

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

In the Matter of the Proposed)
Amendments and Proposed)
Rescission of the) Case No. OX-2026-0334
Commission's Rules Relating)
to Chapter 3 - Filing)
Requirements)

RULEMAKING HEARING
VOLUME 1
August 05, 2026
11:30 a.m.

GOVERNOR OFFICE BUILDING
200 MADISON, JEFFERSON CITY, MISSOURI

NANCY DIPPELL, Presiding
CHIEF REGULATORY LAW JUDGE
KAYLA HAHN, Chair,
MAIDA J. COLEMAN,
GLEN KOLKMEYER,
JOHN MITCHELL,
COMMISSIONERS

REPORTED BY:

Colin Wallis
Lexitas Legal
711 North Eleventh Street
St. Louis, Missouri 63101
(314) 644-2191

* * * * *

(Starting time of the hearing: 11:32 a.m.)

JUDGE DIPPELL: Good morning. We can go ahead and go on the record. My name is Nancy Dippell. I'm the regulatory law judge assigned to this rulemaking. This is case number OX-2026-0334, In the Matter of the Proposed Amendments and Proposed Rescission of the Commission's Rules Relating to Chapter 3 Filing Requirements.

Again, we're here today for a rule-making comment hearing, so I would ask everyone to mute your devices so that we don't have any interruptions, and since this rule-making hearing, it's not like an evidentiary hearing. Anyone can give comments. You don't have to be represented by an attorney and so forth. The only thing is that we have a court reporter online, so I would ask that if you're going to speak at the hearing, that you come to a microphone and you identify yourself before -- before giving your comments.

The rule says a specific order of how we'll do this, but I'm suspecting that most of the comments will be about suggested revisions

1 and so forth, so we'll just go -- go through
2 the comments, both pro and for -- or pro and
3 con, without any particular order, but I will
4 ask if staff would like to lead us off. And I
5 will give a chance for responsive comments if
6 something is said that someone would like to
7 comment on.

8 MR. STACEY: Thank you, Judge. Morning,
9 Judge Dippell, and morning, Chair Hahn. Scott
10 Stacey for Staff, and I have with me Claire
11 Eubanks and Shawn Lange. Staff is in support
12 of the amendments, and one rescission to the
13 Chapter 3 rules is set forth in Staff's
14 comments filed on July 31st, 2026.

15 There are several comments received from
16 OPC, Spire Missouri, Missouri American
17 and Evergy. Staff reviewed these comments,
18 submitted responses to those comments to the
19 Commission on August 4th, 2026. Staff is in
20 agreement with OPC, Spire Missouri and Evergy's
21 comment that, in 20 CSR 4240-3.303 in the
22 Purpose section, it needs to reflect 20 CSR
23 4042-40.085 for gas utilities. And I'll start
24 off also with OPC's comments on page one.
25 Staff reviewed and indicated to leave the

1 language but to change the rule numbers to
2 3.030 and to end it with 20 CSR 4240-3.300,
3 that's also on page 2.

4 On page 2, that is number two is the one
5 changing to the gas utilities; we agree with
6 that. We also agree with Comment Number 3, and
7 we indicated that within our August 4th
8 document as well. We also agree with on page
9 3, paragraph 4, that change need -- needs to be
10 reflected due to the notice section has moved
11 from Subparagraph E or Subsection E to
12 Subparagraph I. Same with Paragraph 5 or
13 Comment 5: the notice requirement was moved to
14 Subsection I, and on paragraph number --
15 Comment Number 6, the Notice Requirement was
16 moved from Subsection B to Subsection C. We
17 agree with that.

18 On Comment Number 7, Staff disagrees with
19 removing that language at this time; but we
20 will consider it in a -- prior to a -- or a
21 future rulemaking and determine if that needs
22 to be changed or removed at that time. And on
23 Comment Number 8, Staff agrees with that change
24 to make it 20 CSR 4240-3.285. And the other
25 information that was suggested, adding a notice

1 requirement, that will also be discussed in a
2 future rulemaking.

3 And in -- on Evergy's comments, which has
4 multiple questions or comments, on 20 CSR
5 4240-3.190, this is actually not part of this
6 rulemaking. That was a previous rulemaking.
7 However, Staff indicated within their response
8 that was filed yesterday. They did file a
9 full response to that; but I will not get
10 into that today, unless the commissioners have
11 any questions of me or Shawn Lange or Claire
12 Eubanks. Thank you.

13 JUDGE DIPPELL: Thank you. And I should
14 have mentioned, so Staff did file a response --
15 a responsive document to many of the comments,
16 or all of the comments, that had previously
17 been filed; and that was filed in the EFIS case
18 file yesterday, August 4th. And the Commission
19 will -- will incorporate that by reference into
20 the official comments, so that we don't have to
21 enter that document again in the record. Does
22 OPC have any comments they'd like to make at
23 this time?

24 MS. VANGERPEN: Yes, your Honor. Good
25 morning, Judge Dippell, Chair Hahn. Lindsey

1 VanGerpen on behalf of the OPC. So, we also
2 filed comments. Those comments included eight
3 suggestions and then a suggestion to consider
4 adding a notice requirement to several of these
5 rules in a future rulemaking. Those were
6 filed, I believe, on July 31st as well. We
7 certainly appreciate Staff's report and time
8 going through our comments and making
9 their responses.

10 I just briefly want to address
11 the response to our proposal for 20 CSR
12 4240-3.16210 -- Subsection 10, Subsection B.
13 That is our seventh comment on page 5 of our
14 filed comments. What we had suggested there
15 was really just a simplification of that
16 subsection to make it clear that the entirety
17 of the Commission's intervention role applies
18 to those cases; and we see that -- we don't
19 really see that as substantive change; but we
20 would ask, as Staff has mentioned, that if the
21 Commission does consider that to be too
22 substantive to be considered in this
23 rulemaking, that it'd be considered in a future
24 rulemaking. And that's all we have, thank you.

25 JUDGE DIPPELL: Thank you. Now, I'd like

1 to open it up to some of the other people in
2 the -- in the room, so we can -- I'll just
3 start with Ms. Carter. Did you have comments
4 you wanted to make?

5 MS. CARTER: Good morning, Diana Carter
6 for Union Electric Company doing business as
7 Ameren Missouri. Ameren is in support of
8 Staff's proposed changes as originally filed
9 with the corrections pursuant to Spire's
10 filing.

11 JUDGE DIPPELL: All right, and we'll just
12 go to the next row.

13 MR. KLOEPPEL: Good morning, Judge Dippell
14 and Chair Hahn. This is Brian Kloeppe
15 Regulatory counsel. We also appreciate the
16 efforts of Staff and agree to recommend the
17 adoption of the proposed rules under -- or
18 provided in Staff's response to the comments.

19 JUDGE DIPPELL: All right, thank you. Are
20 there --

21 MR. FISCHER: Thank you, Judge Dippell.
22 This is Jim Fischer on behalf of Evergy
23 Missouri Metro and Evergy Missouri West.
24 Evergy filed some brief comments on Chapter 3,
25 and I read the Staff's reply comments last

1 night. Our first comment was in relation to
2 the proposed definition of the Commission's
3 staff in the Subsection 3.010, Subsection 4.
4 The definition of the Commission's staff
5 appropriately excludes the commissioners'
6 technical advisory staff from the definition of
7 commission staff.

8 Everygy's comments were suggesting that
9 they include the word "independent" being
10 inserted in front of that technical advisory
11 staff reference to be consistent with the way
12 that Section 386135 refers to that group as the
13 "independent technical advisory staff." But in
14 the reply comments from Staff last night, Staff
15 pointed out that, as written, the revised
16 definition would exclude the bulk regional
17 transmission group.

18 Everygy does not have a concern with that
19 group being treated as part of the order or
20 like the technical advisory staff for purposes
21 of the ex parte rule. However, it might be
22 helpful to outside stakeholders to have that
23 spelled out in some ways, so that they interact
24 with the bulk regional transmission group
25 appropriately under that ex parte rule. I

1 don't know that group is defined anywhere in
2 the statutes of the rule, but it might be more
3 helpful to make that more explicit in this
4 rule.

5 Since Chapter 3 was opened, Evergy took it
6 as an opportunity to file a couple of other
7 comments on two other subsections related to
8 the reporting of hourly load by rate codes and
9 external gas-supply information. We wanted to
10 raise some concerns we've raised in the past
11 for your consideration, but I'm not going to
12 dwell on those here, and I thank you for
13 keeping that in mind.

14 JUDGE DIPPELL: Thank you. Ms. Niemeier?

15 MS. NIEMEIER: Good morning, Chair Hahn
16 and Judge Dippell. Missouri American Water
17 Company filed comments in support of Staff's
18 efforts on this proposed rule. My name is
19 Rachel Niemeier, N, as in Nancy, i-e-m, as in
20 Mary, e-i-e-r, for the court reporter. And we
21 would only make one additional suggestion, sort
22 of beyond the rulemaking scope, is for the
23 Commission to update its website to more
24 clearly identify and articulate individuals
25 that fall under the ex parte communications;

1 just, so that's clear for those people who,
2 perhaps, don't practice in Missouri as
3 frequently as some of us do. Just as an aside,
4 something else to update for the Commission's
5 consideration.

6 JUDGE DIPPELL: Thank you for those
7 comments. Are there other comments?

8 MS. NIEMEIER: Nothing from us.

9 JUDGE DIPPELL: Okay. Are there any other
10 comments from anyone else in the room? Not
11 seeing anyone, does anyone have any responsive
12 comments? And I haven't been inquiring if
13 there were Commission questions, but -- or
14 questions, but I -- Chair Hahn will let me know
15 if there are. So, anything you would like to
16 address, Commissioner Hahn? All right, one
17 last chance then, is there anything else for
18 this rulemaking? I appreciate everyone's
19 comments, and I appreciate how meticulously
20 everyone went through and cited the parts and
21 very particular pieces that they had concerns
22 or where improvements could be made or mistakes
23 corrected. So, thank you all very much for
24 your time, and we can adjourn this hearing. Go
25 off the record.

1 (Ending time of the hearing: 11:49 a.m.)
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 I, Colin Wallis, in and for the State of
2 Missouri do hereby certify that the witness
3 whose testimony appears in the foregoing
4 Examination Under Oath was duly sworn by me;
5 that the testimony of the said witness was
6 taken by me to the best of my ability and
7 thereafter reduced to typewriting under my
8 direction; that I am neither counsel for,
9 related to, nor employed by any of the parties
10 to the action in which this examination was
11 taken, and further that I am not relative or
12 employee of any attorney or counsel employed by
13 the parties thereto, nor financially or
14 otherwise interested in the outcome of the
15 action.

16 Colin Wallis

17 within and for the State of Missouri
18
19
20
21
22
23
24
25

1	4240-3.303 3:21	agree 4:5,6,8, 17 7:16	aside 10:3	certainly 6:7
10 6:12	4th 3:19 4:7 5:18	agreement 3:20	ask 2:12,19 3:4 6:20	Chair 3:9 5:25 7:14 9:15 10:14
11:32 2:2		agrees 4:23	assigned 2:5	chance 3:5 10:17
11:49 11:1	5	ahead 2:4	at 2:20 4:19, 22 5:22	change 4:1,9, 23 6:19
2	5 4:12,13 6:13	all 5:16 6:24 7:11,19 10:16,23	attorney 2:17	changed 4:22
2 4:3,4	6	also 3:24 4:3, 6,8 5:1 6:1 7:15	August 3:19 4:7 5:18	changes 7:8
20 3:21,22 4:2,24 5:4 6:11	6 4:15	amendments 2:8 3:12	B	changing 4:5
2026 3:14,19	7	Ameren 7:7	before 2:21, 22	Chapter 2:9 3:13 7:24 9:5
3	7 4:18	American 3:16 9:16	behalf 6:1 7:22	cited 10:20
3 2:9 3:13 4:6, 9 7:24 9:5	8	any 2:13 3:3 5:11,22 10:9, 11	believe 6:6	Claire 3:10 5:11
3.010 8:3	8 4:23	anyone 2:16 10:10,11	beyond 9:22	clear 6:16 10:1
3.030 4:2	A	anything 10:15,17	both 3:2	clearly 9:24
31st 3:14 6:6	a.m. 2:2 11:1	anywhere 9:1	Brian 7:14	codes 9:8
386135 8:12	about 2:25	applies 6:17	brief 7:24	come 2:20
4	actually 5:5	appreciate 6:7 7:15 10:18,19	briefly 6:10	comment 2:12 3:7,21 4:6,13,15,18, 23 6:13 8:1
4 4:9 8:3	adding 4:25 6:4	appropriately 8:5,25	bulk 8:16,24	comments 2:16,22,25 3:2,5,14,15, 17,18,24 5:3, 4,15,16,20,22 6:2,8,14 7:3, 18,24,25 8:8, 14 9:7,17 10:7,10,12,19
4042-40.085 3:23	additional 9:21	articulate 9:24	business 7:6	commission 3:19 5:18 6:21 8:7 9:23
4240-3.16210 6:12	address 6:10 10:16	as 4:8 6:6,19, 20 7:6,8 8:12, 15,19 9:6,19 10:2,3	but 2:24 3:3 4:1,19 5:9 6:19 8:13 9:2, 11 10:13,14	
4240-3.190 5:5	adjourn 10:24		by 2:17 5:19 9:8	
4240-3.285 4:24	adoption 7:17		C	
4240-3.300 4:2	advisory 8:6, 10,13,20		Carter 7:3,5	
	again 2:11 5:21		case 2:6 5:17	
			cases 6:18	

10:13 Commission's 2:9 6:17 8:2,4 10:4 Commissioner 10:16 commissioners 5:10 commissioners' 8:5 communications 9:25 Company 7:6 9:17 con 3:3 concern 8:18 concerns 9:10 10:21 consider 4:20 6:3,21 consideration 9:11 10:5 considered 6:22,23 consistent 8:11 corrected 10:23 corrections 7:9 could 10:22 counsel 7:15 couple 9:6 court 2:18 9:20	CSR 3:21,22 4:2,24 5:4 6:11 D defined 9:1 definition 8:2, 4,6,16 determine 4:21 devices 2:13 Diana 7:5 Dippell 2:3,5 3:9 5:13,25 6:25 7:11,13, 19,21 9:14,16 10:6,9 disagrees 4:18 discussed 5:1 document 4:8 5:15,21 doing 7:6 due 4:10 dwell 9:12 E e-i-e-r 9:20 efforts 7:16 9:18 EFIS 5:17 eight 6:2 Electric 7:6 else 10:4,10, 17	end 4:2 ending 11:1 enter 5:21 entirety 6:16 Eubanks 3:11 5:12 Every 3:17 7:22,23,24 8:18 9:5 Every's 3:20 5:3 8:8 everyone 2:12 10:20 everyone's 10:18 evidentiary 2:15 ex 8:21,25 9:25 exclude 8:16 excludes 8:5 explicit 9:3 external 9:9 F far 9:25 file 5:8,14,18 9:6 filed 3:14 5:8, 17 6:2,6,14 7:8,24 9:17 filing 2:9 7:10 first 8:1 Fischer 7:21, 22	for 2:11 3:2,5, 10,23 6:11 7:6 8:20 9:11, 12,20,22 10:1,4,6,17, 23 forth 2:17 3:1, 13 frequently 10:3 from 3:15 4:11,16 8:6, 14 10:8,10 front 8:10 full 5:9 future 4:21 5:2 6:5,23 G gas 3:23 4:5 gas-supply 9:9 get 5:9 give 2:16 3:5 giving 2:22 go 2:3,4 3:1 7:12 10:24 going 2:19 6:8 9:11 Good 2:3 5:24 7:5,13 9:15 group 8:12, 17,19,24 9:1 H Hahn 3:9 5:25	7:14 9:15 10:14,16 hearing 2:2, 12,15,20 10:24 11:1 helpful 8:22 9:3 here 2:11 9:12 Honor 5:24 hourly 9:8 how 2:23 10:19 However 5:7 8:21 I i-e-m 9:19 identify 2:21 9:24 if 2:19 3:4,5 4:21 6:20 10:12,15 improvements 10:22 in 2:7 3:11,13, 19,21 4:20 5:1,3,17,21 6:5,22,23 7:1, 2,7,18 8:1,3, 10,13,23 9:1, 3,10,13,17,19 10:2,10 include 8:9 included 6:2 incorporate 5:19
--	---	---	---	--

independent 8:9,13		me 3:10 5:11 10:14	need 4:9	7:22,24 9:7, 12,18
indicated 3:25 4:7 5:7	K	mentioned 5:14 6:20	needs 3:22 4:9,21	one 3:12,24 4:4 9:21 10:16
individuals 9:24	keeping 9:13	meticulously 10:19	next 7:12	online 2:19
information 4:25 9:9	Kloeppel 7:13,14	Metro 7:23	Niemeier 9:14,15,19 10:8	only 2:18 9:21
inquiring 10:12	know 9:1 10:14	microphone 2:21	night 8:1,14	OPC 3:16,20 5:22 6:1
inserted 8:10	L	mind 9:13	not 2:15 5:5,9 8:18 9:11 10:10	OPC's 3:24
interact 8:23	Lange 3:11 5:11	Missouri 3:16,20 7:7, 23 9:16 10:2	Nothing 10:8	open 7:1
interruptions 2:14	language 4:1, 19	mistakes 10:22	notice 4:10, 13,15,25 6:4	opened 9:5
intervention 6:17	last 7:25 8:14 10:17	more 9:2,3,23	Now 6:25	opportunity 9:6
into 5:10,19	law 2:5	morning 2:3 3:8,9 5:25 7:5,13 9:15	number 2:6 4:4,6,14,15, 18,23	order 2:23 3:3 8:19
it 3:22 4:2,20, 24 6:16 7:1 8:21 9:2,5	lead 3:4	most 2:24	numbers 4:1	originally 7:8
it'd 6:23	leave 3:25	moved 4:10, 13,16	O	other 4:24 7:1 9:6,7 10:7,9
it's 2:15	let 10:14	MR 3:8 7:13, 21	of 2:2,7,8,23, 24 3:12 5:5, 11,15,16 6:1, 4,13,15,17 7:1,7,16,17, 22 8:2,4,6,10, 19,21 9:2,6,8, 17,22 10:3 11:1	our 4:7 6:8, 11,13 8:1
its 9:23	like 2:15 3:4,6 5:22 6:25 8:20 10:15	Ms 5:24 7:3,5 9:14,15 10:8	off 3:4,24 10:25	out 8:15,23
J	Lindsey 5:25	much 10:23	official 5:20	outside 8:22
Jim 7:22	load 9:8	multiple 5:4	on 2:4 3:7,14, 19,24 4:3,4,8, 14,18,22 5:3, 4 6:1,6,13	OX-2026-0334 2:7
judge 2:3,5 3:8,9 5:13,25 6:25 7:11,13, 19,21 9:14,16 10:6,9	M	mute 2:13		P
July 3:14 6:6	made 10:22	My 2:4 9:18		page 3:24 4:3, 4,8 6:13
just 3:1 6:10, 15 7:2,11 10:1,3	make 4:24 5:22 6:16 7:4 9:3,21	N		paragraph 4:9,12,14
	making 6:8	name 2:4 9:18		part 5:5 8:19
	many 5:15	Nancy 2:4 9:19		parte 8:21,25 9:25
	Mary 9:20			particular 3:3
	Matter 2:7			

10:21	rate 9:8	Requirements 2:10	S	Stacey 3:8,10
parts 10:20	read 7:25	rescission 2:8 3:12	said 3:6	staff 3:4,10, 11,17,19,25 4:18,23 5:7, 14 6:20 7:16 8:3,4,6,7,11, 13,14,20
past 9:10	really 6:15,19	response 5:7, 9,14 6:11 7:18	Same 4:12	Staff's 3:13 6:7 7:8,18,25 9:17
people 7:1 10:1	received 3:15	responses 3:18 6:9	says 2:23	stakeholders 8:22
perhaps 10:2	recommend 7:16	responsive 3:5 5:15 10:11	scope 9:22	start 3:23 7:3
pieces 10:21	record 2:4 5:21 10:25	reviewed 3:17,25	Scott 3:9	starting 2:2
pointed 8:15	reference 5:19 8:11	revised 8:15	section 3:22 4:10 8:12	statutes 9:2
practice 10:2	refers 8:12	revisions 2:25	see 6:18,19	submitted 3:18
previous 5:6	reflect 3:22	right 7:11,19 10:16	seeing 10:11	Subparagraph 4:11,12
previously 5:16	reflected 4:10	role 6:17	set 3:13	subsection 4:11,14,16 6:12,16 8:3
prior 4:20	regional 8:16, 24	room 7:2 10:10	seventh 6:13	subsections 9:7
pro 3:2	regulatory 2:5 7:15	row 7:12	several 3:15 6:4	substantive 6:19,22
proposal 6:11	related 9:7	rule 2:23 4:1 8:21,25 9:2,4, 18	Shawn 3:11 5:11	suggested 2:25 4:25 6:14
proposed 2:7, 8 7:8,17 8:2 9:18	Relating 2:9	rule-making 2:11,14	should 5:13	suggesting 8:8
provided 7:18	relation 8:1	rulemaking 2:6 4:21 5:2,6 6:5,23,24 9:22 10:18	simplification 6:15	suggestion 6:3 9:21
Purpose 3:22	removed 4:22	rules 2:9 3:13 6:5 7:17	since 2:14 9:5	suggestions 6:3
purposes 8:20	removing 4:19		some 7:1,24 8:23 9:10 10:3	support 3:11 7:7 9:17
pursuant 7:9	reply 7:25 8:14		someone 3:6	
Q	report 6:7		something 3:6 10:4	
questions 5:4,11 10:13, 14	reporter 2:18 9:20		sort 9:21	
R	reporting 9:8		speak 2:20	
Rachel 9:19	represented 2:17		specific 2:23	
raise 9:10	requirement 4:13,15 5:1 6:4		spelled 8:23	
raised 9:10			Spire 3:16,20	
			Spire's 7:9	

suspecting 2:24	21,22 7:1,4,9, 12,16,18 8:1, 11,12,22 9:3, 6,7,9,11,23 10:4,15	9:9	8:16 9:21 10:15
T		Water 9:16	written 8:15
technical 8:6, 10,13,20	today 2:11 5:10	way 8:11	Y
thank 3:8 5:12,13 6:24, 25 7:19,21 9:12,14 10:6, 23	too 6:21	ways 8:23	
that's 4:3 6:24 10:1	took 9:5	we 2:3,13,18 4:5,6,7,8,16, 19 5:20 6:1,6, 14,18,19,24 7:2,15 9:9,20 10:24	Yes 5:24
then 6:3 10:17	transmission 8:17,24	we'll 2:24 3:1 7:11	yesterday 5:8,18
these 3:17 6:4	treated 8:19	we're 2:11	yourself 2:21
they'd 5:22	two 4:4 9:7	we've 9:10	
thing 2:18	U	website 9:23	
this 2:6,14,24 4:19 5:5,23 6:22 7:14,22 9:3,18 10:18, 24	under 7:17 8:25 9:25	well 4:8 6:6	
those 3:18 6:2,5,18 9:12 10:1,6	Union 7:6	went 10:20	
through 3:1 6:8 10:20	unless 5:10	West 7:23	
time 2:2 4:19, 22 5:23 6:7 10:24 11:1	up 7:1	What 6:14	
to 2:6,9,12,16, 19,20 3:4,6, 12,18,22,25 4:1,2,5,9,10, 11,13,16,20, 22,24 5:9,15, 20,22 6:3,4, 10,11,16,18,	update 9:23 10:4	where 10:22	
	us 3:4 10:3,8	which 5:3	
	utilities 3:23 4:5	who 10:1	
	V	will 2:25 3:3,5 4:20 5:1,9,19 10:14	
	Vangerpen 5:24 6:1	with 3:10,20, 24 4:2,5,6,8, 12,17,18,23 7:3,9 8:11,18, 24	
	very 10:21,23	within 4:7 5:7	
	W	without 3:3	
	want 6:10	word 8:9	
	wanted 7:4	would 2:12,19 3:4,6 6:20	