

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 10th day of
June, 2009.

In the Matter of a Rules 4 CSR 240-3.162 and)
4 CSR 240-20.091 Establishing an Environmental)
Cost Recovery Mechanism)

File No. EX-2009-0252

ORDER DENYING APPLICATION FOR REHEARING

Issue Date: June 10, 2009

Effective Date: June 10, 2009

At its April 22, 2009 agenda meeting the Commission authorized its Secretary to file final orders of rulemaking to promulgate rules 4 CSR 240-3.162 and 4 CSR 240-20.091 establishing an environmental cost recovery mechanism. Those rules have been delivered to the Missouri Secretary of State for publication in the Missouri Register on July 1, 2009. On May 22, the Office of the Public Counsel filed an application for rehearing.

Section 386.500.1, RSMo (2000), indicates the Commission shall grant an application for rehearing if "in its judgment sufficient reason therefor be made to appear." Public Counsel has not shown sufficient reason to rehear the Commission's order. The Commission will deny the application for rehearing.

THE COMMISSION ORDERS THAT:

1. The Application for Rehearing filed by the Office of the Public Counsel is denied.

2. This order shall become effective immediately upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

Colleen M. Dale
Secretary

(S E A L)

Davis, Jarrett, and Gunn, CC., concur;
Clayton, Chm., dissents.

Woodruff, Deputy Chief Regulatory Law Judge