

**TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE**  
**Division 4240 – Public Service Commission**  
**Chapter 10 – Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.760.1 and 393.140, RSMo 2016, the commission adopts a rule as follows:

20 CSR 4240-10.165 is adopted.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2024 (49 MoReg 1613-1614). The section with changes is reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended December 6, 2024, and the commission held a public hearing on the proposed amendment on December 6, 2024. The commission received one (1) written comment from parties during the comment period and one (1) party commented at the hearing. The comments were generally in support of the proposed rule with a suggested change.

**COMMENT # 1:** Lindsay VanGerpen, Senior Counsel, on behalf of the Office of the Public Counsel (OPC), submitted written comments. OPC suggested paragraph (1)(A) should be amended to include 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.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with the comments of OPC and the Commission will add the word “covered” to subsection (1)(A).

**COMMENT # 2:** Scott Stacey with Staff Counsel’s Office of the commission commented in support of the amendment. Mr. Stacey further commented that staff of the commission were in agreement with OPC’s suggested change.

**RESPONSE:** The commission agrees with Mr. Stacey’s comments and will accept the change suggested by OPC as listed above. No other changes were made as a result of these comments.

**20 CSR 4240.10.165 HVAC Services Affiliate Transactions**

(1)Definitions.

(A) 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.