

**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**

**STAFF REPORT**

COMES NOW Staff of the Public Service Commission of Missouri (Commission), and for its Report, 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. In its December 5, 2008, *Notice of Complaint and Order Directing Filing*, the Commission directed Union Electric Company d/b/a AmerenUE (AmerenUE or Company) to file its answer to the above-captioned complaint by January 6, 2009, and Staff to file its report of its investigation by January 30, 2009.
3. AmerenUE timely filed its Answer on January 6, 2009, and then later filed an Amendment to Answer on January 23, 2009.
4. The Staff has contacted Mr. Waheed during its investigation of the cause of this complaint and now submits its Report concerning the results of its investigation and its findings, attached hereto as Appendix A with supporting Schedules 1 through 4, marked Highly

Confidential except for Schedule 3 (Company Tariff), and incorporated by reference herein. Because the Staff's Report contains personal billing information, it is marked Highly Confidential (HC) in accordance with Commission Rule 4CSR 240-2.070(10).

5. The basis of Mr. Waheed's complaint centers on a billing adjustment made by AmerenUE because the meter had been set at the wrong constant. Upon further investigation by the Company, AmerenUE determined that its first billing adjustment was also based on a wrong constant. As explained in the Company's Amendment to Answer, it made a second billing adjustment, this time with the correct constant. The second billing adjustment significantly reduced the amount owed by Mr. Waheed as reported on the first erroneous billing adjustment. That said, even though AmerenUE made back-to-back billing errors, those errors do not constitute a violation of the Company's tariff or Commission rules.

6. Based on the results of Staff's investigation and for reasons explained more fully in its Report, the Staff has determined the amount on the second billing adjustment is the correct adjusted amount owed by Mr. Waheed's business.

7. Staff regrets the confusion AmerenUE's consecutive billing errors have caused Mr. Waheed. Staff cautions AmerenUE to use greater care and accuracy when entering activity on a consumer's account especially when that activity impacts billing.

8. Lastly, the Staff points out 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.

WHEREFORE, the Staff submits its Report pursuant to the Commission's order and respectfully requests the Commission accept its Report and the recommendation therein.

Respectfully submitted,

/s/ **Robert S. Berlin**

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Senior Counsel  
Missouri Bar No. 51709

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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 30th day of January 2009.

/s/ **Robert S. Berlin**