
Rules of Department of Economic Development

Division 240—Public Service Commission Chapter 2—Practice and Procedure

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under no obligation to notify the commission of the reorganization. A telecommunications company that reorganizes through a merger, asset sale, etc. may notify the commission of the mechanics of the reorganization by submitting a written notice either in paper form or as a non-case related filing in EFIS and indicating that the matter is a merger or reorganization.

(3) Notwithstanding section (2) above, notification is mandatory in the following instances:

(A) If the company changes its name or adopts a fictitious name, it shall provide all of the information required in section (1) above;

(B) If the reorganized company will no longer need any certificates or tariffs, it shall request that the commission cancel them; and

(C) If notice is required under subsections (3)(A) or (3)(B), it shall be accompanied by a statement that the company has reviewed its contacts in EFIS and that they have been updated to reflect the reorganization.

(4) A provider of video service or interconnected voice over Internet protocol (VoIP) service that changes its name shall notify the commission of that change. Notice may be made by one (1) of the following methods:

(A) Notify the commission as set forth in section (1) above; or

(B) Submit a revised application form and a statement that the company has reviewed its contacts in EFIS and that they have been updated to reflect the reorganization.

(5) Notwithstanding any other provision of Chapter 2 and Chapter 3 of these rules, items required by this rule may be submitted by a nonattorney.

AUTHORITY: sections 386.250 and 386.410, RSMo 2000 and section 392.420, RSMo Supp. 2010. Original rule filed March 2, 2011, effective Oct. 30, 2011.*

**Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; 386.410, RSMo 1939, amended 1947, 1977, 1996; and 392.240, RSMo 1987, amended 2008.*

4 CSR 240-2.065 Tariff Filings Which Create Cases

PURPOSE: This rule establishes when a case shall be opened for a tariff.

(1) A general rate increase request is one where the company or utility files for an overall increase in revenues through a company-wide increase in rates for the utility service it provides, but shall not include requests for changes in rates made pursuant to an

adjustment clause or other similar provisions contained in a utility’s tariffs. When a public utility submits a tariff which constitutes a general rate increase request, the commission shall establish a case file for the tariff. The tariff and all pleadings, orders, briefs, and correspondence regarding the tariff shall be filed in the case file established for the tariff. The tariff submitted shall be in compliance with the provisions of the rules relating to the separate utilities. A tariff filed which proposes a general rate increase request shall also comply with the minimum filing requirements of these rules for general rate increase requests. Any public utility which submits a general rate increase request shall simultaneously submit its direct testimony with the tariff.

(2) Except when the Commission orders the filing of a tariff, when a public utility submits a tariff for commission approval but requests the tariff become effective in fewer than thirty (30) days, the commission shall establish a case file for the tariff. In addition, the public utility shall file a Motion for Expedited Treatment and comply with the expedited treatment portion of these rules. The tariff and all pleadings, orders, briefs, and correspondence shall be filed in the case file established for the tariff.

(3) When a pleading, which objects to a tariff or requests the suspension of a tariff, is filed, the commission shall establish a case file for the tariff and shall file the tariff and pleading in that case file. All subsequent pleadings, orders, briefs, and correspondence concerning the tariff shall be filed in the case file established for the tariff. Any pleading to suspend a tariff shall attach a copy of the tariff and include a certificate of service to confirm that the party who submitted the tariff has been served with the pleading.

(4) A case file shall be established for a tariff filing in which the commission is required by law or requested by the party filing the tariff to specifically approve the tariff.

(5) A case file will not be established to consider tariff sheets submitted by a regulated utility which do not meet the circumstances of sections (1)–(4) of this rule, except that a case file shall be established when tariff sheets are suspended by the commission on its own motion or when suspended upon the recommendation of staff.

(6) When a public utility extends the effective date of a tariff, it shall file a letter extending the tariff effective date in the official case file. Notwithstanding any other provision of

these rules, this letter may be filed by a nonattorney.

AUTHORITY: section 386.410, RSMo 2000. Original rule filed March 10, 1995, effective Nov. 30, 1995. Rescinded and readopted: Filed Aug. 24, 1999, effective April 30, 2000. Amended: Filed March 2, 2011, effective Oct. 30, 2011.*

**Original authority: 386.410, RSMo 1939, amended 1947, 1977, 1996.*

4 CSR 240-2.070 Complaints

PURPOSE: This rule establishes the procedures for filing formal and informal complaints with the commission.

(1) Any person or public utility who feels aggrieved by an alleged violation of any tariff, statute, rule, order, or decision within the commission’s jurisdiction may file a complaint. A complaint may also be filed by the commission on its own motion, the commission staff through the staff counsel, or the Office of the Public Counsel.

(2) A person who feels aggrieved by an alleged violation of any tariff, statute, rule, order, or decision within the commission’s jurisdiction may file an informal complaint with the commission’s consumer services department or file either a formal complaint or small formal complaint with the commission. Filing an informal complaint is not a prerequisite to filing a formal or small formal complaint; however, the presiding officer may direct that a *pro se* complainant be required to go through the informal complaint procedure before the formal complaint will be heard by the commission. If an allegedly aggrieved person initially files an informal complaint and is not satisfied with the outcome, such person may also file a formal or small formal complaint.

(3) Informal Complaints. The protections and processes of an informal complaint regarding service or billing practices are set out in 4 CSR 240-13. To file an informal complaint, the complainant shall state, either in writing, by telephone (consumer services hotline 1-800-392-4211 or Relay Missouri at 711), or in person at the commission’s offices—

(A) The name, street address, and telephone number of each complainant and, if one (1) person asserts authority to act on behalf of the others, the source of that authority;

(B) The address where the utility service was rendered;