

# Denny Hoskins

Secretary of State / Administrative Rules

## RULE TRANSMITTAL

Administrative Rules Stamp

**RECEIVED** JCAR Stamp

**By JCAR at 11:34 am, Jan 14, 2026**

Rule Number 20 CSR 4240-10.165

Use a SEPARATE rule transmittal sheet for EACH individual rulemaking.

Name of person(s) Administrative Rules can contact with questions about this rule:

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Interagency mailing address Public Service Commission, 9<sup>th</sup> 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:

Section (3) \_\_\_\_\_



## ***Missouri Public Service Commission***

**MAIDA J. COLEMAN**  
Commissioner

**KAYLA HAHN**  
Chair

**JOHN P. MITCHELL**  
Commissioner

**GLEN KOLKMEYER**  
Commissioner

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**VACANT**  
Commissioner

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

**Re: 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**

Dear Director Schappe,

### **CERTIFICATION OF ADMINISTRATIVE RULE**

I do hereby certify that the attached is an accurate and complete copy of the order of rulemaking lawfully submitted by the Missouri Public Service Commission.

Statutory Authority: *section 393.140, RSMo 2016, and section 386.760 RSMo, set forth in SS#2 SB4, First Regular Session of the 103<sup>rd</sup> General Assembly.*

If there are any questions regarding the content of this order of rulemaking, please contact:

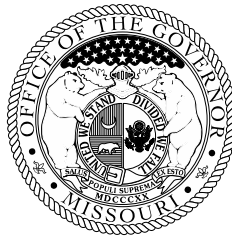
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*Nancy Dippell*

Nancy Dippell  
Secretary to the Commission

STATE CAPITOL  
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JEFFERSON CITY, MISSOURI 65101



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*Mike Kehoe*

GOVERNOR  
STATE OF MISSOURI

January 6, 2026

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

Dear Ms. Hahn:

Our office has received the Final Order of rulemaking for the following regulation:

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

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

**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.