

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

In the Matter of a Working Case for Commission)
Review and Consideration of Utility Assistance) File No. OW-2026-0085
Programs and Special Alternative Residential)
Customer Rates.)

**CONSUMERS COUNCIL OF MISSOURI’S PROPOSED RULE
AND REQUEST FOR A WORKSHOP**

COMES NOW the Consumers Council of Missouri (“Consumers Council” or “CCM”) and submits the following comments in this open case, which was opened by the Commission on September 30, 2025 as “a repository for documents and comments regarding the Commission’s consideration of utility assistance programs”.

The Consumers Council appreciates that the Commission has required the investor-owned utilities to supply and details regarding their respective assistance programs into the record of this case, which has provided important context for the development of a rule by, as is authorized by *393.1680 RSMo.*¹

Consumers Council requests that the Commission now schedule a workshop in this case, for all interested stakeholders to attend in person and to participate in discussions regarding the drafting of a rule that would establish a general framework for the consideration of “special alternative residential customer

¹ Senate Bill 4 (2025).

rates” and/or “special alternative bill discounts” in general rate case proceedings for each regulated utility.

393.1680 RSMo. requires that special assistance programs and/or rates be based , at least in part, upon household “utility burden”. The Commission already has some experience with this concept.² There are also a variety of different programs that have been approved by public utility commissions in other states, and which are in operation in those states.³

It is Consumers Council’s opinion that, when it comes to special assistance programs and rates, “one size does not fit all”, and therefore, each program or rate adopted under the authority of 393.1680 RSMo. should be tailored to the specific needs of each regulated utility. For that reason, we believe that any rule promulgated by the Commission under this statute should set the framework and guidelines for consideration of such programs and/or rates, while leaving the implementation details to proposals made in future general rate case proceedings. In order to assure that the rule promulgated by the Commission under this statute is broad enough and flexible enough to cover the different situations of each regulated Missouri utility, Consumers Council proposes the attached draft of a rule. (Attachment 1).

² For example the “Payment Partner Program” approved by the Commission for Spire natural gas company in Case No. GR-2025-0107 incorporates “energy burden” as an eligibility factor.

³ Examples of assistance programs that would fall within the parameters of 393.1680 RSMo have been developed for regulated utilities in many states, including Alabama, Arizona, Arizona, California, California, Colorado, Georgia, Illinois, Illinois, Kansas, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New York, Oregon, Rhode Island, Texas, Utah.

Most of the Missouri programs detailed in the responsive filings submitted by utilities in this case have evolved over time. One of the longest running such programs in Missouri are the Keeping Current and Keeping Cool programs for Ameren Missouri, and those programs have been continually revised over time to meeting varying conditions and needs, and almost all such revisions have been developed based upon unanimous recommendations of a low-income collaborative. These experiences suggest that any rule or order of the Commission should leave room for constant monitoring and adaptation, keeping the program components that are working, while tweaking the components that are not working as well. In other words, any rule should allow for flexibility regarding future program details.

Consumers Council is proposing that the Commission schedule a workshop that would allow all interested stakeholders to meet in person to discuss and to potentially negotiate a consensus draft of a rule. Interested stakeholders should include parties that normally intervene in Commission cases, and also invite organizations and agencies that could potentially serve as “independent third parties” for qualifying eligibility for rates and programs under the 393. 1680 RSMo. The process for developing a rule will well informed, provided that process incorporates the real world experiences of those stakeholders who could be tasked with the difficult job of implementing such rates and programs.

Thank you for your considerations of these comments. Consumers Council looks forward to the upcoming discussions with commissioners and other stakeholders on these important matters.

Respectfully submitted,

A handwritten signature in black ink that reads "Sandra Padgett". The signature is written in a cursive style and is positioned above a solid horizontal line.

Sandra Padgett
Executive Director, Consumers Council of Missouri
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Filed: February 27, 2026

TITLE 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 4240—Public Service Commission
Chapter 10—Utilities

[New subsection 20 CSR 4240-10.200]

20 CSR 4240-10.200 Special alternative residential customer rates. This proposed rule would implement the provisions of section 393.1680, RSMo, set forth in Senate Bill 4, effective August 28, 2025. The commission is creating a new subsection.

PURPOSE: This rule implements section 393.1680 RSMo, allowing the commission to approve special alternative residential customer rates or bill discounts for customers of regulated electric, natural gas, and water utilities, when based in part on household utility burden. This rule will promote affordability and connectivity of essential utility services for qualifying residential household customers.

20 CSR 4240-10.200

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

- (A) “Special Alternative Residential Customer Rate” means the rate design and terms for charging a separate class of qualifying customers, apart from any general residential customer class.
- (B) “Special Alternative Residential Bill Discount” means a discount or series of tiered discounts for qualifying customers that may be applied to the base rates for the appropriate residential customer class.
- (C) “Household Utility Burden” means the percentage of income paid by a customer to a utility company for the cost of electricity, natural gas, or water service.
- (D) “Categorical Eligibility” means any method for allowing a customer who has been qualified for one government program to be automatically qualified for a special alternative residential customer rate or bill discounts.
- (E) “Independent Third Party” means any entity qualified to process applicants for qualifying rates or programs including governmental or nonprofit entities such as community action agencies or organizations that regularly process intake applications for programs.
- (F) “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;
- (G) “Low Income Home Energy Assistance Program” (LIHEAP) means the federal LIHEAP
- (H) administered by the Missouri *[Family Support Division]***Department of Social Services** under section 660.100, RSMo;

- (2) In a general rate case proceeding, the commission may approve a special alternative residential customer rate, provided that customers may qualify for such a rate based, at least in part, on household utility burden. The approved special alternative residential customer rate shall be considered as part of the customer class allocation process of a general rate case.
- (3) In a general rate case proceeding, the commission may approve special alternative bill discounts, provided that customers may qualify for such discounts based upon an assistance program that is based, at least in part, on household utility burden. Approved bill discounts shall reference the appropriate base residential rate and how the discounts may be applied to that rate.
- (4) When considering a proposal for special alternative residential customer rate or special alternative bill discounts, the commission may consider several factors, including but not limited to the following:
 - a) Current affordability of utility bills for residential customers in the utility's service territory,
 - b) General economic conditions in the utility's service territory,
 - c) Process for administering the program and the administrative expense for the program,
 - d) Whether the proposal addresses arrearage management solutions, energy conservation education, and/or weatherization opportunities,
 - e) The extent to which the utility and the utility's shareholders have committed to making contributions to the proposal.
- (5) Any eligibility verification needed to implement any new alternative rate or discounts shall be performed by an independent third party or parties, selected by a process established by the commission in each case, after input from the utility company, the office of the public counsel, and from any other party to the rate proceeding in which such rate or discounts is being considered by the commission.
- (6) In each rate proceeding in which an alternative rate or discounts is approved, the commission shall adopt a collaborative process, consisting of the parties to the rate proceeding and any other interested entities approved by the collaborative, to consider any changes to the terms of the approved alternative rate or discounts when future circumstances justify such changes. Each collaborative shall meet on a quarterly basis and make recommendations to the

commission as needed. The collaborative may submit unanimous recommended changes, but if no consensus is reached, any party to the rate proceeding may submit its own recommended changes.

- (7) The utility shall, and any other party shall, submit non-confidential data to the commission regarding the operation of any approved alternative rate or discounts, including a list of data collection items that to be publicly filed by the utility on an annual basis. The list of data collection items shall be developed through a collaborative process and be approved by the commission.

AUTHORITY: sections 386.250 and 393.140, RSMo 2016, and sections 393.1680, SS#2 SB4, First Regular Session of the 103rd General Assembly.
