

**TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE**  
**Division 4240 – Public Service Commission**  
**Chapter 3 – Filing and Reporting Requirements**

**PROPOSED AMENDMENT**

**20 CSR 4240-3.190 Reporting Requirements for Electric Utilities and Rural Electric Cooperatives.** The commission is amending sections (1) – (6) and (8), removing section (5), and renumbering as necessary.

*PURPOSE: This amendment updates the requirements and procedures for the reporting of certain events by electric utilities to the commission, the monthly reporting requirements regarding generation and load, and the electrical facilities accident and event reporting requirements for rural electric cooperatives.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) [Commencing on September 1, 1991, e]Every electric utility shall accumulate **at least** the following information and submit it [to the manager of the Energy Department of the commission, or his/her designee, no later than] **monthly in the commission's electronic filing and information system (EFIS) by the last [business] day of the month following the month to be reported [and after that on a monthly basis]:**

[(A) All generating unit outages and derates, excluding hydroelectric generating units and units whose capacity comprises less than one and one-half percent (1 1/2%) of the electric utilities accredited capacity;]

[(B)](A) Monthly as-burned fuel report for each carbon-based fuel generating unit, including the amount of each type of fuel consumed, the British thermal unit (Btu) value of each fuel consumed, and the blending percentages (if applicable);

[(C) Net system input for the electric utility;

(D) Net hourly generation for each generating unit;

(E) Megawatt amount and delivery prices of hourly purchases and sales of electricity from or to other electrical services providers, independent power producers, or cogenerators, including the parties to purchases and sales, and the terms of purchases and sales.

1. If adjustments are made to the price of hourly purchases after the purchase is made, provide the amount of the adjustment and the time period over which the adjustment was made;]

[(F)](B) Capacity purchases of longer than seven (7) days' duration;

[(G)](C) **Schedule of [P]lanned outages of power production facilities, as they are scheduled or rescheduled. Changes from the planned outage schedule must be reported by telephone or electronic transmission to the manager of the Energy Department of the commission or his/her designee prior to the initiation of the outage, if the changes result in the planned outage schedule being different from the schedule in the most recently submitted monthly report;**

[(H)](D) **Schedule of [P]lanned fuel test burns, unit heat-rate tests provided as a heat-rate curve, and accreditation**

runs [as they are scheduled or rescheduled. Changes from previously planned fuel test burns, unit heat-rate tests, and accreditation runs must be reported by telephone or electronic transmission to the manager of the Energy Department of the commission or his/her designee prior to their initiation, if these changes result in the schedule for fuel test burns, unit heat-rate tests, and accreditation runs being different from the schedule in the most recently submitted monthly report] **with documentation of the results of all tests and runs;**

[(I)](E) Citations or notices of violation **and copies of the electric utility response, or a statement that no such citations or notices were received,** related to power production facilities received from any state or federal utility regulatory agency or environmental agency including[,] but not limited to[,] the Federal Energy Regulatory Commission (FERC), **the North American Electric Reliability Corporation (NERC),** the Nuclear Regulatory Commission (NRC), the Environmental Protection Agency (EPA), the Department of Natural Resources (DNR), and the Department of Energy (DOE);

[(J)](F) The terms of new contracts or existing contracts which will be booked to Accounts 310–346 or Accounts 502–546 of the FERC's Uniform System of Accounts requiring the expenditure by the electric utility of more than two hundred thousand dollars (\$200,000) including[,] but not limited to[,] contracts for engineering, consulting, repairs, and modifications or additions to an electric plant; **and**

[(K) Copies of all written reports on forced generating unit outages of longer than three (3) days, test burns of fuel, heat-rate tests, accreditation runs, and responses to state or federal utility regulatory agencies or environmental agencies including, but not limited to, the FERC, the NRC, the EPA, the DNR, and the DOE, concerning any alleged infractions, deviations, or noncompliance with those agencies' rules or standards related to power production facilities.]

(G) If a utility provides notice of a generating unit retirement to a regional transmission organization or an independent system operator, notice shall be provided to the commission in the applicable reporting month.

(2) [The information required in subsections (1)(A) through (I) of this rule shall be provided [to the manager of the Energy Department of the commission or his/her designee in an electronic format from which the data can be easily extracted for analyses in spreadsheet or database software. All the information required in section (1) may be submitted through the commission's Electronic Filing and Information System (EFIS)] **Monthly Reporting of Hourly Data.**

(A) Every electric utility shall accumulate the information described below and submit it monthly in EFIS on the last day of the month following the month to be reported:

1. All generating unit outages and derates for all units regardless of size, fuel type, or ownership share;

2. Net system input for the electric utility;

3. Hourly generation for each generating unit both including and excluding hourly station use;

4. Hourly day-ahead cleared generation, hourly real-time generation, and ancillary services for each generating unit;

5. Hourly day-ahead load and real-time load at each load node;

6. Total load for each hour by –

A. Wholesale load;

B. Sale for resale load; and

C. Retail load by –

(I) Rate code if customers taking service on a rate code are metered at a consistent voltage; or

(II) Rate schedule for each voltage of service offered within each rate schedule; and

7. Megawatt amount and delivery prices of hourly purchases and sales of electricity from or to other electrical services providers, independent power producers, or cogenerators and small power producers, including any party to the purchase or sale, and the terms of the purchase or sale.

A. If adjustments are made to the price of hourly purchases after the purchase is made, provide the amount of the adjustment and the time period over which the adjustment was made.

(B) The information in this section shall be provided in an electronic format from which the data can be easily extracted for analysis in spreadsheet or database software using the templates provided by the commission.

### (3) Incident Reporting.

(A) Every electric utility shall report *[to the manager of the Energy Department of the commission or his/her designee by telephone or]* through EFIS by the end of the first business day following discovery~~[,] of an incident~~ the information described *[in subsections (3)(A)–(E)]* below~~]. The electric utility shall submit, either by mail or through EFIS within five (5) business days following the discovery, an update of the incident and any details not available at the time of the initial report].~~

*[(A)]1.* Details of any accident or event at a power plant involving serious physical injury or death or property damage in excess of two hundred thousand dollars (\$200,000)~~].;~~

*[A detailed investigative report of the accident or event shall be submitted within ninety (90) days, or if the investigation will take longer than ninety (90) days, a draft of the plan for the investigation shall be submitted within ninety (90) days.]*

*[(B)]2.* Forced outages of any nuclear generating unit(s) that could reasonably be anticipated to last longer than three (3) days;

*[(C)]3.* Forced outages of any fossil-fuel fired generating unit(s) with an accredited capacity of greater than one hundred (100) megawatts that reasonably could be anticipated to last longer than three (3) days, when the unit(s) is forced out due to a common or unforeseen occurrence;

4. Forced outages of wind and solar generating plants when there is a loss of at least thirty percent (30%) of total installed capacity that reasonably could be anticipated to last longer than three (3) days, when the cause is due to a common or unforeseen occurrence;

*[(D)]5.* Reductions of coal inventory below a thirty- (30-)~~]-~~ day supply and reductions of oil inventory below fifty percent (50%) of normal oil inventory; and

*[(E)]6.* Loss of transmission capability that could limit the output of a generating plant or the transfer capability into or out of the electric utility's system.

(B) The electric utility shall submit, through EFIS within five (5) business days following the discovery, an update of the incident including any details not available at the time of the initial report.

(C) Incidents under paragraph (3)(A)1. require a detailed investigative report, which shall be submitted through EFIS within one hundred twenty (120) days.

### (4) Electrical Contact Reporting.

(A) Every electric utility and rural electric cooperative shall notify designated commission personnel by telephone *[of an accident or event]* or in writing by the end of the first business day following the discovery *[of any accident or event.]* of any electrical contact, provided the utility or rural electric

cooperative first has received proper notice or has actual knowledge of the *[accident or event. Accidents or events that shall be reported shall be those resulting from—]* electrical contact, as described below:

*[(A)]1.* Electrical contact, arc, or flash with its energized electrical supply facilities or at locations it supplies power that results in admission to a hospital or the fatality of *[an employee or other person;]* any person even when the source of the electric current is believed to have originated on the customer's side of the meter; or

*[(B)]* Human contact with electric current of significant voltage at locations where it supplies power or operates energized electrical supply facilities that results in admission to a hospital or the fatality of an employee or other person, even when the source of the electric current is believed to have originated on the customer's side of the meter; or]

*[(C)]2.* Courtesy notifications may be provided regarding *[A]any other electrical contact, arc, or flash considered significant by the electric utility or rural electric cooperative.*

(B) The electric utility or rural electric cooperative shall submit to designated commission personnel within ten (10) business days following the initial notification a written report consisting of any details not available at the time of the initial notification including information relevant to the circumstances of the incident. Relevant information may include the number of persons injured, type and extent of injuries, cause (if known), extent of any resulting outages, identification of the physical equipment of such electric utility or cooperative, a description of work being performed at the location, weather conditions, and the land use surrounding the scene of the incident.

(C) Electrical contact reporting may be made through EFIS or using the Missouri Public Service Commission Electrical Contact Reporting Form, incorporated by reference, as published by the commission, July 17, 2023, and provided on the commission website at [psc.mo.gov](http://psc.mo.gov).

(D) Contact information for designated commission personnel is included on the Missouri Public Service Commission Electrical Contact Reporting Form, incorporated by reference, as published by the commission, July 17, 2023, and provided on the commission website at [psc.mo.gov](http://psc.mo.gov).

(E) Neither the initial notification or written report nor the public availability of either shall be deemed to be an admission or waiver of any privilege of the notifying or reporting electric utility or rural electric cooperative.

*[(5) The electric utility or rural electric cooperative shall submit to designated commission personnel within ten (10) business days following the discovery a written report consisting of an update of the accident or event and any details not available at the time of the initial telephone notification. Neither the notification required by section (4), the submission of the written report required by this section, nor the public availability of either shall be deemed to be an admission or waiver of any privilege of the notifying or reporting electric utility or rural electric cooperative.]*

*[(6)](5)* All reports and information submitted by electric utilities and rural electric cooperatives pursuant to this rule shall be subscribed by *[the president, treasurer, general manager, receiver, or other]* an authorized representative of the electric utility or rural electric cooperative having knowledge of the subject matter and shall be stated to be accurate and complete, and contain no material misrepresentations or

omissions, based upon facts of which the person subscribing the report or information has knowledge, information, or belief.

~~[(7)](6)~~ The reporting requirements prescribed by this rule shall be in addition to all other reporting requirements prescribed by law.

~~[(8)](7)~~ The information contained in the reports filed pursuant to this rule shall be subject to the provisions of section 386.480, RSMo, and the use of that information in any proceeding before the commission shall be governed by the terms of ~~[4 CSR 240-2.135]~~ **20 CSR 4240-2.135** and any protective order issued by the commission in the proceeding, if a protective order has been issued.

~~[(9)](8)~~ The receipt by the commission or commission staff of reports prescribed by this rule shall not bind the commission or commission staff to the approval or acceptance of, or agreement with, any matter contained in the reports for the purpose of fixing rates or in determining any other issue that may come before the commission.

~~[(10)](9)~~ Upon proper application and after notice and an opportunity for hearing, the commission, in its discretion, may waive any provision of this rule for good cause shown.

*AUTHORITY: sections 386.250 and 394.160, RSMo [2000] 2016. This rule originally filed as 4 CSR 240-3.190. Original rule filed Aug. 16, 2002, effective April 30, 2003. For intervening history, please consult the **Code of State Regulations**. Amended: Filed July 31, 2024.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will cost private entities forty thousand dollars (\$40,000) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Nancy Dippell, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before Oct. 3, 2024, and should include a reference to Commission Case No. EX-2025-0034. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed amendment is scheduled for Oct. 11, 2024, at 10 a.m., in Room 305 of the Governor's Office Building, 200 Madison St., Jefferson City, MO. Interested persons may appear at this hearing to submit additional comments and/or testimony in support or in opposition to this proposed amendment, and may be asked to respond to commission questions. Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.*

**FISCAL NOTE  
PRIVATE COST****I. Department Title: Title 20--DEPARTMENT OF COMMERCE AND INSURANCE  
Division Title: Division 4240—Public Service Commission  
Chapter Title: Chapter 3—Filing and Reporting Requirements**

<b>Rule Number and Title:</b>	20 CSR 4240-3.190 Reporting Requirements for Electric Utilities and Rural Electric Cooperatives
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
<b>4</b>	<b>Investor-Owned Electrical Corporations</b>	<b>\$40,000</b>
<b>40</b>	<b>Rural Electric Cooperatives</b>	<b>\$0</b>

**III. WORKSHEET**

The rule amendments will apply to four (4) electrical corporations (investor-owned electric utilities). Only the parts of the amendments applicable to the four (4) electrical corporations will have a fiscal impact.

The cost of compliance in the aggregate as follows:

- Initial cost of programming/automating processes to use a standardized template and related to leveraging metering infrastructure investment: \$10,000 per utility
- Ongoing costs are expected to be de minimis.

\$40,000 possible cost in the aggregate for the 10-year life of the rule.

The benefit of compliance to the commission:

- 56 hours saved \* 8 rate cases \* \$33.80/hour = \$15,142
- 56 hours saved \* 20 rate cases \* \$33.80/hour = \$37,856

Savings to the commission for the 10-year life of the rule between: \$15,142 - \$37,856.

**IV. ASSUMPTIONS**

As proposed, Section (2) requires each electrical corporation to utilize a standard template when reporting. Section (2)(E) requires reporting of certain data that leverages metering infrastructure investment.

The Commission Staff received information from Evergy Metro, Evergy Missouri West, Ameren Missouri, and Liberty-Empire.

For purposes of estimating aggregate costs of compliance, the Commission made the following assumptions:

- Ongoing costs are expected to be minimal as the amendment maintains the frequency and granularity of data reported as currently contained in the rule. Additionally, none of the electrical corporations reported a need for additional FTE as a result of the amendments.
- Initial costs are related to programming/automating reporting by the electrical corporations.
- Utility reported cost estimates varied greatly from one (1) utilities reporting \$0-\$305,000 and three (3) of the four (4) utilities reporting \$0-\$10,000. Higher cost estimates were based on concerns that the effective date of the rule would accelerate improvements to leverage advanced metering infrastructure investments. However, utilities may request a variance from the rule for good cause shown. Therefore, the Commission is assuming \$10,000 per utility.

For purposes of estimating benefits of compliance, the Commission made the following assumptions:

- The life of the rule is ten (10) years.
- Electric rate cases occur every two (2) to four (4) years per utility. Eight (8) to twenty (20) electric rate cases are expected to occur over the life of the rule.
- At least 56 hours of Commission Staff time per rate case will be saved as a result of the amendment.
- Hourly rate assumed to be \$33.80/hour.