

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

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|-------------------------------|---|-----------------------|
| 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 REQUEST FOR ADMISSIONS**

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

1. Respondent Union Electric, d/b/a/, Ameren Missouri is respectfully requested to admit that Respondent serves approximately one (1) million residential customers, within Missouri Public Service Commission, [JURISDICTION] further subject to 4 CSR 240-2-135 subpart 3(C), and (4)(F) rules, regulations, and Tariff contract Standards.

RESPONSE: Ameren Missouri objects to Request No. 1 as vague and ambiguous.

2. According to Expert witness, Cathy Hart's letter in response to data request, dated ____, Small was present at Utilities Jefferson City facility, during a formal contested case proceeding. [LOCATION, " with you in the vestibule]. Utility Expert Cathy Hart, expert is requested to admit[relevant facts] that ADA CP Small's presence on March 04, 2011, at the vestibule was directly connected to data request and request to access" CUSTOMER-SPECIFIC information, personally, to and including accurate KWH meter readings for LOT # 23, 23067 Potter Trail, Kirksville, Missouri, personally inspect data, Computer specific service orders, field order data, and record accurate Red Tag Serial identification Numbers] disconnect deal] placed

on meter No. _____, which access to "CUSTOMER-SPECIFIC information rights under 4 CSR 240-2.135(3)(C); and (4)(F) were denied by expert Cathy Hart, plus in the presence of one other male witness observer.

RESPONSE: Ameren Missouri objects to Request No. 2 as vague and indefinite.

3. That the facts stated in paragraph request two (2) next above written were policies, and practices well known to the highest level of Corporate management, Respondent Union Electric Company, d/b/a AMEREN MISSOURI.

RESPONSE: Ameren Missouri objects to Request No. 3 as vague and indefinite.

4. Had Respondent Utility Ameren Missouri, CEO, **executive level officials** served CP ADA pro se Small's request to access "**Customer-Specific**" information on March 04, 2011 [**facility vestibule location**], instead of Utility expert, female Cathy Hart, and under due process and equal rights standards [4 CSR 240-2.135(3)(C); (4)(F), the negative services and accommodation treatment of ADA Small would have been materially ***unchanged***, in a contested case proceeding.

RESPONSE: Ameren Missouri objects to Request No. 4 as vague and ambiguous and as beyond the scope of requests for admission under Rule 59.01(a), in that it is not a request that Ameren Missouri admit to the truth of any matters that relate to statements or opinions of fact of or the application of law to fact, or the genuineness of any documents described in the request.

5. On March 28, 2011 Expert Cathy Hart, stated alleged facts as follows, [" On 06/13/2006, we received a check for \$150.00 through priority mail. We set the remaining balance on a payment agreement (\$25.00/6 months). Initially, Respondent Utility provided MPSC agent Gay Fred with conflicting facts such that NO such payment agreement ever existed.

Hart also stated [" On 06/13/06, we advised you that we would accept a minimum of \$177.44 to prevent disconnect. You stated that you would only pay \$100.00 and requested the call be escalated. After speaking with a leader and supervisor, we advised you to pay either \$175.00 by 06/14/10 or \$152.00 by 06/14/10 with a payment agreement"].

Respondent Ameren Missouri is respectfully requested to **admit facts** such that a four year period exist between the dates of **06/13/2006 and 06/14/10** making Respondent's accuracy of account # 34433-07009 clearly unrealistic on which the Commission could affirm any debt due by Complainant, to Ameren Missouri prior to Utility action in presenting Consumer Collection Management account statements alleging Bad Uncollectable Debt on Account # 34433-07009. April 17, 2006 disconnect time period, Red Tag Security Seal No. 4677914; Utility Meter Serial Number 57623981.

RESPONSE: Ameren Missouri objects to Request No. 5 as vague and ambiguous.

6. Highly Confidential Utility Exhibit F, Cause No. 2011-0247 1(h): Request state: Please produce verified copies(legible) of each monthly billing statement service on complainant ADA client Small 01/11/2002 thru April 2008 illegal disconnect, Utility # C201101337 state, "Mary, Unfortunately, we are not able to retrieve the calls as they are too old. I was however, able to locate two payments made by Mr. Small. One payment was in the amount of \$200.00, (check) and one for \$ 130.00 (Money Order both for account #34433-07009!!! **NO Reconnect Orders Either.**

Utility under Tariff agreements are not authorized to connect residential electric after the April 17, 2006 disconnect without field order, service orders to do so and Ameren Missouri is respectfully requested to admit said facts in writing not inconsistent with Exhibit F alleged facts.

RESPONSE: Ameren Missouri objects to Request No. 6 as vague and ambiguous.

8. At times relevant after Small notified Respondent Ameren Missouri, that a 4 CSR 240-13.045 disputed electric bill did occur, [4 CSR 240-13-045] thereafter and during CP ADA Small's informal complaint investigation and Formal written complaint in particular, Respondent Utility in Kirksville, Missouri on more than one occasion suppressed computer generated data, relevant to Account No. 34433-07009, provided Complainant AMUEMO Written off finaled service, containing essentially blank service meter disconnect information, declined CP request to access "Customer —Specific" information in context to Red Tag Security Seal verification, times, dates, locations, field orders, service order data, and declined to provide CP ADA Small with ery AMR KWH reading during an ongoing dispute after the informal inquiry and request for accurate account records provided MPSC official Gay Fred, and continuing in Cause No. 2011-0247; Cause NO. 2012-0050, thus needlessly increasing the MPSC staff hours, Staff costs, investigating the cause of Small's complaint/dispute and to perpetuate denial of access to Customer-Specific information [rights] during an ongoing dispute with AMUEMO. 4 CSR 240-2.135 (3) (C) and Subpart (4)(F). See attached computer print-out exhibit attached

RESPONSE: Ameren Missouri objects to this request as vague and ambiguous and as beyond the scope of requests for admission under Rule 59.01(a), in that it is not a request that Ameren Missouri admit to the truth of any matters that relate to statements or opinions of fact of or the application of law to fact, or the genuineness of any documents described in the request.

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