

**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 RESPONSE TO
COMPLAINANT'S REQUEST TO ADMIT FACTS**

COMES NOW, Union Electric Company, d/b/a Ameren Missouri ("Ameren Missouri"), and for its Response 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: Subject to and without waving its previously stated objection to Request No. 1, Ameren Missouri admits that it serves approximately 1.2 million residential customers within the jurisdiction of the Missouri Public Service Commission, that it is subject to regulation by the Commission, that it is subject to the Commission's rules, including 4 CSR 240-2.135(3)(C) and (4)(F), and that it subject to its own Commission-approved Electric Service Tariffs.

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: Subject to and without waving its previously stated objection to Request No. 2, Ameren Missouri admits that on March 4, 2011, in connection with Case No. EC-2011-0247, Complainant appeared in the vestibule at Ameren Missouri's offices at 101 Madison St., Jefferson City, Missouri 65101 and spoke to, and requested information from, Ameren Missouri employee Cathy Hart. Ameren Missouri denies that Complainant's appearance at the office on March 4, 2011 was connected with a data request, since Complainant served no data request in Case No. EC-2011-0247 on Ameren Missouri until April 6, 2011. Ameren Missouri admits that on March 4, 2011, Complainant did make an informal request for certain account information, which Ms. Hart gathered and subsequently mailed to Complainant. As such, Ameren Missouri denies that Complainant was denied access to the requested information, although Ameren Missouri does admit that Complainant was not allowed into the facility, which is not a customer service location and which is not open to the public, to personally access or personally inspect its records.

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: Subject to and without waving its previously stated objection to Request No. 3, Ameren Missouri states that it has insufficient knowledge to be able to admit or deny whether Ameren Missouri corporate management, at the highest level or otherwise, is aware that customers are not admitted to its offices at 101 Madison St., Jefferson City, Missouri, to personally access and inspect Ameren Missouri records, but does admit that signs posted at said offices do inform any reader that the facility is not open to the public.

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: Subject to and without waving its previously stated objection to Request No. 5, Ameren Missouri admits that Cathy Hart sent a letter to Complainant which read, in part, "On 06/14/2006, we received a check for \$150.00 through priority mail. We set the remaining balance on a payment agreement (\$25.00/6 months)" and "On 06/13/06, we advised you that we would accept a minimum of \$177.44 to prevent disconnection. 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." Ameren Missouri also admits that a four year period exists between June 13, 2006 and June 14, 2010. Ameren Missouri denies the remainder of Request No. 5.

7. Response, Highly Confidential, Prepared by Expert Cathy Hart, Exhibit F, subpart Id 1(1)- state; For the time period May 2007 thru November 2007 there are no account records because neither account was active during that time.

AMEREN MISSOURI CEO, Executive officials are respectfully requested to admit in RESPONSE NO. 7, that the Cathy Hart statement of Facts concerning CP ADA account No. 34433-07009; and feigned account No. 3443307018, in fact means that NO KWH Residential electric meter supplied electricity to the Mobile Home residence, LOT # 23, 23067 Potter Trail, Kirksville, Missouri, May 2007 through November 2007 time periods in dispute as raised in the complaints No. 2011-0247; Contested Cause No. 2012-0050.

RESPONSE: Ameren Missouri admits that Ameren Missouri did not provide electric utility service to service address 23 Lakeroad Ct., Kirksville, Missouri, 63501 during the period April 18, 2007 through December 19, 2007.

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 every 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: Subject to and without waving its previously stated objection to Request No. 8, Ameren Missouri admits that it has denied Complainant's requests to personally access Ameren Missouri's computer database or otherwise personally access and search through Ameren Missouri's records. Ameren Missouri denies the remainder of Request No. 8.

9. Respondent Utility is respectfully requested to admit in its RESPONSE TO NO. 9, that "Customer-Specific" information subject Tariff contract and subject to 4 CSR 240-2.135 (3)(C), and (4)(F) were in fact maintained at the Cathy Hart, Utility maintained facility, on or about March 04, 2011, during an ongoing disputed electric bill, account No. 24433-07009, and Also retained, maintained at the Kirksville, Missouri, Cottonwood service facility when Small appeared requesting access to Customer-Specific information.

Utility then denied during an ongoing dispute before Gay Fred informal inquiry and denied on March 04, 2011 and continuing denied access to Customer- Specific information, in a calculated decision to defeat the purpose of the MPSC rules and regulations, and gain an unfair quasi judicial advantage on or about 09/30/2011 when Report of Staff, official, female Hispanic Jennifer, and female report author, Mary S. Duncan made a decision to selectively exclude Small's sworn testimony in context to "Customer-Specific" rules.

This record showing appears preferential treatment to the Giant Respondent Ameren Missouri, against the Quasi judicial interest of the undersigned ADA pro se Male, complainant. See AMUEMO computer generated exhibit attached in support of dispute facts.

RESPONSE: Ameren Missouri admits that customer-specific information, as that term is used in 4 CSR 240-2.135 (1)(B), (3)(C) and (4)(F), is maintained by Ameren Missouri. As to Cases No. EC-2011-0247 and EC-2012-0050, in pleadings filed with the Commission, Ameren Missouri marked customer-specific information regarding Complainant—material or documents containing information relating directly to Complainant—highly confidential so as to prevent making such information public, as required by 4 CSR 240-2.135. Such highly confidential information was provided to Complainant, in compliance with 4 CSR 240-2.135(4)(F), by providing Complainant with

the highly confidential versions of Ameren Missouri's pleadings filed in said cases. As such, Ameren Missouri denies the remainder of Request No. 9.


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