

Denny Hoskins

Secretary of State / Administrative Rules
RULE TRANSMITTAL

902

Administrative Rules Stamp

Received

AUG 28 2026

JCAR Stamp
SECRETARY OF STATE
ADMINISTRATIVE RULES

RECEIVED

By JCAR at 5:19 pm, Aug 28, 2026

Rule number 20 CSR 4240-22.080

Use a SEPARATE rule transmittal sheet for EACH individual rulemaking.

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

Content Nancy Dippell Phone 573-751-8518 Fax 573-526-6010

Email address Nancy.Dippell@psc.mo.gov

Data Entry Kayla Kliethermes Phone 573-751-4256 Fax 573-526-6010

Email address Kayla.Kliethermes@psc.mo.gov

Interagency mailing address Public Service Commission, 9th 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:

STATE CAPITOL
201 W. CAPITOL AVENUE, ROOM 216
JEFFERSON CITY, MISSOURI 65101



(573) 751-3222
WWW.GOVERNOR.MO.GOV

Mike Kehoe

GOVERNOR
STATE OF MISSOURI

August 21, 2026

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

Dear Ms. Hahn:

Our office has received the Proposed Amendment rulemakings for the following regulations:

- **20 CSR 4240-22.050** Demand-Side Resource Analysis
- **20 CSR 4240-22.060** Integrated Resource Plan and Risk Analysis
- **20 CSR 4240-22.070** Resource Acquisition Strategy Selection
- **20 CSR 4240-22.080** Filing Schedule, Filing Requirements, and Stakeholder Process

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 cursive script that reads "Lowell Pearson".

Lowell Pearson
General Counsel



Missouri Public Service Commission

MAIDA J. COLEMAN
Commissioner

GLEN KOLKMEYER
Commissioner

KAYLA HAHN
Chair

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://psc.mo.gov>

JOHN P. MITCHELL
Commissioner

VACANT
Commissioner

August 28, 2026

Denny Hoskins
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, Missouri 65101

Re: 20 CSR 4240-22.080 Filing Schedule, Filing Requirements, and Stakeholder Process

Dear Secretary Hoskins,

CERTIFICATION OF ADMINISTRATIVE RULE

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

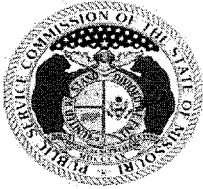
The Public Service Commission further certifies it has conducted an analysis of whether or not there has been a taking of real property pursuant to section 536.017, RSMo, that the proposed amendment does not constitute a taking of real property under relevant state and federal law.

The Public Service Commission has determined and hereby also certifies that if the proposed amendment does affect small business pursuant to sections 536.300 to 536.310, RSMo, a small business impact statement has been filed as required by those sections. If no small business impact statement has been filed the proposed amendment either does not affect small business or the small business requirements do not apply pursuant to section 536.300.4, RSMo.

Statutory Authority: *sections 386.040, 386.250, 386.610, and 393.140, RSMo.*

If there are any questions regarding the content of this proposed amendment, please contact:

Nancy Dippell
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102
(573) 751-8518
Nancy.Dippell@psc.mo.gov



Nancy Dippell

Nancy Dippell
Secretary

Enclosures



Missouri Public Service Commission

MAIDA J. COLEMAN
Commissioner

GLEN KOLKMEYER
Commissioner

KAYLA HAHN
Chair

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JOHN P. MITCHELL
Commissioner

VACANT
Commissioner

August 28, 2026

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

Re: 20 CSR 4240-22.080 Filing Schedule, Filing Requirements, and Stakeholder Process

Dear Director Schappe,

CERTIFICATION OF ADMINISTRATIVE RULE

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

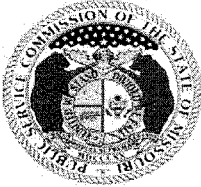
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Statutory Authority: *sections 386.040, 386.250, 386.610, and 393.140, RSMo.*

If there are any questions regarding the content of this proposed amendment, please contact:

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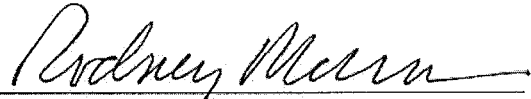
Nancy Dippell
Secretary

Enclosures

**AFFIDAVIT
PUBLIC COST**

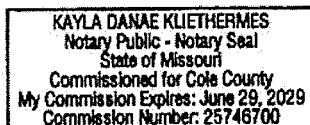
**STATE OF MISSOURI)
)
COUNTY OF COLE)**

I, Rodney Massman, General Counsel of the Public Service Commission, first being duly sworn, on my oath, state that it is my opinion that the cost of proposed amendment, 20 CSR 4240-22.080, is less than five hundred dollars in the aggregate to this agency, any other agency of state government or any political subdivision thereof.



Rodney Massman
General Counsel
Public Service Commission

Subscribed and sworn to before me this 26th day of August, 2026, I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on June 29, 2029.




Notary Public

AUG 28 2026

SECRETARY OF STATE
ADMINISTRATIVE RULES

**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 4240—Public Service Commission
Chapter 22—Electric Utility Resource Planning**

PROPOSED AMENDMENT

20 CSR 4240-22.080 Filing Schedule, Filing Requirements, and Stakeholder Process.

The Public Service Commission is amending sections (12) and (13); subsections (2)(E), (3)(B), (5)(A), (12)(A), (12)(B), (16)(A), and (17)(A); and paragraphs (2)(C)1., (2)(C)2., (2)(C)3., (3)(A)4., and (3)(A)5.

PURPOSE: This amendment updates citation references from the originally filed rule of 4 CSR 240-22, 4 CSR 240-22.030, 4 CSR 240-22.040, 4 CSR 240-22.050, 4 CSR 240-22.060, 4 CSR 240-22.070, and 4 CSR 240-22.080, which were moved on August 28, 2019.

(2) The utility's triennial compliance filings shall demonstrate compliance with the provisions of this chapter and shall include at least the following items:

(C) Technical volume(s) that fully describe and document the utility's analysis and decisions in selecting its preferred resource plan and resource acquisition strategy.

1. The technical volume(s) shall include all documentation and information specified in [4 CSR 240-22.030–4 CSR 240-22.070] **20 CSR 4240-22.030-20 CSR 4240-22.070** and any other information considered by the utility to analyze and select its resource acquisition strategy.

2. The technical volume(s) shall be organized by chapters corresponding to [4 CSR 240-22.030–4 CSR 240-22.070] **20 CSR 4240-22.030-20 CSR 4240-22.070**.

3. A separate chapter shall be designated in the technical volume(s) to address special contemporary issues pursuant to [4 CSR 240-22.080(4)] **20 CSR 4240-22.080(4)** and input from the stakeholder group pursuant to [4 CSR 240-22.080(5)] **20 CSR 4240-22.080(5)**. The chapter shall identify the issues raised, how the utility addressed them, and where in the technical volume(s) the reports, analyses, and all resulting actions are presented.

(E) An executive summary, separately bound and suitable for distribution to the public in paper and electronic formats. The executive summary shall be an informative non-technical description of the preferred resource plan and resource acquisition strategy. This document shall summarize the contents of the technical volume(s) and shall be organized by chapters corresponding to [4 CSR 240-22.030–4 CSR 240-22.070] **20 CSR 4240-22.030-20 CSR 4240-22.070**. The executive summary shall include:

1. A brief introduction describing the utility, its existing facilities, existing purchase power arrangements, existing demand-side programs, existing demand-side rates, and the purpose of the resource acquisition strategy;

2. For each major class and for the total of all major classes, the base load forecasts for peak demand and for energy for the planning horizon, with and without utility demand-

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side resources, and a listing of the economic and demographic assumptions associated with each base load forecast;

3. A summary of the preferred resource plan to meet expected energy service needs for the planning horizon, clearly showing the demand-side resources and supply-side resources (both renewable and non-renewable resources), including additions and retirements for each resource type;

4. Identification of critical uncertain factors affecting the preferred resource plan;

5. For existing legal mandates and approved cost recovery mechanisms, the following performance measures of the preferred resource plan for each year of the planning horizon:

A. Estimated annual revenue requirement;

B. Estimated level of average retail rates and percentage of change from the prior year; and

C. Estimated company financial ratios;

6. If the estimated company financial ratios in subparagraph (2)(E)5.C. of this rule are below investment grade in any year of the planning horizon, a description of any changes in legal mandates and cost recovery mechanisms necessary for the utility to maintain an investment grade credit rating in each year of the planning horizon and the resulting performance measures of the preferred resource plan;

7. Actions and initiatives to implement the resource acquisition strategy prior to the next triennial compliance filing; and

8. A description of the major research projects and programs the utility will continue or commence during the implementation period; and

(3) Beginning in 2012, on or about April 1 of every year in which the utility is not required to submit a triennial compliance filing, each electric utility shall host an annual update workshop with the stakeholder group. The utility at its discretion may host additional update workshops when conditions warrant. Any additional update workshops shall follow the same procedures as the annual update workshop.

(A) The purpose of the annual update workshop is to ensure that members of the stakeholder group have the opportunity to provide input and to stay informed regarding the—

1. Utility's current preferred resource plan;

2. Status of the identified critical uncertain factors;

3. Utility's progress in implementing the resource acquisition strategy;

4. Analyses and conclusions regarding any special contemporary issues that may have been identified pursuant to [4 CSR 240- 22.080(4)] **20 CSR 4240-22.080(4)**;

5. Resolution of any deficiencies or concerns pursuant to [4 CSR 240- 22.080(16)] **20 CSR 4240-22.080(16)**; and

6. Changing conditions generally.

(B) The utility shall prepare an annual update report with both a public version and a highly-confidential version to document the information presented at the annual update workshop and shall file the annual update reports with the commission no less than twenty (20) days prior to the annual update workshop. The depth and detail of the annual update

report shall generally be commensurate with the magnitude and significance of the changing conditions since the last filed triennial compliance filing or annual update filing. If the current resource acquisition strategy has changed from that contained in the most-recently-filed triennial compliance filing or annual update filing, the annual update report shall describe the changes and provide updated capacity balance spreadsheets required pursuant to [4 CSR 240- 22.080(2)(D)] **20 CSR 4240-22.080(2)(D)**. If the current resource acquisition strategy has not changed, the annual update report shall explicitly verify that the current resource acquisition strategy is the same as that contained in the most-recently-filed triennial compliance filing or annual update filing.

(5) Each electric utility shall convene a stakeholder group to provide the opportunity for public input into electric utility resource planning in a timely manner that may affect the outcome of the utility resource planning efforts. The utility may choose to not incorporate some, or all, of the stakeholder group input in its analysis and decision-making for the triennial compliance filing.

(A) The utility shall convene at least one (1) meeting of the stakeholder group prior to the triennial compliance plan filing to present a draft of the triennial compliance filing corresponding to [4 CSR 240-22.030–4 CSR 240-22.050] **20 CSR 4240-22.030–20 CSR 4240-22.050** and to present an overview of its proposed alternative resource plans and intended procedures and analyses to meet the requirements of [4 CSR 240-22.060 and 4 CSR 240-22.070] **20 CSR 4240-22.060 and 20 CSR 4240-22.070**. The stakeholders shall make a good faith effort to provide comments on the information provided by the utility, to identify additional alternative resource plans, and to identify where the utility's analyses and intended approaches may not meet the objectives of the rules.

(12) If, between triennial compliance filings, the utility's business plan or acquisition strategy becomes materially inconsistent with the preferred resource plan, or if the utility determines that the preferred resource plan or acquisition strategy is no longer appropriate, either due to the limits identified pursuant to [4 CSR 240-22.070(2)] **20 CSR 4240-22.070(2)** being exceeded or for other reasons, the utility, in writing, shall notify the commission within sixty (60) days of the utility's determination and shall serve notice on all parties to the most recent triennial compliance filing. The notification shall include a description of all changes to the preferred plan and acquisition strategy, the impact of each change on the present value of revenue requirement, and all other performance measures specified in the last filing pursuant to [4 CSR 240-22.080] **20 CSR 4240-22.080** and the rationale for each change.

(A) If the utility decides to implement any of the contingency resource plans identified pursuant to [4 CSR 240-22.070(4)] **20 CSR 4240-22.070(4)**, the utility shall file for review a revised resource acquisition strategy. In this filing, the utility shall specify the ranges or combinations of outcomes for the critical uncertain factors that define the limits within which the new alternative resource plan remains appropriate.

(B) If the utility decides to implement a resource plan not identified pursuant to [4 CSR 240-22.070(4)] **20 CSR 4240-22.070(4)** or changes its acquisition strategy, it shall give a detailed description of the revised resource plan or acquisition strategy and why none of

the contingency resource plans identified in *[4 CSR 240-22.070(4)]* **20 CSR 4240-22.070(4)** were chosen. In this filing, the utility shall specify the ranges or combinations of outcomes for the critical uncertain factors that define the limits within which the new alternative resource plan remains appropriate.

(13) Upon written application made at least twelve (12) months prior to a triennial compliance filing, and after notice and an opportunity for hearing, the commission may waive or grant a variance from a provision of *[4 CSR 240-22.030–4 CSR 240-22.080]* **20 CSR 4240-22.030–20 CSR 4240-22.080** for good cause shown. The commission may grant an application for waiver or variance filed less than twelve (12) months prior to the triennial compliance filing upon a showing of good cause for the delay in filing the application for waiver or variance.

(A) The granting of a variance to one (1) electric utility which waives or otherwise affects the required compliance with a provision of this chapter does not constitute a waiver respecting, or otherwise affect, the required compliance of any other electric utility with a provision of these rules.

(B) The commission will not waive or grant a variance from this chapter in total.

(16) The commission will issue an order which contains its findings regarding at least one (1) of the following options:

(A) That the electric utility's filing pursuant to this rule either does or does not demonstrate compliance with the requirements of this chapter, and that the utility's resource acquisition strategy either does or does not meet the requirements stated in *[4 CSR 240-22]* **20 CSR 4240-22**.

(17) If the commission finds that the filing achieves substantial compliance with the requirements outlined in section (16), the commission may acknowledge the utility's preferred resource plan or resource acquisition strategy as reasonable at a specific date. The commission may acknowledge the preferred resource plan or resource acquisition strategy in whole, in part, with exceptions, or not at all. Acknowledgment shall not be construed to mean or constitute a finding as to the prudence, pre-approval, or prior commission authorization of any specific project or group of projects. In proceedings where the reasonableness of resource acquisitions are considered, consistency with an acknowledged preferred resource plan or resource acquisition strategy may be used as supporting evidence but shall not be considered any more or less relevant than any other piece of evidence in the case. Consistency with an acknowledged preferred resource plan or resource acquisition strategy does not create a rebuttable presumption of prudence and shall not be considered to be dispositive of the issue. Furthermore, in such proceedings, the utility bears the burden of proof that past or proposed actions are consistent with an acknowledged preferred resource plan or resource acquisition strategy and must explain and justify why it took any actions inconsistent with an acknowledged preferred resource plan or resource acquisition strategy.

(A) The utility shall notify the commission pursuant to [4 CSR 240-22.080(12)] **20 CSR 4240-22.080(12)** in the event there is material reason why any plan acknowledged by the commission is no longer viable.

*AUTHORITY: sections 386.040, 386.250, 386.610, and 393.140, RSMo [2000] **2016**.^{*} This rule originally filed as 4 CSR 240-22.080. Original rule filed June 12, 1992, effective May 6, 1993. Amended: Filed Oct. 25, 2010, effective June 30, 2011. Moved to 20 CSR 4240-22.080, effective Aug. 28, 2019. **Amended: Filed, effective.***

^{}Original authority: 386.040, RSMo 1939; 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; 386.610, RSMo 1939; and 393.140, RSMo 1939, amended 1949, 1967.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500.00) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500.00) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Nancy Dippell, Secretary of the Commission, P.O. Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before November 2, 2026, and should include a reference to Commission Case No. EX-2027-0060. Comments may also be submitted via a filing using the commission's electronic filing and information system at https://psc.mo.gov/General/Submit_Comments. A public hearing regarding this proposed amendment is scheduled for November 5, 2026, at 10 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, MO. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment and may be asked to respond to commission questions. Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.