

Denny Hoskins

Secretary of State / Administrative Rules

RULE TRANSMITTAL

973

Administrative Rules Stamp

RECEIVED

By Administrative Rules at 4:05 pm, Aug 28, 2025

JCAR Stamp

RECEIVED

By JCAR at 3:44 pm, Aug 28, 2025

Rule Number 20 CSR 4240-13.055

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, 9th 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

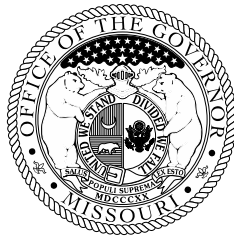
Effective date for the order _____

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:

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



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

Mike Kehoe

GOVERNOR
STATE OF MISSOURI

August 18, 2025

Kayla Hahn, Chair
Missouri Public Service Commission
P O Box 360
Jefferson City MO 65102

Dear Ms. Hahn:

Our office has received the Proposed Amendment rulemaking for the following regulation:

- **20 CSR 4240-13.055** Cold Weather Mainten[-]ance of Service: Provision of Residential Heat-Related Utility Service During Cold Weather

Executive Order 25-13 requires this office's approval before state agencies release proposed regulations for notice and comment, amend existing regulations, or adopt new regulations. After our review, we approve submission of the rule and the regulatory impact report (if required) to JCAR and the Secretary of State.

Sincerely,

A handwritten signature in blue ink that reads "Lowell Pearson".

Lowell Pearson
General Counsel



Missouri Public Service Commission

MAIDA J. COLEMAN
Commissioner

KAYLA HAHN
Chair

JOHN P. MITCHELL
Commissioner

GLEN KOLKMEYER
Commissioner

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

VACANT
Commissioner

August 28, 2025

Denny Hoskins
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, Missouri 65101

Re: 20 CSR 4240-13.055 Cold Weather Maintenance of Service: Provision of Residential Heat-Related Utility Service During Cold Weather

Dear Secretary Hoskins,

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the proposed amendment 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 amendment 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 amendment does affect 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 amendment either does not affect small business or the small business requirements do not apply pursuant to section 536.300.4, RSMo.

Statutory Authority: *sections 386.250 and 393.140, RSMo 2016, and sections 393.109 and 393.130, SS#2 SB4, First Regular Session of the 103rd General Assembly*

If there are any questions regarding the content of this proposed amendment, 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

MAIDA J. COLEMAN
Commissioner

KAYLA HAHN
Chair

JOHN P. MITCHELL
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<http://psc.mo.gov>

VACANT
Commissioner

August 28, 2025

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

Re: 20 CSR 4240-13.055 Cold Weather Maintenance of Service: Provision of Residential Heat-Related Utility Service During Cold Weather

Dear Director Schappe,

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the proposed amendment 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 amendment does not constitute a taking of real property under relevant state and federal law.

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Statutory Authority: *sections 386.250 and 393.140, RSMo 2016, and sections 393.109 and 393.130, SS#2 SB4, First Regular Session of the 103rd General Assembly*

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Secretary

Enclosures

**AFFIDAVIT
PUBLIC COST**

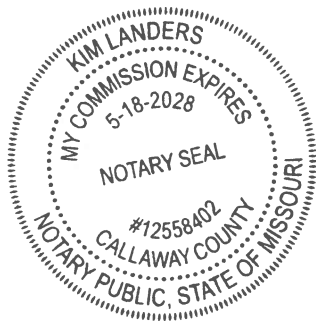
**STATE OF MISSOURI)
)
COUNTY OF COLE)**

I, Angela L. Nelson, 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 amendment, 20 CSR 4240-13.055, is less than five hundred dollars in the aggregate to this agency, any other agency of state government or any political subdivision thereof.



Angela L. Nelson
Director
Department of Commerce and Insurance

Subscribed and sworn to before me this 20th day of August, 2025, I am commissioned as a notary public within the County of Callaway, State of Missouri, and my commission expires on May 18, 2028.





Notary Public

TITLE 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 4240—Public Service Commission
Chapter 13—Service and Billing Practices for
Residential Customers of Electric, Gas, Sewer,
and Water Utilities

20 CSR 4240-13.055 Cold Weather Maintenance of Service: Provision of Residential Heat-Related Utility Service During Cold Weather. The commission is amending the Purpose and sections (1), (2), (3), (4), (5), (6), (7), (14), and (15).

PURPOSE: This proposed amendment modifies the rule to address changes to section 393.109, RSMo, set forth in Senate Bill 4, effective August 28, 2025. The proposed amendments also make some grammatical and editorial changes and corrects some out-of-date references.

PURPOSE: This rule protects the health and safety of residential customers receiving heat-related utility service by placing restrictions on discontinuing and refusing to provide heat-related utility service from November 1 through March 31 due to delinquent accounts of those customers. [Reporting requirements regarding heat-related utility service are found at 4 CSR 240-3.175 for electric utilities and at 4 CSR 240-3.250 for gas utilities.]

(1) The following definitions shall apply in this rule:

(A) Energy Crisis Intervention Program (ECIP) means the federal ECIP administered by the Missouri *[Division of Family]***Department of Social Services** under section 660.100, RSMo;

(B) Heat-related utility service means any gas or electric service that is necessary to the proper function and operation of a customer's heating equipment;

(C) Low Income Home Energy Assistance Program (LIHEAP) means the federal LIHEAP administered by the Missouri *[Family Support Division]***Department of Social Services** under section 660.110, RSMo;

(D) Registered elderly or disabled customer means a customer's household where at least one (1) member of the household has filed with the utility a form approved by the utility attesting to the fact that *[s/he]***the customer**:

1. Is sixty-five (65) years old or older;

2. Is disabled to the extent that *[s/he]***the customer** has filed with their utility a medical form submitted by a medical physician attesting that such customer's household must have natural gas or electric utility service provided in the home to maintain life or health; or

3. Has a formal award letter issued from the federal government of disability benefits.

In order to retain his/her status as a registered elderly or disabled customer, each such customer must renew *[his/her]***the customer's** registration with the utility annually. Such registration should take place by October 1 of each year following his/her initial registration; and

(E) Low income registered elderly or disabled customer means a customer registered under the provisions of subsection (1)(C) of this rule whose household income is less than one hundred fifty percent (150%) of the federal poverty guidelines, and who has a signed affidavit attesting to that fact on file with the utility. The utility may periodically audit the incomes of low income registered elderly or disabled customers. If, as a result of an audit, a registered low income elderly or disabled customer is found to have materially misrepresented *[his/her]***the customer's** income at the time the affidavit was signed, that customer's service may be discontinued per the provisions of this rule that

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By JCAR at 3:45 pm, Aug 28, 2025

apply to customers who are not registered low income elderly or disabled customers and payment of all amounts due, as well as, a deposit may be required before service is reconnected.

(2) This rule **and Section 393.109, RSMo**, take[s] precedence over other rules on provision of heat-related utility service from November 1 through March 31 annually.

(3) Notice Requirements. From November 1 through March 31, prior to discontinuance of service due to nonpayment, the utility shall—

(A) Notify the customer, at least ten (10) days prior to the date of the proposed discontinuance, by first-class mail, and in the case of a registered elderly or handicapped customer the additional party listed on the customer's registration form of the utility's intent to discontinue service. The contact with the registered individual shall include initially two (2) or more telephone call attempts with the mailing of the notice;

(B) Make further attempts to contact the customer within ninety-six (96) hours preceding discontinuance of service either by a second written notice as in subsection (3)(A), sent by first class mail; or a door hanger; or at least two (2) telephone call attempts to the customer;

(C) Attempt to contact the customer at the time of the discontinuance of service in the manner specified by *[4 CSR 240-13.050(9)]* **20 CSR 4240-13.050(9)**;

(D) Make a personal contact on the premises with a registered elderly or handicapped customer or some member of the family above the age of fifteen (15) years, at the time of the discontinuance of service; and

(E) Ensure that all of the notices and contacts required in this section shall describe the terms for provisions of service under this rule, including the method of calculating the required payments, the availability of financial assistance from the *[Division of Family]* **Department of Social Services** and social service or charitable organizations that have notified the utility that they provide that assistance and the identity of those organizations.

(5) Weather Provisions. Discontinuance of gas and electric service to all residential users, including all residential tenants of apartment buildings, for nonpayment of bills where gas or electricity is used as the source of space heating or to control or operate the only space heating equipment at the residence is prohibited—

(A) On any day when the National Weather Service local forecast between 6:00 a.m. to 9:00 *[a.m.]p.m.*, for the following *[twenty-four (24)]* **seventy-two (72)** hours predicts that the temperature will drop below thirty-two degrees Fahrenheit (32°F); or

(B) On any day when utility personnel will not be available to reconnect utility service during the immediately succeeding day(s) (Period of Unavailability) and the National Weather Service local forecast between 6:00 a.m. to 9:00 *[a.m.]p.m.* predicts that the temperature during the Period of Unavailability will drop below thirty-two degrees Fahrenheit (32°F); or

(C) From November 1 through March 31, for any registered low income elderly or low income disabled customer (as defined in this rule), provided that such customer has entered into a cold weather rule payment plan, made the initial payment required by section (10) of this rule and has made and continues to make payments during the effective period of this rule that are at a minimum the lesser of fifty percent (50%) of—

1. The actual bill for usage in that billing period; or

2. The levelized payment amount agreed to in the cold weather rule payment plan. Such reductions in payment amounts may be recovered by adjusting the customer's subsequent levelized payment amounts for the months following March 31; and

(D) Nothing in this section shall prohibit a utility from establishing a higher temperature threshold below which it will not discontinue utility service.

(6) Discontinuance of Service. From November 1 through March 31, a utility may not discontinue heat-related residential utility service due to nonpayment of a delinquent bill or account provided—

(A) The customer contacts the utility and states *[his/her]* **the customer's** inability to pay in full;

(B) The utility receives an initial payment and the customer enters into a payment agreement both of which are in compliance with section (10) of this rule;

(C) The customer complies with the utility's requests for information regarding the customer's monthly or annual income; and

(D) There is no other lawful reason for discontinuance of utility service.

(7) Whenever a customer, with a cold weather rule payment agreement, moves to another residence within the utility's service area **or adjacent service area**, the utility shall permit the customer to receive service if the customer pays in full the amounts that should have been paid pursuant to the agreement up to the date service is requested, as well as, amounts not included in a payment agreement that have become past due. No other change to the terms of service to the customer by virtue of the change in the customer's residence with the exception of an upward or downward adjustment to payments necessary to reflect any changes in expected usage between the old and new residence shall be made.

(14) This section only applies to providers of natural gas services to residential customers. Other providers of heat-related utility services will continue to provide such service under the terms of sections (1) through (13) of this rule. The provisions of sections (1) through (13) of this rule continue to apply to providers of natural gas service except where inconsistent with the terms of this section.

(E) A gas utility shall describe the provisions of section (14) in any notices or contacts with customers. In telephone **or other** contacts with customers expressing difficulty paying their gas bills, gas utilities shall inform those customers of their options under section (14).

(15) Each utility providing heat-related utility service shall submit as a non-case related filing a report with the commission for each calendar month no later than the twentieth (20th) day of the following month. The utility shall *[provide a copy of each report to]* **also serve the report on** the Office of the Public Counsel. The utility shall report for each operational district into which the utility has divided its Missouri service territory the number of days it was permitted to discontinue service under this regulation, and the utility shall separately report on the information listed below for customers receiving energy assistance and customers who are affected by this regulation and not known to be receiving energy assistance. All information submitted shall be considered public information; however, no customer-specific information shall be reported or made public. Utilities providing both electric and gas service shall report the following information separately for their gas-only territory:

(A) How many customers were—

1. Disconnected, at the end of the period;

2. Of those disconnected, how many customers had service discontinued for nonpayment during the period; and

3. Of those discontinued during the period, how many customers were restored to service during the period;
 - (B) Of customers reported as disconnected at the end of the period—
 1. How many had broken a cold weather rule pay agreement;
 2. How many had broken a non-cold weather rule pay agreement; and
 3. How many had not been on a pay agreement;
 - (C) Of those customers reconnected during the period—
 1. How many customers received energy assistance (pledged or paid) from—
 - A. Low Income Home Energy Assistance Program (LIHEAP);
 - B. Energy Crisis Intervention Program (ECIP); and
 - C. Other services known to the utilities; and
 2. How much energy assistance was provided by—
 - A. LIHEAP;
 - B. ECIP;
 - C. Other sources known to the utility; and
 - D. Customer;
 - (D) Of customers restored to service during the period—
 1. How many were put on a cold weather rule pay agreement; and
 2. How many were put on a non-cold weather rule pay agreement;
 - (E) How much was owed by those disconnected at the end of the period—
 1. How much was owed by those disconnected during the period; and
 2. How much was owed by those reconnected during the period;
 - (F) How many customers were registered under this regulation at the end of the period—
 1. How many customers registered during the period; and
 2. How many of such registered customers had service discontinued during the period;
 - (G) For how many customers during the period did the utility receive—
 1. LIHEAP;
 2. ECIP; and
 3. Other assistance known to the utility;
 - (H) How much cash did the utility receive on behalf of customers during the period from—
 1. LIHEAP;
 2. ECIP; and
 3. Others known to the utility;
 - (I) How many customers who requested reconnection under terms of this rule were refused service pursuant to this regulation;
 - (J) How many customers received energy assistance insufficient in amount to retain or restore service; and
 - (K) The number of customers who agreed to pay for their heat-related utility service under a payment agreement in accordance with this regulation.

AUTHORITY: sections 386.250 and 393.140, RSMo 2016, and sections 393.109 and 393.130, SS#2 SB4, First Regular Session of the 103rd General Assembly. [sections 386.250, 393.130, and 393.140, RSMo 2016.]* This rule originally filed as 4 CSR 240-13.055. Original rule filed June 13, 1984, effective Nov. 15, 1984. Amended: Filed Dec. 30, 1992, effective Oct. 10, 1993. Amended: Filed March 10, 1995, effective Jan. 30, 1996. Emergency amendment filed Nov. 8, 2001, effective Nov. 18, 2001, expired March 31, 2002. Amended: Filed Aug. 16, 2002, effective

April 30, 2003. Amended: Filed April 9, 2004, effective Oct. 30, 2004. Emergency amendment filed Dec. 16, 2005, effective Dec. 26, 2005, expired March 31, 2006. Amended: Filed May 15, 2006, effective Nov. 1, 2006. Amended: Filed Aug. 1, 2013, effective March 30, 2014. Amended: Filed Nov. 7, 2018, effective July 30, 2019. Moved to 20 CSR 4240-13.055, effective Aug. 28, 2019. Amended: Filed August 28, 2025, effective _____.

**Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; 393.130, RSMo 1939, amended 1949, 1967, 1969, 2002; and 393.140, RSMo 1939, amended 1949, 1967.*

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

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$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 amendment with the Missouri Public Service Commission, Nancy Dippell, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before October 31, 2025, and should include a reference to commission Case No. OX-2026-0047. 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 amendment is scheduled for November 5, 2025, at 12:00 p.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, MO. Interested persons may appear at this hearing to submit additional comments and/or testimony in support or in opposition to this proposed amendment, and may be asked to respond to commission questions. Any person 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.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: Title 20--DEPARTMENT OF COMMERCE AND INSURANCE
Division Title: Division 4240—Public Service Commission
Chapter Title: Chapter 13—Service and Billing Practices for Residential Customers
of Electric, Gas, Sewer, and Water Utilities**

Rule Number and Name:	20 CSR 4240-13.055 Cold Weather Maintenance of Services: Provision of Residential Heat-Related Utility Service During Cold Weather
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Public Service Commission	\$0 No additional costs to the Commission are anticipated.

III. WORKSHEET

IV. ASSUMPTIONS

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: Title 20--DEPARTMENT OF COMMERCE AND INSURANCE
Division Title: Division 4240—Public Service Commission
Chapter Title: Chapter 13—Service and Billing Practices for Residential Customers
of Electric, Gas, Sewer, and Water Utilities**

Rule Number and Title:	20 CSR 4240-13.055 Cold Weather Maintenance of Services: Provision of Residential Heat-Related Utility Service During Cold Weather
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
4	Investor-Owned Electrical Corporations	\$0
5	Gas Corporations	\$0

III. WORKSHEET

The rule will apply to four (4) electrical corporations (investor-owned electric utilities) and five (5) gas corporations.

IV. ASSUMPTIONS