# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Jerreld Fisher		)	
	Complainant,	)	
		)	
VS.		)	Case No: EC-2017-0281
		)	
Union Electric Company, d/b/a		)	
Ameren Missouri,		)	
	Respondent.	)	

## MOTION FOR CONTINUANCE

COMES NOW Respondent Union Electric Company, d/b/a Ameren Missouri ("Ameren Missouri" or "the Company"), and for its Motion for Continuance states as follows:

- 1. By its Order Setting Procedural Schedule and Other Procedural Requirements dated August 30, 2017, the Commission set the Evidentiary Hearing in this matter for September 26, 2017 beginning at 9:00 a.m. in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri with Complainant appearing via videoconference from the Wainwright State Office Building, 111 North 7<sup>th</sup> St., Suite 105, St. Louis, Missouri.
- 2. On Sunday, September 24, 2017, Ameren Missouri's only witness, Cathy Hart, contacted counsel for Ameren Missouri to inform counsel that she had laryngitis and would be visiting her doctor on Monday morning.
- 3. On Sunday, September 24, 2017, counsel for Ameren Missouri notified the parties via e-mail there was a possibility that the Company would seek a continuance if its witness, Cathy Hart, was unable to speak due to a case of laryngitis.
- 4. Ms. Hart's condition has not improved which prevents her from effectively testifying at the evidentiary hearing in this matter scheduled for tomorrow September 26, 2017, due to her laryngitis, and the Company has no other witness prepared to testify regarding the issues in this matter.
- 5. Good cause exists for the Commission to grant a continuance, Ameren Missouri has not previously requested a continuance in this matter, and the requested continuance is not intended to unduly delay proceedings in this Complaint.

WHEREFORE, the Company respectfully requests that the evidentiary hearing in this matter be continued and rescheduled for a later date.

## SMITH LEWIS, LLP

/s/ Sarah E. Giboney Sarah E. Giboney, #50299 111 South Ninth Street, Suite 200 P.O. Box 918

Columbia, MO 65205-0918 (573) 443-3141

(573) 442-6686 (Facsimile) giboney@smithlewis.com

## /s/ Paula N. Johnson

Paula N. Johnson, #68963 Senior Corporate Counsel 1901 Chouteau Avenue, MC 1310 P.O. Box 66149 St. Louis, MO 63166-6149 (314) 554-3533 (phone) (314) 554-4014 (facsimile) amerenmoservice@ameren.com

Attorneys for Union Electric Company d/b/a Ameren Missouri

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Motion for Continuance was served on all of the following parties via electronic mail (e-mail), on this 25<sup>th</sup> day of September, 2017.

Missouri Public Service Commission 200 Madison Street, Suite 800 P.O. Box 360 Jefferson City, MO 65102 staffcounselservice@psc.mo.gov

Jerreld Fisher 2519 Saint Louis Ave. St. Louis MO 63106 jerreldfisher@yahoo.com Office Of Public Counsel 200 Madison Street, Suite 650 P.O. Box 2230 Jefferson City, MO 65102 opcservice@ded.mo.gov

/s/ Sarah E. Giboney