

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Commission’s Proposed)
Rule 20 CSR 4240-10.165 and Proposed)
Rescissions of 20 CSR 4240-20.017, 40.017,)
and 80.017 Relating to HVAC Services)
Affiliate Transactions)

Case No. OX-2025-0105

COMMENTS OF THE OFFICE OF THE PUBLIC COUNSEL

Pursuant to the Public Service Commission of the State of Missouri’s (the “Commission”) *Order Setting Hearings and Comment Period* filed in the above styled case on November 15, 2024, the Office of the Public Counsel (the “OPC”) submits these comments.

The OPC appreciates the opportunity to provide comments on the Commission’s proposed heating, cooling, and ventilation (“HVAC”) Affiliate Transactions rule. The OPC has only a single suggested modification to this rule, as explained below.

1. Add the word “covered” in Subsection (1)(A), the definition of “Affiliated entity”

Affiliated entity means any entity not regulated by the Public Service Commission (commission) which is owned, controlled by or under common control with a covered utility and is engaged in HVAC services.

Explanation: The Commission’s proposed changes to the HVAC Affiliate Transaction rule consolidate the rule into a single rule as opposed to a separate rule for each type of covered utility. In doing so, the Commission included a new definition of the term “covered utility.” The OPC suggests adding the word “covered” before the word “utility” in the definition of “affiliated entity” so that the definition refers to a “covered utility.” This will ensure consistency with the definitions contained in the rule and throughout the rule itself.

WHEREFORE, the OPC respectfully requests that the Commission consider these comments and make the suggested change to the proposed HVAC Affiliate Transaction rule described above.

Respectfully submitted,

/s/ Lindsay VanGerpen
Lindsay VanGerpen (#71213)
Senior Counsel

Missouri Office of the Public Counsel
P.O. Box 2230
Jefferson City, MO 65102
Telephone: (573) 751-5565
Facsimile: (573) 751-5562
E-mail: Lindsay.VanGerpen@opc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing have been mailed, emailed, or hand-delivered to all counsel of record this 1st day of December 2024.

/s/ Lindsay VanGerpen