                             |                          |  |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed  | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter                | <input type="checkbox"/> | Authority with history of the rule           |
| <input type="checkbox"/>            | Affidavit                   | <input type="checkbox"/> | Public cost                                  |
| <input type="checkbox"/>            | Forms, number of pages ____ | <input type="checkbox"/> | Private cost                                 |
| <input type="checkbox"/>            | Fiscal notes                | <input type="checkbox"/> | Hearing and comment period                   |

### C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date \_\_\_\_\_
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

[illegible]

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

**E. ORDER OF RULEMAKING: Rule Number** \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.145 - Filing Requirements for Electric Utility Rate Schedules**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**RECEIVED**

**JAN 23 2003**

**ORDER OF RULEMAKING**

**SECRETARY  
ADMINISTRATIVE RULES**

By the authority vested in the Missouri Public Service Commission under sections 386.250 and 393.140, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.145 Filing Requirements for Electric Utility Rate Schedules is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1588-1591). 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: No comments were received.

\*Administrative Rules Stamp

RECEIVED

JAN 23 2003

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
**RULE TRANSMITTAL**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.150  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and  
 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- |                                     |                             |                          |  |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed  | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter                | <input type="checkbox"/> | Authority with history of the rule           |
| <input type="checkbox"/>            | Affidavit                   | <input type="checkbox"/> | Public cost                                  |
| <input type="checkbox"/>            | Forms, number of pages ____ | <input type="checkbox"/> | Private cost                                 |
| <input type="checkbox"/>            | Fiscal notes                | <input type="checkbox"/> | Hearing and comment period                   |

### C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date \_\_\_\_\_  
☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission  
☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal  
☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency  
☐ Rule action notice  
☐ In addition  
☐ Rule under consideration

- D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be made in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.





Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.150 - Requirements for Electric Utility Promotional Practices**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 240 – Public Service Commission**  
**Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.150 Filing Requirements for Electric Utility Promotional Practices is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1591-1592). 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: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF  
ADMINISTRATIVE HOURS**

\*Administrative Rules Stamp

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

A “SEPARATE” rule transmittal sheet must be used for EACH individual rulemaking.

- B. CHECK, IF INCLUDED:**

- ### C. RULEMAKING ACTION TO BE TAKEN

- D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

ed

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☒ YES

☐ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

Summary of Changes for 3.155

The changes made to this proposed rule are the corrections of two internal rule references, one in subsection (5)(A) of the rule and one in paragraph (5)(A)1. of the rule. Specifically, the term "subparagraph" in subsection (5)(A) has been changed to "paragraph", and the reference to section (2) in paragraph (5)(A)1. has been changed to a reference to section (4).

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.155 - Requirements for Electric Utility Cogeneration Tariff Filings**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

SECRETARY OF STATE  
ADMINISTRATIVE RULES

By the authority vested in the Missouri Public Service Commission under sections 386.250 and 393.140, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.155 Requirements for Electric Utility Cogeneration Tariff Filings is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1592-1593). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received written comments from one entity regarding this proposed rule. The comments focused on an apparent incorrect reference in the rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

COMMENTS: The entity that submitted comments regarding this proposed rule noted that an apparent error had been made in an internal rule reference contained in paragraph (5)(A)1. of the rule, and suggested that the reference to section (2) therein should be a reference to section (4).

RESPONSE AND EXPLANATION OF CHANGE: The comments correctly point out an error in the proposed rule and the commission is modifying paragraph (5)(A)1. of the proposed rule to correct that error. Additionally, the commission has identified an improper reference in subsection (5)(A) of the proposed rule and is also correcting that error.

**4 CSR 240-3.155 Requirements for Electric Utility Cogeneration Tariff Filings**

(5) Special Rule for Small Electric Utilities.

(A) Each electric utility (other than any electric utility to which paragraph (5)(A)2. applies) upon request shall—

1. Provide comparable data to that required under section (4) to enable qualifying facilities to estimate the electric utility's avoided costs for periods described in section (4); or
2. With regard to an electric utility which is legally obligated to obtain all its requirements for electric energy and capacity from another electric utility, provide the data of its supplying utility and the rates at which it currently purchases the energy and capacity.

\*Administrative Rules Stamp

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

RECEIVED

JAN 23 2003

# SECRETARY OF STATE ADMINISTRATIVE RULES

A “SEPARATE” rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.160  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- |                                     |                             |                          |  |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed  | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter                | <input type="checkbox"/> | Authority with history of the rule           |
| <input type="checkbox"/>            | Affidavit                   | <input type="checkbox"/> | Public cost                                  |
| <input type="checkbox"/>            | Forms, number of pages ____ | <input type="checkbox"/> | Private cost                                 |
| <input type="checkbox"/>            | Fiscal notes                | <input type="checkbox"/> | Hearing and comment period                   |

### C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST include effective date** \_\_\_\_\_
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST complete page 2 of this transmittal**
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be adopted in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text? \_\_\_\_\_

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.





Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.160 - Filing Requirements for Electric Utility General Rate Increase Requests**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT**

**Division 240 – Public Service Commission**

**Chapter 3 – Filing and Reporting Requirements**

**RECEIVED**

**JAN 23 2003**

**ORDER OF RULEMAKING**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

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

**4 CSR 240-3.160 Filing Requirements for Electric Utility General Rate Increase Requests is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1593). 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 commission received written comments from one entity regarding this proposed rule. The comments focused on the title of the rule and a possible duplication of language in regard to another rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

**COMMENTS:** The entity that submitted comments regarding this proposed rule addressed two issues regarding the rule. First, the comments suggested that a better title for this rule could be found and/or that the requirements of this rule could be combined with the requirements of rule 3.030, which deals with the same general topic of filing requirements pertaining to general rate increases. The comments noted that the purpose section of this rule contains a cross-reference to rule 3.030, but that this is not believed sufficient. Second, the comments noted that there might be an unnecessary duplication of language in this rule and in rule 3.175.

**RESPONSE:** Regarding the title of this rule and the rule's relationship to rule 3.030, the commission notes that rule 3.030 contains filing requirements that apply to all regulated utilities and that this rule contains additional requirements that apply only to electric utilities. Accordingly, the commission believes that the title of this rule is appropriate and that the combination of this rule and 3.030 would not be appropriate. The commission also notes that rule 3.030 contains a cross-reference to this rule and that there should thus not be any confusion as to what is required of a utility that is filing a general rate increase request. Additionally, the commission notes that the title of this rule was selected in anticipation of additional requirements being added to this rule at a later date through an additional rulemaking. Regarding the possible duplication of language in this rule and rule 3.175, the commission notes that while these two rules deal with similar subjects, they deal with different situations and thus the referenced language is necessary in both rules. Based on the above, no changes have been made to the proposed rules as a result of these comments.

\*Administrative Rules Stamp

**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
**RULE TRANSMITTAL**

RECEIVED

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

A “SEPARATE” rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number <u>Chapter 4 CSR 240-3.165</u>			
Diskette File Name <u>Orders of Rulemaking - Chapter 3 Word 2000</u>			
Name of Person to call with questions about this rule:			
Content	<u>Cliff E. Snodgrass &amp; Dale Johansen</u>	Phone	<u>573-751-3966</u> FAX <u>573-751-9285</u>
Data Entry	<u>Rosemarie Riedl</u>	Phone	<u>573-751-7468</u> FAX <u>Same as above</u>
Email Address <u>cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us</u>			
Interagency Mailing Address <u>Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO</u>			
Statutory Authority <u>393.140(11), 386.250(6), 536.016(1)</u>		Current RSMo date <u>2000</u>	
Date Filed With the Joint Committee on Administrative Rules <u>Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)</u>			

B. CHECK, IF INCLUDED:

- |                                     |                             |                          |  |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed  | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter                | <input type="checkbox"/> | Authority with history of the rule           |
| <input type="checkbox"/>            | Affidavit                   | <input type="checkbox"/> | Public cost                                  |
| <input type="checkbox"/>            | Forms, number of pages ____ | <input type="checkbox"/> | Private cost                                 |
| <input type="checkbox"/>            | Fiscal notes                | <input type="checkbox"/> | Hearing and comment period                   |

### C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date \_\_\_\_\_
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

- D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be adopted in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text? \_\_\_\_\_

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.165 - Annual Report Filing Requirements for Electric Utilities**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT**

**Division 240 – Public Service Commission**

**Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under sections 386.250 and 393.140, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.165 Annual Report Filing Requirements for Electric Utilities is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1593-1594). 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: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

\*Administrative Rules Stamp

RECEIVED

JAN 23 2003

**SECRETARY OF STATE**  
**ADMINISTRATIVE RULES**

A. Rule Number Chapter 4 CSR 240-3.175

Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000

Name of Person to call with questions about this rule:

Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285

Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above

Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us

Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO

Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000

Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

<input checked="" type="checkbox"/>	This transmittal completed	<input type="checkbox"/>	Incorporation by reference materials, if any
<input checked="" type="checkbox"/>	Cover letter	<input type="checkbox"/>	Authority with history of the rule
<input type="checkbox"/>	Affidavit	<input type="checkbox"/>	Public cost
<input type="checkbox"/>	Forms, number of pages ____	<input type="checkbox"/>	Private cost
<input type="checkbox"/>	Fiscal notes	<input type="checkbox"/>	Hearing and comment period

☐ Emergency Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date \_\_\_\_\_

☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission

☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal

☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency

☐ Rule action notice

☐ In addition

☐ Rule under consideration

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those change  
in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.





Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.175 - Submission Requirements for Electric Utility  
Deprecation Studies**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements

**ORDER OF RULEMAKING**

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.175 Submission Requirements for Electric Utility Depreciation Studies is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1594). 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 commission received written comments from one entity regarding this proposed rule. The comments focused on a possible duplication of language in regard to another rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

**COMMENTS:** The entity that submitted comments on this proposed rule noted that there may an unnecessary duplication of language in this rule and in rule 3.160.

**RESPONSE:** The commission notes that while these two rules deal with similar subjects, they deal with different situations and thus the referenced language is necessary in both rules. Based on this, no changes have been made to the proposed rule as a result of these comments.

\*Administrative Rules Stamp

RECEIVED

JAN 23 2003

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
**RULE TRANSMITTAL**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.180  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- |                                     |                             |                          |  |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed  | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter                | <input type="checkbox"/> | Authority with history of the rule           |
| <input type="checkbox"/>            | Affidavit                   | <input type="checkbox"/> | Public cost                                  |
| <input type="checkbox"/>            | Forms, number of pages ____ | <input type="checkbox"/> | Private cost                                 |
| <input type="checkbox"/>            | Fiscal notes                | <input type="checkbox"/> | Hearing and comment period                   |

### C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date \_\_\_\_\_
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

*(continued)*

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be made in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.180 - Submission of Electric Utility Residential Heat-Related Service Cold Weather Report**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.180 Submission of Electric Utility Residential Heat-Related Service Cold Weather Report is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1594-1595). 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: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

\*Administrative Rules Stamp

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

RECEIVED

JAN 23 2003

~~SECRETARY OF STATE~~  
~~ADMINISTRATIVE RULES~~

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.185  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

**B. CHECK, IF INCLUDED:**

- |                                     |                             |                          |  |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed  | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter                | <input type="checkbox"/> | Authority with history of the rule           |
| <input type="checkbox"/>            | Affidavit                   | <input type="checkbox"/> | Public cost                                  |
| <input type="checkbox"/>            | Forms, number of pages ____ | <input type="checkbox"/> | Private cost                                 |
| <input type="checkbox"/>            | Fiscal notes                | <input type="checkbox"/> | Hearing and comment period                   |

### C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date \_\_\_\_\_
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

[illegible]

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those change  
in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in **section 3**, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.





Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.185 - Submission of Reports Pertaining to the  
Decommissioning of Electric Utility Plants**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 240 – Public Service Commission**  
**Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under sections 386.250 and 393.292, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

     **4 CSR 240-3.185** Submission of Reports Pertaining to the Decommissioning of Electric Utility Plants **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1595-1596). 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: No comments were received.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

\*Administrative Rules Stamp

**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

RECEIVED

JAN 23 2003

# SECRETARY OF STATE ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking. ▮

A. Rule Number Chapter 4 CSR 240-3.190  
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000  
 Name of Person to call with questions about this rule:  
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

**B. CHECK, IF INCLUDED:**

- |                                     |                             |                          |  |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed  | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter                | <input type="checkbox"/> | Authority with history of the rule           |
| <input type="checkbox"/>            | Affidavit                   | <input type="checkbox"/> | Public cost                                  |
| <input type="checkbox"/>            | Forms, number of pages ____ | <input type="checkbox"/> | Private cost                                 |
| <input type="checkbox"/>            | Fiscal notes                | <input type="checkbox"/> | Hearing and comment period                   |

### C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date \_\_\_\_\_
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. **SPECIFIC INSTRUCTIONS:** Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those change in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.190 - Electric Utility Reporting Requirements**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

A handwritten signature in cursive script that reads "Dale Hardy Roberts". Below the signature is a horizontal line.

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr  
Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.190 Electric Utility Reporting Requirements is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1596-1597). 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 commission received written comments from one entity regarding this proposed rule. The comments focused on the addition of the term "electronic communication" in one section of the rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

**COMMENTS:** The entity that submitted comments regarding this proposed rule noted the addition of "electronic communication" as an acceptable means of reporting certain events to the Commission, commended the Commission for this addition and stated its understanding that this term encompasses both facsimile and e-mail.

**RESPONSE:** The commission notes that the term "electronic communication" encompasses not only facsimile transmissions and e-mail messages, but also includes submissions made via the commission's electronic filing and information system. No changes have been made to the proposed rule as a result of these comments.

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

# RULE TRANSMITTAL

\*Administrative Rules Stamp

**RECEIVED**

**JAN 23 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
RULE TRANSMITTAL

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.200  
Diskette File Name Orders of Rulemaking - Chapter 3 Rules Word 2000  
Name of Person to call with questions about this rule:  
Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285  
Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above  
Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us  
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000  
Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

## B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

## C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

## D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

---

---

---

---

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

**RULE TRANSMITTAL (PAGE 2)**

---

E. ORDER OF RULEMAKING: Rule Number \_\_\_\_\_

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date \_\_\_\_\_

1b. Does the Order of Rulemaking contain changes to the rule text?

☒ YES

☐ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

Summary of Changes for 3.200

This rule has been modified to delete two definitions originally included in the rule. Specifically, the definitions of affiliated entity and affiliate transaction, which were originally included as sections (2) and (3), respectively, have been deleted. Accordingly, this required a renumbering of the remaining sections of the rule. This rule originally consisted of sections (1) thru (21), but now consists of sections (1) thru (19).

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.





Commissioners  
KELVIN L. SIMMONS  
Chair  
CONNIE MURRAY  
SHEILA LUMPE  
STEVE GAW  
BRYAN FORBIS

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.state.mo.us>  
January 23, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.200 - Definitions Pertaining Specifically to Gas Utility Rules**

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass  
200 Madison Street, Suite 800  
P. O. Box 360, Jefferson City, MO 65101  
(573) 751-3966  
[cliffsnodgrass@psc.state.mo.us](mailto:cliffsnodgrass@psc.state.mo.us)

Sincerely yours,

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements

**RECEIVED**

JAN 23 2003

**ORDER OF RULEMAKING**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.200 Definitions Pertaining Specifically to Gas Utility Rules is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1597-1599). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The commission received written comments from two entities regarding this proposed rule. The comments focused on the inclusions of definitions for terms that are not used in other rules. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

**COMMENTS:** The first entity that submitted comments regarding this proposed rule noted that the rule contains the definitions of certain terms used in rules 3.205 thru 3.295, but that five of the terms defined in this rule are not actually used in those rules. Because of this, it was suggested that any terms not used in rules 3.205 thru 3.295 should be removed from this rule to avoid confusion. Specifically, the comments suggested that the following definitions should be removed from the proposed rule: (1) Affiliate; (2) Affiliated entity; (3) Affiliate transaction; (6) Control; and (20) Transportation of gas.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission notes that it agrees with the suggestion that any unused definitions should be removed from the proposed rule. The commission also notes, however, that the terms affiliate, control and transportation of gas are used in other definitions in rule 3.200 and/or in certain rules in the 3.205 thru 3.295 "block" of rules. As a result, the definitions of those terms will not be removed as suggested. Based on the above, the Commission is removing the unused definitions from the proposed rule and renumbering the remaining definitions accordingly.

**COMMENTS:** The second entity that submitted comments regarding this proposed rule noted that the rule contains the definitions of certain terms that are not actually used in other rules, and suggested that the definition of any term that is not used in other rules should be removed from this rule. Specifically, the comments suggested that the definitions of terms such as affiliate, affiliated entity, affiliate transaction and control be removed.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission notes that it agrees with the suggestion that any unused definitions should be removed from the proposed rule. The commission also notes, however, that the terms affiliate and control are used in other definitions in rule 3.200 and/or in certain rules in the 3.205 thru 3.295 "block" of rules. As a result, the definitions of those terms will not be removed as suggested. Based on the above, the commission is removing the unused definitions from the proposed rule and renumbering the remaining definitions accordingly.

**4 CSR 240-3.200 Definitions Pertaining Specifically to Gas Utility Rules**

- (1) Affiliate means any person who, directly or indirectly, controls or is controlled by or is under common control with a gas utility.
- (2) Appliance or equipment means any device which consumes gas energy and any ancillary device required for its operation.
- (3) Consideration shall be interpreted in its broadest sense and shall include any cash, donation, gift, allowance, rebate, discount, bonus, merchandise (new or used), property (real or personal), labor, service, conveyance, commitment, right or other thing of value.

(4) Control (including the terms "controlling," "controlled by," and "common control") means the possession, directly or indirectly, of the power to direct, or to cause the direction of the management or policies of an entity, whether such power is exercised through one (1) or more intermediary entities, or alone, or in conjunction with, or pursuant to an agreement with, one or more other entities, whether such power is exercised through a majority or minority ownership or voting of securities, common directors, officers or stockholders, voting trusts, holding trusts, affiliated entities, contract or any other direct or indirect means. The commission shall presume that the beneficial ownership of ten percent (10%) or more of voting securities or partnership interest of an entity constitutes control for purposes of this rule. This provision, however, shall not be construed to prohibit a regulated gas corporation from rebutting the presumption that its ownership interest in an entity confers control.

(5) Cost-effective means that the present value of life-cycle benefits is greater than the present value of life-cycle costs to the provider of an energy service.

(6) Demand-side resource means any inefficient energy-related choice that can be influenced cost-effectively by a utility. The meaning of this term shall not be construed to include load-building program.

(7) Designated commission personnel means the commission's Pipeline Safety Program Manager at the address contained in 4 CSR 240-40.020(5) for written reports and the list of staff personnel supplied to the operators for telephonic notices, both as are required by 4 CSR 240-40.020.

(8) Gas means natural gas, flammable gas, manufactured gas or gas which is toxic or corrosive.

(9) Gas seller means any person who uses, leases, or controls the distribution system of a distributor or a political subdivision or any part thereof to sell energy services at retail within a political subdivision, other than a distributor or a political subdivision.

(10) Inefficient energy-related choice means any decision that causes the life-cycle cost of providing an energy service to be higher than it would be for an available alternative choice.

(11) Load-building program means an organized promotional effort by a utility to persuade energy-related decision makers to choose the form of energy supplied by that utility instead of other forms of energy for the provision of energy service or to persuade customers to increase their use of that utility's form of energy, either by substituting it for other forms of energy or by increasing the level or variety of energy services used. This term is not intended to include the provision of technical or engineering assistance, information about filed rates and tariffs or other forms of routine customer service.

(12) Operator means a person who engages in the transportation of gas.

(13) Pipeline or pipeline system means all parts of those physical facilities through which gas moves in transportation including, but not limited to, pipe, valves and other appurtenances attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders and fabricated assemblies.

(14) Pipeline facility means new and existing pipeline, rights-of-way and any equipment, facility or building used in the transportation of gas or in the treatment of gas during the course of transportation.

(15) Promotional practices means any consideration offered or granted by a gas utility or its affiliate to any person for the purpose, express or implied, of inducing the person to select and use the service or use additional service of the utility or to select or install any appliance or equipment designed to use the utility service, or for the purpose of influencing the person's choice or specification of the efficiency characteristics of appliances, equipment, buildings, utilization patterns or operating procedures. The term promotional practices shall not include the following activities:

- (A) Making any emergency repairs to appliances or equipment of customers;
- (B) Providing appliances or equipment incidental to demonstrations of sixty (60) days or less in duration;
- (C) Providing light bulbs, street or outdoor lighting service, wiring, service pipe or other service equipment or appliances, in accordance with tariffs filed with and approved by the commission;
- (D) Providing appliances or equipment to an educational institution for the purpose of instructing students in the use of the appliances or equipment;

(E) Merchandising appliances or equipment at retail and, in connection therewith, the holding of inventories, making and fulfillment of reasonable warranties against defects in material and workmanship existing at the time of delivery and financing; provided that the merchandising shall not violate any prohibition contained in 4 CSR 240-14.020;

(F) Inspecting and adjusting of appliances or equipment by a gas utility;

(G) Repairing and other maintenance to appliances or equipment by a gas utility if charges are at cost or above;

(H) Providing free or below-cost energy audits or other information or analysis regarding the feasibility and cost-effectiveness of improvements in the efficiency characteristics of appliances, equipment, buildings, utilization patterns or operating procedures;

(I) Offering to present or prospective customers by a gas utility technical or engineering assistance; and

(J) Advertising or publicity by a gas utility which is under its name and on its behalf and which does not in any manner, directly or indirectly, identify, describe, refer to, mention or relate to any architect, builder, engineer, subdivider, developer or other similar person, or which mentions no less than three (3) existing projects, developments or subdivisions.

(16) Service line means a distribution line that transports gas from a common source of supply to a) a customer meter or the connection to a customer's piping, whichever is farther downstream, or b) the connection to a customer's piping if there is no customer meter. A customer meter is the meter that measures the transfer of gas from an operator to a consumer.

(17) Transmission line means a pipeline, other than a gathering line, that:

(A) Transports gas from a gathering line or storage facility to a distribution center, storage facility, or large volume customer that is not downstream from a distribution center (A large volume customer may receive similar volumes of gas as a distribution center, and includes factories, power plants, and institutional users of gas);

(B) Operates at a hoop stress of twenty percent (20%) or more of SMYS; or

(C) Transports gas within a storage field.

(18) Transportation of gas means the receipt of gas at one point on a regulated gas corporation's system and the redelivery of an equivalent volume of gas to the retail customer of the gas at another point on the regulated gas corporation's system including, without limitation, scheduling, balancing, peaking, storage, and exchange to the extent such services are provided pursuant to the regulated gas corporation's tariff, and includes opportunity sales.

(19) Yard line means an underground fuel line that transports gas from the service line to the customer's building. If multiple buildings are being served, building shall mean the building nearest to the connection to the service line. For purposes of this definition, if aboveground fuel line piping at the meter location is located within five feet (5') of a building being served by that meter, it shall be considered to the customer's building and no yard line exists. At meter locations where aboveground fuel line piping is located greater than five feet (5') from the building(s) being served, the underground fuel line from the meter to the entrance into the nearest building served by that meter shall be considered the yard line and any other lines are not considered yard lines.