

**John R. Ashcroft**

Secretary of State  
Administrative Rules  
RULE TRANSMITTAL

Administrative Rules Stamp

**RECEIVED**

By Administrative Rules SOS at 1:05 pm, Jan 03, 2025

Rule Number 20 CSR 4240-50.050

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

Name of person to call with questions about this rule:

Content Nancy Dippell Phone 573-751-8518 FAX 573-526-6010

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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 \_\_ Adopt \_\_ Amendment X 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 WITH CHANGES, including any deleted rule text:

\_\_\_\_\_  
\_\_\_\_\_

Small Business Regulatory  
Fairness Board (DED) Stamp

JCAR Stamp

**RECEIVED**

By JCAR at 1:58 pm, Dec 04, 2024



## *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  
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**JOHN P. MITCHELL**  
Commissioner

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

### **Re: 20 CSR 4240-50.050 Environmental Cost Adjustment Mechanism**

Dear Director Schappe,

#### 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 and 393.140, RSMo 2016, and section 386.266, RSMo Supp. 2023.

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

Nancy Dippell, Secretary  
Missouri Public Service Commission  
200 Madison Street  
P.O. Box 360  
Jefferson City, MO 65102  
(573) 751-8518  
[Nancy.Dippell@psc.mo.gov](mailto:Nancy.Dippell@psc.mo.gov)

A handwritten signature in black ink that reads "Nancy Dippell".

Nancy Dippell  
Secretary to the Commission



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

December 4, 2024

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

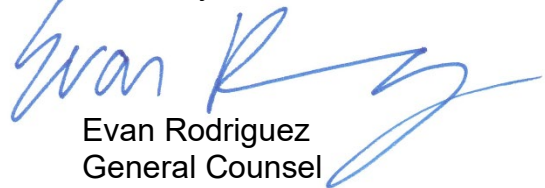
Dear Ms. Hahn:

This Office has received your Final Order for the following regulations:

- 20 CSR 4240-50.050
- 20 CSR 4240-10.095
- 20 CSR 4240-3.190 Reporting Requirements for Electric Utilities and Rural Electric Cooperatives

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,

  
Evan Rodriguez  
General Counsel

**Title 20 — DEPARTMENT OF  
COMMERCE AND INSURANCE  
Division 4240 — Public Service Commission  
Chapter 50 — Water Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2016, and section 386.266, RSMo Supp. 2023, the commission rescinds a rule as follows:

**20 CSR 4240-50.050 Environmental Cost Adjustment Mechanism is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on Sept. 3, 2024 (49 MoReg 1364). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended Oct. 3, 2024, and the commission held a public hearing on the proposed rescission on Oct. 8, 2024. The commission received two (2) written comments and two (2) comments at the hearing.

COMMENT #1: Scott Stacey, Deputy Counsel, Staff Counsel's Office of the commission, commented in writing and Mark Johnson, Chief Staff Counsel of the commission, commented at the hearing in support of the rescission. Mr. Stacey and Mr. Johnson commented that this regulation arose from the passage of section 386.266, RSMo, but the rule has never been utilized in the eleven years it has been in force.

RESPONSE: The commission agrees with staff counsel's comments that the rule should be rescinded as it is unnecessary. No change was made as a result of this comment.

COMMENT #2: Lindsay VanGerpen commented in writing and at the hearing on behalf of the Office of the Public Counsel (OPC). Ms. VanGerpen commented that the rule should remain because the statute requires the Commission to promulgate a rule prior to it being able to promulgate an environmental cost adjustment mechanism. At the hearing, Mr. Johnson responded to this comment that the commission's application rule 20 CSR 4240-2.060 was sufficient to meet this requirement and provided the necessary requirements for filing an application at the commission.

RESPONSE: The Commission disagrees with Ms. VanGerpen and finds that as Mr. Johnson stated, the application rule will provide sufficient process if a water

utility should need to get an environmental cost recovery mechanism approved.  
No changes were made as a result of this comment.