

**John R. Ashcroft**  
Secretary of State / Administrative Rules  
RULE TRANSMITTAL

1313

Administrative Rules Stamp  
**RECEIVED**  
SEP 25 2024  
SECRETARY OF STATE  
ADMINISTRATIVE RULES  
JCAR Stamp

**RECEIVED**  
By JCAR at 4:31 pm, Sep 25, 2024

Rule Number 20 CSR 4240-40.017  
Use a SEPARATE rule transmittal sheet for EACH individual rulemaking.

Name of person(s) Administrative Rules can contact with questions about this rule:  
Content Nancy Dippell Phone 573-751-8518 Fax 573-526-6010  
Email address Nancy.Dippell@psc.mo.gov

Data Entry Kayla Kliethermes Phone 573-751-4256 Fax 573-526-6010  
Email address Kayla.Kliethermes@psc.mo.gov

Interagency mailing address Public Service Commission, 9<sup>th</sup> Floor Gov. Office Bldg, JC, MO

TYPE OF RULEMAKING ACTION TO BE TAKEN  
 Emergency Rulemaking >  Rule  Amendment  Rescission  Termination  
Effective date for the emergency \_\_\_\_\_

Proposed Rulemaking >  Rule  Amendment  Rescission

- Rule Action Notice
- In Addition
- Rule Under Consideration
- Request for Non-Substantive Change
- Statement of Actual Cost

Order of Rulemaking >  Withdrawal  Adoption  Amendment  Rescission  
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/SUBSECTIONS WITH CHANGES:  
\_\_\_\_\_  
\_\_\_\_\_



## *Missouri Public Service Commission*

MAIDA J. COLEMAN  
Commissioner

KAYLA HAHN  
Chair

JASON R. HOLSMAN  
Commissioner

GLEN KOLKMEYER  
Commissioner

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://psc.mo.gov>

JOHN P. MITCHELL  
Commissioner

September 25, 2024

John Ashcroft  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, Missouri 65101

**Re: 20 CSR 4240-40.017 HVAC Services Affiliate Transactions**

Dear Secretary Ashcroft,

### CERTIFICATION OF ADMINISTRATIVE RULE

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

The Public Service Commission further certifies it has conducted an analysis of whether or not there has been a taking of real property pursuant to section 536.017, RSMo, that the proposed rescission does not constitute a taking of real property under relevant state and federal law.

The Public Service Commission has determined and hereby also certifies that if the proposed rescission affects small business pursuant to sections 536.300 to 536.310, RSMo, a small business impact statement has been filed as required by those sections. If no small business impact statement has been filed the proposed rescission either does not affect small business or the small business requirements do not apply pursuant to section 536.300.4, RSMo.

Statutory Authority: *sections 386.760.1 and 393.140, RSMo 2016.*

If there are any questions regarding the content of this proposed rescission, please contact:

Nancy Dippell  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
200 Madison Street  
P.O. Box 360  
Jefferson City, MO 65102  
(573) 751-8518  
Nancy.Dippell@psc.mo.gov



*Nancy Dippell*

Nancy Dippell  
Secretary

Enclosures



## *Missouri Public Service Commission*

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**KAYLA HAHN**  
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**JASON R. HOLSMAN**  
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**GLEN KOLKMEYER**  
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**JOHN P. MITCHELL**  
Commissioner

September 25, 2024

Sarah Schappe  
Director  
Joint Committee on Administration Rules  
State Capitol, Room B8A  
Jefferson City, Missouri 65101

**Re: 20 CSR 4240-40.017 HVAC Services Affiliate Transactions**

Dear Director Schappe,

### CERTIFICATION OF ADMINISTRATIVE RULE

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*Nancy Dippell*

Nancy Dippell  
Secretary

Enclosures

STATE CAPITOL  
201 W. CAPITOL AVENUE, ROOM 216  
JEFFERSON CITY, MISSOURI 65101



(573) 751-3222  
WWW.GOVERNOR.MO.GOV

*Michael L. Parson*

GOVERNOR  
STATE OF MISSOURI

September 17, 2024

Ms. Kayla Hahn  
Public Service Commission  
PO Box 360  
Jefferson City, MO 65102

Dear Ms. Hahn:

This Office has received your Proposed Rule and Proposed Rescission for the following regulations:

- 20 CSR 4240-10.165 HVAC Services Affiliate Transactions.
- 20 CSR 4240-20.017 HVAC Services Affiliate Transactions.
- 20 CSR 4240-40.017 HVAC Services Affiliate Transactions.
- 20 CSR 4240-80.017 HVAC Services Affiliate Transactions.

Executive Order 17-03 requires this Office's approval before state agencies release proposed regulations for notice and comment, amend existing regulations, rescind regulations, or adopt new regulations. After our review, we approve the submission to the Joint Committee on Administrative Rules and the Secretary of State.

Sincerely,

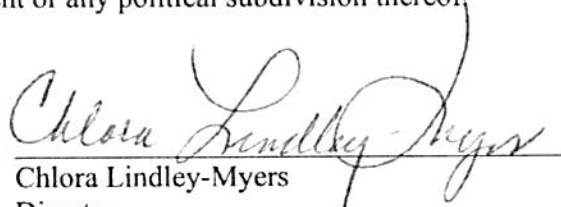
A handwritten signature in black ink, appearing to read "Evan Rodriguez".

Evan Rodriguez  
General Counsel

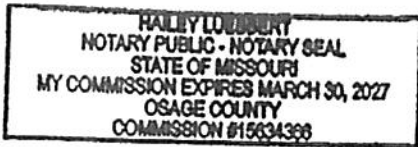
**AFFIDAVIT  
PUBLIC COST**

STATE OF MISSOURI )  
  )  
COUNTY OF COLE    )

I, Chlora Lindley-Myers, Director of the Department of Commerce and Insurance, first being duly sworn, on my oath, state that it is my opinion that the cost of proposed rescission, 20 CSR 4240-40.017, is less than five hundred dollars in the aggregate to this agency, any other agency of state government or any political subdivision thereof.

  
Chlora Lindley-Myers  
Director  
Department of Commerce and Insurance

Subscribed and sworn to before me this 23<sup>rd</sup> day of September, 2024, I am commissioned as a notary public within the County of Osage, State of Missouri, and my commission expires on March 30, 2027.



  
Notary Public



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SEP 25 2024

SECRETARY OF STATE  
ADMINISTRATIVE RULES

**Title 20—DEPARTMENT OF  
COMMERCE AND INSURANCE  
Division 4240—Public Service Commission  
Chapter 40—Gas Utilities and Gas Safety Standards**

**PROPOSED RESCISSION**

**20 CSR 4240-40.017 HVAC Services Affiliate Transactions.** This rule prescribed the requirements for HVAC services affiliated entities and regulated gas corporations when such gas corporations participated in affiliated transactions with an HVAC affiliated entity as set forth in sections 386.754, 386.756, 386.760, 386.762 and 386.764, RSMo.

*PURPOSE: This rule is being rescinded from Chapter 40, as it is being rewritten and moved to 20 CSR 4240-10.*

*AUTHORITY: sections 386.760.1 and 393.140, RSMo 2016. \* This rule originally filed as 4 CSR 240-40.017. Original rule filed Dec. 17, 1998, effective Aug. 30, 1999. Moved to 20 CSR 4240-40.017, effective Aug. 28, 2019. Rescinded: Filed \_\_\_\_, effective \_\_.*

*\*Original authority: 386.710.1, RSMo 1998 and 393.140, RSMo 1939, amended 1949, 1967.*

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

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed rescission with the Missouri Public Service Commission, Nancy Dippell, Secretary of the Commission, P.O. Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before December 1, 2024, and should include a reference to Commission File No. OX-2025-0105. 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 rescission is scheduled for December 6, 2024, at 10:00 a.m., in Room 139 of the James C. Kirkpatrick Building, 600 W. Main St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support or in opposition to this proposed rescission, 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.*

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**By JCAR at 4:31 pm, Sep 25, 2024**