

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

In the Matter of the Proposed)	
Rule 20 CSR 4240-10.035 Residential)	File No. OX-2026-0045
Advanced Meter or Hub Meter Opt-Out)	

MISSOURI-AMERICAN WATER COMPANY'S
COMMENTS ON PROPOSED RULE 20 CSR 4240-10.035

COMES NOW Missouri-American Water Company (“MAWC” or “Company”) and provides its Comments concerning Proposed Rule 20 CSR 4240-10.035 and, in support, states as follows:

1. On August 27, 2025, the Commission issued a Finding of Necessity and Order Directing Proposed Amendment 20 CSR 4240-10.165 Be Filed for Publication.
2. On September 2, 2025, the Commission made an Initial Filing of proposed rule 20 CSR 4240-10.035 with the Secretary of State.
3. On September 5, 2025, the Commission issued a Notice of Hearing and Comment Period establishing that comments must be received on or before November 5, 2025, and scheduling a public hearing regarding the proposed rule for November 13, 2025.
4. This Proposed Rule specifically addresses the residential advanced metering opt-out process included in Senate Bill 4, as codified in section 386.820, RSMo, effective August 28, 2025.
5. MAWC proposes that Section (2)(B) of the Proposed Rule should be modified as follows in red:

(B) Commercially available means a meter **from a supplier approved by the utility** that is readily available for purchase by the utility.

6. Additionally, Section (3) of the Proposed Rule should include a proposed effective date for the initial tariff required under this rule. MAWC proposes that the tariffs should be required to be effective by July 1, 2026, the date by which “a residential utility customer may . . . communicate with the utility that the customer would like to opt out of using an advanced meter or hub meter.” (Section 386.820.2(1)).
7. MAWC believes Section (5)(C) of the Proposed Rule is duplicative of Chapter 13. However, if Section (5)(C) remains in the Proposed Rule, MAWC recommends it include an additional sentence so that it reads as follows (the addition is shown in red: “The utility shall obtain an actual meter reading to verify accuracy of customer-supplied meter readings at least once every twelve (12) months. **The customer shall provide the Company physical access to the meter to obtain readings.**” This will assist the Company in obtaining meter reads for customers who opt-out and have inside meters. Without such access, MAWC will be unable to verify the accuracy of customer-supplied meter readings as required by statute and the proposed rule.
8. MAWC proposes to delete Section 8 (B) of the Proposed Rule, which requires reporting to include “the number of advanced meters and hub meters in use by the utility to service residential.” MAWC believes that such reporting goes beyond the statutory purpose, which is focused on customers who do not want advanced meters.
9. MAWC recommends the following language be included as a new Section (9) of the Proposed Rule to provide the utility with a path forward in the event a customer does not provide usage in a timely manner so that the utility may meet its obligations to bill according to the Commission’s rules and regulations:
 - (9) (a) If the customer fails to report usage, inaccurately reports usage, or the utility does not receive the customer's service usage report once per billing cycle, the

utility may manually read the customer's meter or charge that customer based on an estimate of prior energy use in a manner approved by the commission. If the customer fails to report usage for their meter for two (2) consecutive months or any three (3) months in a rolling twelve-month period, the utility may discontinue service pursuant to 4 CSR 4240-3.020 (4).

(b) If the customer fails to report usage for their meter for two (2) consecutive months or any three (3) months in a rolling twelve-month period or the Company discontinues service three (3) times for this reason over the life of the account, then the Company may install AMI technology to obtain meter readings so that the utility can accurately bill the customers.

10. Further, MAWC proposes additional language be added as a new Section (10) of the Proposed Rule to establish responsibility for any damages sustained when a customer reads their meter to determine utility usage, consistent with Section 386.820(4), RSMo:

(10) A utility shall not be liable for any injuries or other damages sustained by a customer or other individuals due to a customer's reading of the customer's utility usage unless such injuries or damages are caused by the willful misconduct or gross negligence of the utility.

WHEREFORE, MAWC respectfully requests the Commission consider these Comments and, thereafter, revised the proposed rule consistent therewith.

Respectfully submitted,

MISSOURI-AMERICAN WATER COMPANY

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail or U.S. Mail on November 5, 2025 to the following:

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/s/ Rachel L. Niemeier