

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 19th day of
October, 2017.

Johnny Lane,)	
)	
Complainant,)	
)	
v.)	<u>File No. GC-2017-0322</u>
)	
Union Electric Company)	
d/b/a Ameren Missouri,)	
)	
Respondent.)	

ORDER DISMISSING COMPLAINT

Issue Date: October 19, 2017

Effective Date: November 20, 2017

On June 5, 2017, Johnny Lane filed a complaint against Union Electric Company d/b/a Ameren Missouri (Ameren Missouri) with the Missouri Public Service Commission (Commission). Ameren Missouri filed an answer to that complaint on July 5, 2017. The Commission's Staff filed a report on July 25, 2017, following an investigation into the allegations of the complaint. The Staff report identified no actions of Ameren Missouri that violated any statute, rule, or tariff.

A prehearing conference was scheduled for August 17, 2017, beginning at 10:00 a.m. Ameren Missouri and the Commission's Staff appeared for the conference by their counsel. Mr. Lane did not appear in person or by telephone, and he did not contact the Commission prior to the prehearing conference to request a continuance.

On September 27, 2017, the Commission issued an order that directed Mr. Lane to show cause why his complaint should not be dismissed for his failure to appear at the prehearing conference. Mr. Lane was ordered to respond by October 10, 2017; no response has been filed.

Two Commission rules deal with the failure of a party to appear for a prehearing conference. First, Commission rule 4 CSR 240-2.116(3) provides as follows:

A party may be dismissed from a case for failure to comply with any order issued by the commission, including failure to appear at any scheduled proceeding such as a public hearing, prehearing conference, hearing, or mediation session.

Second, Commission rule 4 CSR240-2.090(5) provides that:

Failure to appear at a prehearing conference without previously having secured a continuance shall constitute grounds for dismissal of the party or the party's complaint, application or other action unless good cause for the failure to appear is shown.

Mr. Lane failed to appear for the scheduled prehearing conference and failed to comply with a Commission order to show good cause for not appearing. Therefore, as provided by the Commission's rules, his complaint will be dismissed.

THE COMMISSION ORDERS THAT:

1. For all the reasons stated above, the complaint of Johnny Lane against Union Electric Company d/b/a Ameren Missouri is dismissed.
2. This order shall become effective on November 20, 2017.

BY THE COMMISSION



Morris L. Woodruff

Morris L. Woodruff
Secretary

Hall, Chm., Stoll, Kenney, Rupp,
and Coleman, CC., concur.

Clark, Regulatory Law Judge

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 19th day of October 2017.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

October 19, 2017

File/Case No. GC-2017-0322

**Missouri Public Service
Commission**

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.