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**MATT BLUNT**  
**Secretary of State**  
**Administrative Rules Division**  
**RULE TRANSMITTAL**

\*Administrative Rules Stamp

**RECEIVED**

JUL 28 2004

SECRETARY OF STATE  
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number 4 CSR 240-13.015  
Diskette File Name 4 CSR 240-13.015 Definitions Word 2000  
Name of Person to call with questions about this rule:  
Content Lera Shemwell Phone 573-751-7431 FAX 573-751-9285  
Data Entry Sharon Wiles Phone 573-751-4873 FAX Same as above  
Email Address lera.shemwell@psc.mo.gov  
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
Statutory Authority 393.140(11), 386.250(6) Current RSMo date 2000  
Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☐ rule ☒ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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**RULE TRANSMITTAL (PAGE 2)**

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**E. ORDER OF RULEMAKING: Rule Number** \_\_\_\_\_

**1a. Effective Date for the Order**

☒ Statutory 30 days

Specific date \_\_\_\_\_

**1b. Does the Order of Rulemaking contain changes to the rule text?**

☐ YES

☒ NO

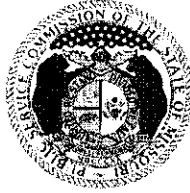
**1c. If the answer is YES, please complete section F. If the answer is NO, STOP here.**

**F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.**

**(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)**

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



**Commissioners**

**STEVE GAW**  
Chair

**CONNIE MURRAY**

**ROBERT M. CLAYTON III**

**JEFF DAVIS**

**LINWARD "LIN" APPLING**

***Missouri Public Service Commission***

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573-751-1847 (Fax Number)  
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**ROBERT J. QUINN, JR.**  
Executive Director

**WESS A. HENDERSON**  
Director, Utility Operations

**ROBERT SCHALLENBERG**  
Director, Utility Services

**DALE HARDY ROBERTS**  
Secretary/Chief Regulatory Law Judge

**DANA K. JOYCE**  
General Counsel

July 27, 2004

Honorable Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, Missouri 65101

Dear Secretary Blunt:

**RE: 4 CSR 240-13.015 DEFINITIONS**

**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 on this 27th day of July 2004.

Statutory authority: 386.250, RSMo 2000

Missouri Public Service Commission Case No.: AX-2004-0308

If there are any questions, please contact:

Lera L. Shemwell, Senior Counsel  
Missouri Public Service Commission  
200 Madison St.  
Post Office Box 360  
Jefferson City, Missouri 65102  
(573) 751-7434  
[lera.shemwell@psc.mo.gov](mailto:lera.shemwell@psc.mo.gov)

Sincerely,

A handwritten signature in black ink, appearing to read "Dale Hardy Roberts", is written over a horizontal line.

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission

**Title 4 – Department of Economic Development  
Division 240 –Public Service Commission  
Chapter 13—Service and Billing Practices for Residential Customers  
of Electric, Gas and Water Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission (Commission or PSC) under sections 386.250 and 392.140, RSMo 2000, the Commission amends a rule as follows:

**4 CSR 240-13.015 Definitions is amended.**

A notice of the proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 3, 2004 (*Missouri Register*, Vol. 29, No. 9). A public hearing was held on June 7, 2004. There are no changes to the rule as a result of the hearing. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** A public hearing was held on June 7, 2004. The time for submission of written comments ended June 2, 2004. The Commission received no written comments. At the public hearing, Gay Fred, Manager of the Consumer Services Department of the Commission, explained that the amendment is designed to provide specific definitions to provide clarification so that the rules in Chapter 13 may be applied consistently to all parties or all consumers. John B. Coffman, Public Counsel, Office of the Public Counsel, stated at the public hearing that Office of the Public Counsel supports the amendment to this rule, and generally supports the Denial of Service Rule. At the public hearing the Commission asked clarifying questions.

No written comments were received during the thirty (30) day comment period. Comments made at the public hearing related to: the need for addition of two (2) definitions to the definitions section of this rule.

**COMMENT:** The Commission received one (1) comment from Gay Fred that the addition of the two definitions to the Definitions section of Chapter 13 adds clarity to the rule and allows for uniform application of the rule.

**RESPONSE:** As a result of this comment no change was made to the rule.

**COMMENT:** John B. Coffman, Public Counsel, commented that the Public Counsel has no problem with the proposed amendment and no objection to the rule.

**RESPONSE:** As a result of this comment, no changes were made to the rule.