BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

CHARLES HARTER, )

COMPLAINANT )

V. )CASE NO.EC2013-0491

)

UNION ELECTRIC COMPANY dba, )

AMEREN, RESPONDENT )

COMPLAINANT’S RESPONSE TO ORDER TO SHOW CAUSE

WHY COMPLAINT SHOULD NOT BE DISMISSED

COMES NOW Complainant and responds to the Order to Show Cause Why Complaint Should Not be Dismissed, and states: that Complainant did not receive notice of the prehearing conference, a fact confirmed by PSC Data Center records, and complainant could not have attended a meeting of which he had no knowledge, and prays his complaint not be dismissed.

The Data Center states that it sent notice to all parties on July 2 of the prehearing conference. Complainant states he did not receive it. As proof that complainant did not open the notice prior to the meeting date of July 17, The Data Center did not receive confirmation receipt on the notice, as said opening would have sent a confirmation receipt to the data center.

Complainant states that on July 2 he received a message that “Case.net and Missouri eFiling System will be unavailable for logon beginning 10:00 pm on Tuesday, July 2, 2013 and will be available again at 10:15 pm on Tuesday, July 2, 2013.” But he does not know the significance of that and that he has today located and opened the prehearing notice, that he agrees with a prehearing, that he would like to participate in it, and prays that if the complaint is not dismissed, he be allowed to attend the rescheduled prehearing conference by telephone.

Complainant apologizes for his absence and emphasizes that it was not intentional and that in his thirty-five years of the practice of law, he has never failed to attend a proceeding of which he had notice, and will not do so before this commission.

WHEREFORE, Complainant prays, for good cause shown, that his complaint not be dismissed, the prehearing conference be rescheduled, and complainant be allowed to attend by telephone.

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