

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

SUMMERFIELD INN d/b/a America's)	
Value Inn,)	
)	
Complainant,)	
)	
v.)	
)	
Union Electric Company d/b/a)	
AmerenUE,)	
)	
Respondent.)	

Case No. GC-2009-0236

MOTION TO CHANGE NAME OF COMPLAINANT

COMES NOW Staff of the Public Service Commission of Missouri (Commission), and for its Motion, states:

1. On December 3, 2008, Mr. Sem Waheed filed a formal complaint on the behalf of his business, Summerfield Inn d/b/a America's Value Inn.
2. On January 30, 2009, the Staff filed its Report in this matter noting "...that Mr. Waheed had filed this complaint on behalf of his business, Summerfield Inn d/b/a America's Value Inn. Records from the Missouri Secretary of State's Office show America's Value Inn is a registered fictitious name owned by Summerfield Inn L.L.C., a Missouri-registered limited liability company. Commission rule 4 CSR 240-2.040 (5) does not allow an individual person to appear before the Commission on behalf of a business entity."
3. On February 11, 2009, the Commission issued its *Order to Address Customer's Legal Status* directing AmerenUE to file a reply not later than February 19, 2009 including any

evidence identifying the person whose account is at issue, evidence showing the customer's status as a legal entity, and any appropriate motion based on that evidence.

4. On February 23, 2009, AmerenUE filed its reply stating that Sem Waheed, dba Summerfield Inn is the "customer of record." The term "customer" is defined under Commission Rule 4 CSR 240-13.015(1)(E) and "...means a person or legal entity responsible for payment for service except on denoted as a guarantor." Mr. Waheed is the person responsible for payment on the account.

5. Staff further notes that AmerenUE's billing records reflect "SEM WAHEED DBA SUMMERFIELD INN" as the person whose name is on the account.¹

6. For the above-stated reasons, Staff believes Mr. Waheed is the true customer of record on this account and is the proper party to bring this complaint. "SUMMERFIELD INN, d/b/a America's Value Inn" is not the customer of record and is not a proper party to bring this complaint.

7. For purposes of administrative efficiency in progressing Mr. Waheed's Complaint, the Staff concurs with AmerenUE's alternative recommendation that the Commission change the named Complainant to Sem Waheed, the person whose name is on the account and the person who filed this complaint. Staff counsel has discussed this matter with Mr. Waheed and represents that he supports Staff's motion to list his name as the Complainant.

¹ See AmerenUE's Answer, Exhibits 1 HC and 2HC, filed January 6, 2009, and Amended Answer, Exhibit 3HC, filed January 23, 2009.

WHEREFORE, the Staff moves the Commission change the name of the Complainant in the above-captioned case to "Sem Waheed."

Respectfully submitted,

/s/ **Robert S. Berlin**

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronic mail to all counsel of record and the complainant this 24th day of February 2009.

/s/ **Robert S. Berlin**