

COMMENT #1: Staff filed written comments that this rule is duplicative as it refers to Chapter 2 for tariff rules and filing requirements. Staff stated that this rulemaking was undertaken in response to Executive Order 17-03 and is being proposed in order to streamline, simplify, and improve the user-friendliness of the commission's regulations. Staff supports the proposed rescission.

RESPONSE: No change was made in response to this comment.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission amends a rule as follows:

4 CSR 240-3.030 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 17, 2018 (43 MoReg 3765-3766). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended January 16, 2019, and the commission held a public hearing on the proposed amendment on January 29, 2019. The commission received timely written comments in support of the amendment from Travis J. Pringle, Legal Counsel, on behalf of the staff of the commission. Additional written comments suggesting changes were received from Paula N. Johnson, Senior Corporate Counsel, on behalf of Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri"). Written comments in support of Ameren Missouri's comments were received from Diana C. Carter, Brydon Swearingen & England, PC, on behalf of Spire Missouri ("Spire"). The commission received comments at the hearing regarding the amendment from Jamie Myers, Commission Staff Deputy Director, on behalf of the staff of the commission ("staff"), Caleb Hall, Attorney, on behalf of the Office of the Public Counsel ("OPC"), and Jim Fischer, Fischer & Dority, PC, on behalf of Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company (collectively referred to as "KCP&L/GMO").

COMMENT #1: Staff filed written comments supporting this amendment. It updates language to be consistent with the newly promulgated staff assisted rate case rule. Staff stated that this rulemaking was undertaken in response to Executive Order 17-03 and is being proposed in order to streamline, simplify, and improve the user-friendliness of the commission's regulations.

RESPONSE: The commission believes the utility size requirements in this rule should be updated to accurately reproduce the utility size requirements in the staff assisted rate case rule. The proposed amendment does that. No change was made in response to this comment.

COMMENT #2: Ameren Missouri filed written comments and made comments at the hearing regarding changes to minimum filing requirements for utilities. Ameren Missouri suggested changes to more accurately reflect current practice. Ameren Missouri offered language to propose that utilities file information for general rate increases only through the commission's electronic filing information system, and that only one (1) copy be emailed to OPC. At the hearing Ameren Missouri suggested that they would be open to compromise language that allowed for filing electronically or a hard copy, but not

fourteen (14) copies which would be burdensome. Staff stated that the requirement to file fourteen (14) copies with the commission is not necessary. Staff also noted that while not everyone files hard copies with the commission they want to preserve availability of filing a hard copy while giving the option to file electronically. Staff felt the language should be sufficiently vague to allow for either type of filing. Staff also indicated that it had talked with OPC who was not averse to receiving one (1) copy instead of two (2), either a hard copy or electronic. Staff agreed with the commission that another way of accomplishing this would be to expressly state that both filing methods would be accepted. OPC commented that the change proposed by staff sufficiently allow for electronic filing contrary to Ameren Missouri's concerns. OPC stated that Ameren's comment that only one copy be sent to OPC was a fair and reasonable change.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees that the filing requirement should be updated to more accurately reflect current practice of electronically filing documents. However, the commission recognizes that not everyone is capable of electronic filing. Accordingly, language will be added to explicitly state that electronic filing or filing a hard copy with the commission is sufficient. The commission will also reduce the number of copies to OPC from two (2) copies to one (1) copy or electronic copy.

COMMENT #5: KCP&L/GMO, commented at the hearing that KCP&L/GMO agreed with Ameren Missouri's comments. Spire Missouri submitted written comments that it concurred with Ameren Missouri's written comments.

RESPONSE: No change was made as a result of this comment.

**4 CSR 240-3.030 Minimum Filing Requirements for Utility
Company General Rate Increase Requests**

(1) This rule applies to all electric utilities; to all gas utilities with more than ten thousand (10,000) customers; to all water utilities with more than eight thousand (8,000) customers; to all sewer utilities with more than eight thousand (8,000) customers; and to all steam heating utilities with more than one hundred (100) customers.

(3) At the time a tariff(s) is filed by any company or utility subject to this rule which contains a general rate increase request, an original or electronic copy of the following information shall be filed with the secretary of the commission and one (1) copy or electronic copy shall be provided to the Office of the Public Counsel:

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ORDER OF RULEMAKING

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

**4 CSR 240-3.145 Filing Requirements for Electric Utility Rate
Schedules is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on December 17, 2018 (43 MoReg 3766). No changes have been made in 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 January 17, 2019, and the commission held a public hearing on the

proposed rule on January 28, 2019. The commission received timely written comments in support of the rescission from Travis J. Pringle, Legal Counsel, on behalf of the staff of the commission and Paula N. Johnson, Senior Corporate Counsel, on behalf of Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri"). The commission received comments at the hearing in support of the rescission from Jamie Myers, Commission Staff Deputy Director, on behalf of the staff of the commission ("staff"), Ms. Johnson on behalf of Ameren Missouri, and Jim Fischer, Fischer & Dority, PC, on behalf of Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company (collectively referred to as "KCP&L/GMO").

COMMENT #1: Staff made general comments supporting the rescission of this rule and the transfer of its provisions into 4 CSR 240-20.105. Staff stated that this rulemaking was undertaken in response to Executive Order 17-03 and is being proposed in order to consolidate, streamline, and improve the user-friendliness of the commission's regulations.

RESPONSE: The commission appreciates its staff's dedication to improving the regulatory process at the commission and in the state of Missouri. No change was made as a result of this comment.

COMMENT #2: Ameren Missouri filed written comments and commented at the hearing in support of rescinding this rule and consolidating its provisions into 4 CSR 240-20.

RESPONSE: The commission thanks Ameren Missouri for its participation in this rulemaking process. No change was made as a result of this comment.

COMMENT #3: KCP&L/GMO, commented at the hearing that KCP&L/GMO were in agreement with Ameren Missouri's comments.

RESPONSE: The commission thanks KCP&L/GMO for their participation in this rulemaking process. No change was made as a result of this comment.

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ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

**4 CSR 240-3.180 Submission of Electric Utility Residential
Heat-Related Service Cold Weather Report is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on December 17, 2018 (43 MoReg 3766). No changes have been made in the proposed rescission, so it is not reprinted here. The proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended January 16, 2019, and the commission held a public hearing on the proposed rescission on January 29, 2019. The commission received timely written comments in support of the rescission from Travis J. Pringle, Legal Counsel, on behalf of the staff of the commission. The commission received no comments about the rescission at the public hearing.

COMMENT #1: Staff filed written comments that this rule is duplicative and is being consolidated into proposed amendment 4 CSR 240-13.055. Staff stated that this rulemaking was undertaken in response to Executive Order 17-03 and is being proposed in order to streamline, simplify, and improve the user-friendliness of the commission's regulations. Staff supports the proposed rescission.

RESPONSE: No change was made in response to this comment.

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ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250 and 393.292, RSMo 2016, the commission rescinds a rule as follows:

**4 CSR 240-3.185 Submission of Reports Pertaining to the
Decommissioning of Electric Utility Plants is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on December 17, 2018 (43 MoReg 3766-3767). No changes have been made in 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 January 17, 2019, and the commission held a public hearing on the proposed rule on January 28, 2019. The commission received timely written comments in support of the rescission from Travis J. Pringle, Legal Counsel, on behalf of the staff of the commission and Paula N. Johnson, Senior Corporate Counsel, on behalf of Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri"). The commission received comments at the hearing in support of the rescission from Jamie Myers, Commission Staff Deputy Director, on behalf of the staff of the commission ("staff"), and Jim Fischer, Fischer & Dority, PC, on behalf of Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company (collectively referred to as "KCP&L/GMO").

COMMENT #1: Staff made general comments supporting the rescission of this rule and the transfer of its provisions into 4 CSR 240-20.105. Staff stated that this rulemaking was undertaken in response to Executive Order 17-03 and is being proposed in order to consolidate, streamline, and improve the user-friendliness of the commission's regulations.

RESPONSE: The commission appreciates its staff's dedication to improving the regulatory process at the commission and in the state of Missouri. No change was made as a result of this comment.

COMMENT #2: Ameren Missouri filed written comments in support of rescinding this rule and consolidating its provisions into 4 CSR 240-20.

RESPONSE: The commission thanks Ameren Missouri for its participation in this rulemaking process. No change was made as a result of this comment.

COMMENT #3: KCP&L/GMO, commented at the hearing that KCP&L/GMO were in agreement with Ameren Missouri's comments.

RESPONSE: The commission thanks KCP&L/GMO for their participation in this rulemaking process. No change was made as a result of this comment.