

FILED  
December 6, 2023  
Data Center  
Missouri Public  
Service Commission

## Exhibit No. 3

Brett Felber – Exhibit 3  
Rules and Regulations  
File No. EC-2023-0395



same or different location. The placing of more than one (1) meter at the same location for the purpose of billing the usage of specific devices under optional rate schedules or provisions is not construed as a different class of service for the purpose of this rule;

(D) The failure to pay the bill of another customer, unless the customer whose service is sought to be discontinued received substantial benefit and use of the service billed to the other customer;

(E) The failure of a previous owner or occupant of the premises to pay an unpaid or delinquent bill except where the previous occupant remains an occupant or user; or

(F) The failure to pay a bill correcting a previous underbilling, whenever the customer claims an inability to pay the corrected amount, unless a utility has offered the customer a payment arrangement equal to the period of underbilling.

(3) On the date specified on the notice of discontinuance or within thirty (30) calendar days after that, and subject to the requirements of these rules, a utility may discontinue service to a residential customer between the hours of 8:00 a.m. and 4:00 p.m. Service shall not be discontinued on a day when utility personnel are not available to reconnect the customer's service, or on a day immediately preceding such a day. After the thirty (30) calendar day effective period of the notice, all notice procedures required by this rule shall again be followed before the utility may discontinue service.

(4) The notice of discontinuance shall contain the following information:

(A) The name and address of the customer and the address, if different, where service is rendered;

(B) A statement of the reason for the proposed discontinuance of service and the cost for reconnection;

(C) The date on or after which service will be discontinued unless appropriate action is taken;

(D) How a customer may avoid the discontinuance;

(E) The possibility of a payment agreement if the claim is for a charge not in dispute and the customer is unable to pay the charge in full at one (1) time; and

(F) A telephone number the customer may call from the service location without incurring toll charges and the address of the utility prominently displayed where the customer may make an inquiry. Charges for measured local service are not toll charges for purposes of this rule.

(5) An electric, gas, or water utility shall not discontinue residential service pursuant to section (1) unless written notice by first class mail is sent to the customer at least ten (10) days prior to the date of the proposed discontinuance. Service of notice by mail is complete upon mailing. As an alternative, a utility may deliver a written notice in hand to the customer at least ninety-six (96) hours prior to discontinuance. Except, a water utility shall not be required to provide notice when discontinuing water service for nonpayment of sewer bill by the terms of a contract between the water utility and any sewer provider, when the sewer provider has duly issued notice of discontinuance of service to its customer. A sewer utility shall not discontinue residential sewer service pursuant to section (1) unless written notice by certified mail return receipt requested is sent to the customer at least thirty (30) days prior to the date of the proposed discontinuance; except:

(A) A water utility that is also a sewer utility and issues combined water and sewer billing may discontinue residential water service for nonpayment of the portion of a bill that is for residential sewer service after sending notice by first class mail at least ten (10) days prior to the date of the proposed water discontinuance, or hand-delivered notice at least ninety-six (96) hours prior to the proposed water discontinuance, as provided above, in lieu of providing specific notice of discontinuance of sewer service;

(B) A water utility may discontinue residential water service for nonpayment of a bill for residential sewer service from any sewer provider, by the terms of a contract between the water utility and any sewer provider, if the water utility issues sewer billing on behalf of the sewer provider combined with its water billing, after providing notice by first class mail at least ten (10) days prior to the date of the proposed water discontinuance, or hand-delivered notice at least ninety-six (96) hours prior to the proposed water discontinuance, as provided above, in lieu of the sewer provider sending any notice to the customer;

(C) A sewer utility may discontinue residential sewer service by arranging for discontinuance of water service with any water provider, by the terms of a contract between the sewer utility and the water provider, if the water provider issues combined water and sewer billing, after the water provider provides notice by first class mail at least ten (10) days prior to the date of the proposed water discontinuance, or hand-delivered notice at least ninety-six (96) hours prior to the proposed water discontinuance, as provided above, in lieu of the sewer utility sending any notice to the customer.

(6) A utility shall maintain an accurate record of the date of mailing or delivery. A notice of discontinuance of service shall not be issued as to that portion of a bill which is determined to be an amount in dispute pursuant to sections 4 CSR 240-13.045(5) or (6) that is currently the subject of a dispute pending with the utility or complaint before the commission, nor shall such a notice be issued as to any bill or portion of a bill which is the subject of a settlement agreement except after breach of a settlement agreement, unless the utility inadvertently issues the notice, in which case the utility shall take necessary steps to withdraw or cancel this notice.

(7) Notice shall be provided as follows:

(A) At least ten (10) days prior to discontinuance of service for nonpayment of a bill or deposit at a multidwelling unit residential building at which usage is measured by a single meter, notices of the company's intent to discontinue shall be conspicuously posted in public areas of the building; provided, however, that these notices shall not be required if the utility is not aware that the structure is a single-metered multidwelling unit residential building. The notices shall include the date on or after which discontinuance may occur and advise of tenant rights pursuant to section 441.650, RSMo. The utility shall not be required to provide notice in individual situations where safety of employees is a consideration.

(B) At least ten (10) days prior to discontinuance of service for nonpayment of a bill or deposit at a multidwelling unit residential building where each unit is individually metered and for which a single customer is responsible for payment for service to all units in the building or at a residence in which the occupant using utility service is not the utility's customer, the utility shall give the occupant(s) written notice of the utility's intent to discontinue service; provided, however, that this notice shall not be required unless one (1) occupant has advised the utility or the utility is otherwise aware that s/he is not the customer; and

(C) In the case of a multidwelling unit residential building where each unit is individually metered or in the case of a single family residence, the notice provided to the occupant of the unit about to be discontinued shall outline the procedure by which the occupant may apply in his/her name for service of the same character presently received through that meter.

(D) In the case of a multidwelling unit residential building where each unit is individually metered and the utility seeks to discontinue service for any lawful reason to at least one (1), but not all of the units in the building, and access to a meter that is subject to



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Title XXV INCORPORATION AND REGULATION OF CERTAIN UTILITIES AND CARRIERS

Chapter 393

< > • Effective - 28 Aug 1986 ↓

393.553. Written demand, notice, contents, refusal of access deemed denial of access, when. — Whenever there exists a need for access, as defined in subdivision (3) of section 393.550, to a utility meter, the utility company may make demand, by written notice, upon the utility customer in default for access to the utility meter. Such notice shall state that:

- (1) The utility company is the owner of the utility meter at the residence;
- (2) The utility company seeks access to the utility meter based upon a need for access as described in subdivision (3) of section 393.550; and
- (3) If access to the utility meter is not provided within ten days of the date of the access demand notice, an action may be instituted by the utility company.

If access to the utility meter is not provided to the utility company within ten days of the date of the access demand notice, such refusal shall constitute a denial of access.

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(L. 1986 H.B. 1422 § 2)

---- end of effective 28 Aug 1986 ----  
use this link to bookmark section 393.553

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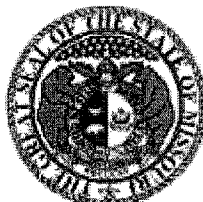
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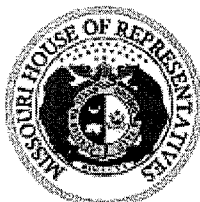
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### History and Fun Facts



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**Title XXV INCORPORATION AND REGULATION OF CERTAIN UTILITIES AND CARRIERS**

**Chapter 393**

< > • **Effective - 28 Aug 1986** ↓

**393.550. Definitions.** — As used in sections 393.550 to 393.565, the following terms mean:

(1) "**Access demand notice**", the notice required by section 393.553;

(2) "**Denial of access**", a failure or refusal by a utility customer in default to enable a utility company having a need for access to its utility meter to gain such access;

(3) "**Need for access**", the desire to obtain access for the purpose of terminating the supply of electricity, gas or water to a utility customer when:

(a) Such customer has failed to pay lawful charges for one or more of such utility services at the residence for such a period of time that the utility company seeking access has lawfully provided to such customer a written notice that the utility service provided by such utility company is subject to termination in accordance with then applicable laws and regulations, and while the cause for such notice still exists; and

(b) Utility service cannot be terminated to such customer without access to such customer's utility meter, except by terminating utility service to one or more other customers at the residence who are not subject to termination of utility service for failure to pay lawful charges for utility service;

(4) "**Residence**", a multifamily residential dwelling;

(5) "**Utility company**", an electrical corporation, a gas corporation or a water corporation subject to the jurisdiction, control and regulation of the Missouri public service commission and to the provisions of chapter 386;

(6) "**Utility customer in default**", a utility customer who has failed to pay lawful charges for utility services at the residence for the period of time referred to in paragraph (a) of subdivision (3) of this section;

(7) "**Utility meter**", the meter and any other property connected with the meter which are owned by the utility company.

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(L. 1986 H.B. 1422 § 1)

---- end of effective 28 Aug 1986 ----

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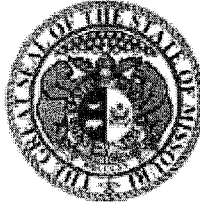


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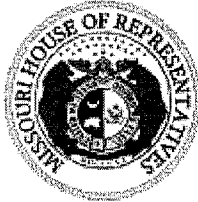
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