

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

Earnette Smith,)	
)	
Complainant,)	
)	
v.)	<u>File No. GC-2011-0009</u>
)	
Union Electric Company,)	
d/b/a AmerenUE,)	
)	
Respondent.)	

**ORDER SUSPENDING REQUIREMENT TO FILE PROPOSED
PROCEDURAL SCHEDULE AND ORDER TO SHOW CAUSE**

Issue Date: September 30, 2010

Effective Date: September 30, 2010

Earnette Smith ("Mr. Smith") filed a formal complaint against Union Electric Company, d/b/a AmerenUE ("AmerenUE"), on July 8.¹ AmerenUE filed its Answer on August 11. The Staff of the Commission ("Staff") filed its report on September 13.

On September 14, the Commission scheduled a prehearing conference for September 28. The Commission convened that conference on September 28. Mr. Smith failed to appear.

On September 28, AmerenUE filed a Motion for Order to Show Cause and to Modify Order to Jointly File Proposed Procedural Schedule. AmerenUE stated that the parties are unable to file a proposed procedural schedule due to Mr. Smith's failure to appear at the prehearing conference. AmerenUE asks the Commission to postpone the date on which the proposed procedural schedule is due. AmerenUE further asks the Commission to order Mr. Smith to show cause why her complaint should not be dismissed

¹ Calendar references are to 2010 unless otherwise noted.

due to his failure to appear at the prehearing conference. Finally, AmerenUE represents that Staff does not object to the relief AmerenUE requests.

Commission Rule 4 CSR 240-2.080(15) allows parties ten days to respond to motions, unless a different time is ordered. However, because the parties are currently under order to file a proposed procedural schedule on October 5, the Commission will rule now.

The Commission finds AmerenUE's requests reasonable, and will grant them. If Mr. Smith fails to respond to this Order to Show Cause, the complaint could be dismissed.

THE COMMISSION ORDERS THAT:

1. Respondent's Motion for Order to Show Cause and to Suspend the Time for Filing File Proposed Procedural Schedule is granted.
2. Earnette Smith shall show cause why his complaint should not be dismissed no later than October 11, 2010.
3. The parties' requirement to file a proposed procedural schedule is suspended indefinitely. This order shall become effective immediately on issuance.

(S E A L)

BY THE COMMISSION



Steven C. Reed
Secretary

Ronald D. Pridgin, Senior Regulatory Law
Judge, by delegation of authority under
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 30th day of September, 2010.