

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

Jimmie E. Small,	)	
Complainant,	)	
	)	
vs.	)	Case No: EC-2012-0050
	)	
Union Electric Company, d/b/a	)	
Ameren Missouri,	)	
Respondent.	)	

**AMEREN MISSOURI'S OBJECTIONS TO  
COMPLAINANT'S FIRST SET OF INTERROGATORIES**

COMES NOW, Union Electric Company, d/b/a Ameren Missouri ("Ameren Missouri"), by and through counsel, and for its objections to Complainant's First Set of Interrogatories states:

1. If respondent relied in whole or in part on the advice of counsel in your responses to request to Admit, No. 2011-0247; Response for Data request, or if advice of counsel played any role in that response decision, state
  - a. The date(s) on which the advice was given by counsel;
  - b. The name(s) of counsel;
  - c. Whether the advice was oral or in writing and, if in writing, the identity of each document;
  - d. The substance of the advice on each occasion; and
  - e. The identity of each and every document on which you base your answer to this interrogatory.

**RESPONSE:** Ameren Missouri objects to Interrogatory No. 1 on the grounds that it seeks information protected by the attorney-client privilege.

9. State whether or not Respondent Utility, Union Electric, d/b/a Ameren Missouri has acquired any form of contract for indemnification to protect Respondent Utility from possible judgment for damages and injury in context to illegal disconnect, Gross Negligent services and accommodations 2002 time period forward and continuing unresolved in 2012 time period.

**RESPONSE:** Ameren Missouri objects to Interrogatory No. 9 on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence.

14. State the Respondent Utility's purpose for servicing residential customers within Missouri Jurisdiction, with Automated Meter Reading (AMR) devices, situated at Respondent's Cottonwood Street facility, Kirksville, Missouri, 2002 time period and continuing. See "Customer-Specific" rules and regulations denied Small. 4 CSR 240-2.135 (3)( C ); (4)(F).

**RESPONSE:** Ameren Missouri objects to Interrogatory No. 14 as vague and ambiguous.

15. State whether any performance deficiencies by Respondent employees were identified after Complainant Small notified his Utility that a Bill Dispute, was in order, during the time period, April 17, 2006. For each employee performance deficiency, state,

- a. Identify by date the Utility employee performance deficiency[es] was discovered;
- b. Describe how respondent identified each employee performance deficiency in connection with LOT # 23, 23067 Potter Trail services, electric services 2002 through April 17, 2006 time period;
- c. Identify each supervisor who registered the utility performance deficiency, 2002 time period through October 2011 and continuing, , Lot # 23, Location of services & accommodations;

- d. Identify for the Commission's formal record, the scope of seriousness an illegal disconnect of services at LOT # 23, 23067 Potter Trail, Kirksville, Mo. might have in context to Ratified Tariff covenants, not to discriminate or retaliate against residential customers, throughout Missouri jurisdiction.

**RESPONSE:** Ameren Missouri objects to Interrogatory No. 15 as overbroad and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding any employee performance issues since April of 2006. Without waiving said objection, Ameren Missouri will provide any information it may have with respect to employee performance issues identified in relation to Complainant's account or accounts with Ameren Missouri.

16. Identify by name and last known address each and every individual known to you with knowledge regarding the facts and circumstances surrounding the incidents or omission to protect referred to in the Complaint[s] and, for each person, state to what issues his/her knowledge relates and how it was obtained. Letter, E-mail, phone, tex message???

**RESPONSE:** Ameren Missouri objects to Interrogatory No. 16 as unduly burdensome as it appears to seek the same information already requested in Interrogatory No. 2.

19. Identify Respondent Utility past [party] participation involving civil trespass litigation, to real property, Knox County, Missouri, and for each occurrence involving Union Electric Company, and its Counsel "Smith" Columbia, MO, state;

- a. The state court jurisdiction;
- b. The case number;
- c. The subject matter of the complaint;
- d. Identify each party to that same litigation, Knox County, Mo.;

- e. Identify the outcome of any such litigation, known by Respondent or its counsel Smith to have occurred.

**RESPONSE:** Ameren Missouri objects to Interrogatory No. 19 on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence.

20. Identify for the Commission record, each incident in which Respondent in the past 20 years defended against possible trespass violations, within the state of Missouri jurisdiction.

**RESPONSE:** Ameren Missouri objects to Interrogatory No. 20 on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence.

21. Identify each and every document presented to Consumer Collection Management Inc., P.O. Box 1839 Maryland Heights, MO. 63043-1839, asserting an alleged debt owed to Respondent/Client AMEREN MISSOURI, 2006 Final Bill time period and continuing unresolved and disputed.

**RESPONSE:** Ameren Missouri objects to Interrogatory No. 21 as vague, overbroad, and unduly burdensome. Furthermore, this interrogatory is not reasonably calculated to lead to the discovery of admissible evidence.

22. Identify each individual, Utility employee, agent or assign on who's authority a Final Utility Bill claim was first filed with Consumer Collection Management Inc., P.O. Box 1839, Maryland Heights, Mo, and for each authority or directive to use Consumer Collection Management services, state,

- a. Identify by name(s) former or present Utility employees having access to original document[s] considered in making Respondent decision to file the 04/17/2006 Final Bill account , 34433-07009 with Consumer Collection Management, and

attach to Utility's response each document used in its Final Bill account # 34433-07009 collection attempt efforts.

- b. Preface; Consumer Collection Management NOTIFICATION, 08/28/2011 state in relevant part, [" The creditors listed have indicated they may pursue further collection attempts through legal counsel.

(i) Identify each document known to Respondent collection department who informed Consumer Collection Management that further "legal Counsel" [ Smith ???]action might be taken for account(s) No. 344330-7009; 24433-7018 or other account identification for LOT # 23, 23067 Potter Trail, Kirksville, Mo. 2002 through 2011 time period and continuing, unresolved dispute. 4 CSR 2-135 et seq.

**RESPONSE:** Ameren Missouri objects to Interrogatory No. 22 as vague and ambiguous.

24. Identify each rule, policy, practice known to Respondent Utility preventing Iowa Electric Customer Small his statutory right to inspect, take notes from information in **context to** "*Customer-Specific*" regulation , during the March 04, 2011 occurrence;

"In the Vestibule" facility 101 Madison Street, Jefferson City. **In re, Cathy Hart,** [ expert] Supervisor Ameren Missouri March 28, 2011 letter sent to Small's residence, 606 West Highway # 2, Milton, Iowa, 52570.

**RESPONSE:** Ameren Missouri objects to Interrogatory No. 24 as vague and ambiguous.

25. Identify for the integrity of the Commission record, each natural person known to Respondent executives, who have power, authority, to bind Ameren Missouri to admission of liability decision owing to the longstanding nature of Small's Complaints with MPSC and Mo. Human Rights Commission, continuing unresolved. For each natural person identified, state;

- a. The name of CEO, chief executive officer, or other Respondent official;
- b. Identify each official's job description;
- c. State the last known business address for each person having binding authority;

d. Identify and attach to Response NO 25, (d), every document on which

Respondent Utility base its Answer to Interrogatory number 25 here propounded.

**RESPONSE:** Ameren Missouri objects to Interrogatory No. 25 as vague and ambiguous.

26. Identify and attach to Respondent's Response, separately affixed, each contract of indemnification, known to Respondent Utility which may protect Ameren Missouri from certain perils, Damages, Loss, Injury resulting from Gross Negligent Conduct and or intentional acts of Respondent employees, agents, assistants, advisors, investigators, experts, accountants, supervisors, training instructors, day to day policy makers, Contract agents, and others not specifically mentioned.

**RESPONSE:** Ameren Missouri objects to Interrogatory No. 26 on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence.

27. Identify each claim of privilege to documents, identity of natural person, Insurance Company, Self Insurance entity; which relate directly or indirectly to Respondent's Responses to (a) INTERROGATORIES, (b) REQUEST FOR ADMISSION, (c) REQUEST FOR PRODUCTION OF DOCUMENTS, (d) prior sworn statements by C. Hart and Wendy Tatro during the April 19, 2011 pre-hearing conference before the MPSC jurisdiction.

**RESPONSE:** Ameren Missouri objects to Interrogatory No. 27 as vague and ambiguous.

SMITH LEWIS, LLP

/s/Sarah E. Giboney  
Sarah E. Giboney, #50299  
111 South Ninth Street, Suite 200  
P.O. Box 918  
Columbia, MO 65205-0918  
(573) 443-3141  
(573) 442-6686 (Facsimile)  
giboney@smithlewis.com

**Attorney for Ameren Missouri**

By: /s/ Wendy K. Tatro  
**Wendy K. Tatro**, # 60261  
Associate General Counsel  
Ameren Services Company  
P.O. Box 66149  
St. Louis, MO 63166-6149  
(314) 554-3484 (phone)  
(314) 554-4014 (fax)  
[AmerenMOService@ameren.com](mailto:AmerenMOService@ameren.com)