

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 section 393.140, RSMo 2016, and section 386.760, RSMo Supp. 2025, the commission amends a rule as follows:

20 CSR 4240-10.165 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1376). 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 November 14, 2025, and the commission held a public hearing on the proposed amendment on November 21, 2025. The commission received two (2) written comments during the comment period and two (2) people commented at the hearing. All the comments were generally in support of the proposed amendment with a few suggested changes.

COMMENT #1: J. Scott Stacey on behalf of the staff of the commission filed written comments and commented at the hearing in support of the proposed amendment. Staff stated that due to the passage of Senate Bill No. 4, the provisions of which became effective on August 28, 2025, the amendment was necessary to update the standards, requirements, procedures, and prohibitions for whenever the utilities participate in transactions with affiliates. Staff also responded to the comments of Spire Missouri Inc. as set out below.

RESPONSE: The commission thanks its staff for its work on this proposed rule. No change was made as a result of staff's general comment in support of the proposed rule. The commission's reply to staff's response to Spire Missouri Inc.'s comments are set out below.

COMMENT #2: J. Antonio Arias filed written comments and commented at the hearing on behalf of Spire Missouri Inc. Spire was generally supportive of the proposed amendment but asked for clarification regarding how the "indirectly engage" language would be applied in order to determine if tariff changes would be necessary. At the hearing, staff replied with a proposed change to section (3) to address Spire concerns. Spire agreed with staff's proposal at the hearing.

RESPONSE AND EXPLANATION OF CHANGE: The commission thanks Spire for its comments and participation in the rulemaking process. The commission

agrees with staff and Spire that section (3) should be clarified and will make the recommended change.

20 CSR 4240-10.165 Prohibition on HVAC Services Unless Providing Services Required by Law or Providing Programs Pursuant to an Existing Tariff, Rule, or Order of the Commission.

(3) Covered utilities shall develop a written qualification process for all utility contractors engaged in HVAC services and shall advertise bid opportunities to all such qualified contractors.