

Jason Kander

Secretary of State
Administrative Rules Division

RULE TRANSMITTAL

Administrative Rules Stamp

Rule Number 4 CSR 240-3.105

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:

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TYPE OF RULEMAKING ACTION TO BE TAKEN

☐ Emergency rulemaking, include effective date

☐ Proposed Rulemaking

☒ Withdrawal ☐ Rule Action Notice ☐ In Addition ☐ Rule Under Consideration

☐ Order of Rulemaking

Effective Date for the Order _____

☐ Statutory 30 days OR Specific date _____

Does the Order of Rulemaking contain changes to the rule text? ☐ NO

☐ YES—LIST THE SECTIONS WITH CHANGES, including any deleted rule text:

Small Business Regulatory
Fairness Board (DED) Stamp

JCAR Stamp

JOINT COMMITTEE ON
JUL 12 2016
ADMINISTRATIVE RULES



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Chairman

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Chief Staff Counsel

Jason Kander
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, Missouri 65101

Re: 4 CSR 240-3.105 – Filing Requirements for Electric Utility Applications for Certificates of Convenience and Necessity

Dear Secretary Kander,

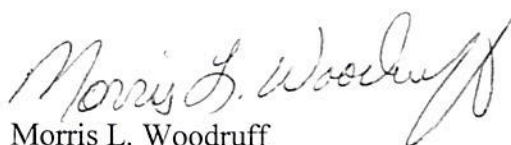
CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order of rulemaking lawfully submitted by the Missouri Public Service Commission.

Statutory Authority: sections 386.250, RSMo 2000

If there are any questions regarding the content of this order of rulemaking, please contact:

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Morris L. Woodruff
Chief Regulatory Law Judge

Enclosures

**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 Public Service Commission under section 386.250 RSMo 2000, the commission withdraws a proposed amendment to its a rule as follows:

The proposed amendment to 4 CSR 240-3.105 **is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2016 (41 MoReg 305). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The public comment period ended April 29, 2016, and the commission held a public hearing on the proposed amendment on May 12, 2016. The commission received timely written comments from Wind on the Wires; The Office of the Public Counsel; Union Electric Company, d/b/a Ameren Missouri; Kansas City Power & Light Company (KCP&L) and KCP&L Greater Missouri Operations Company (GMO); Dogwood Energy, LLC; Clean Line Energy Partners LLC; GridLiance Heartland LLC; The Empire District Electric Company; and the Staff of the Commission. In addition, the following people offered comments at the hearing: James Lowery, Tom Byrne, and Matt Michels, on behalf of Ameren Missouri; James Fischer, Burton Crawford, and Tim Rush, on behalf of KCP&L and GMO; Paul Boudreau, and Todd Tarter, on behalf of Empire; Carl Lumley, on behalf of Dogwood; Andy Knott on behalf of the Sierra Club; Tim Opitz, on behalf of Public Counsel; Joshua Harden, on behalf of Clean Line; and Nathan Williams, Steve Dottheim, and Natelle Dietrich, on behalf of the Staff. The comments raised many serious questions and concerns about the proposed amendment.

RESPONSE: After reviewing the comments, the commission concludes that the proposed amendment does not accomplish its intended purpose and could create more uncertainty for affected utilities and the public. Rather than attempt to substantially rewrite the amendment at this stage of the process, the commission will withdraw this amendment.

