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SEP 25 2001

**Caldwell & Singleton, LLC**

Attorneys and Counselors at Law  
1601 Olive, First Floor  
St. Louis, Missouri 63103-2344  
314-421-0077  
Fax: 314-421-5377  
E-Mail: chslaw@mindspring.com

Worsham N. Caldwell\*\*  
Richard N. Singleton, Jr.\*  
Tara L. Morris †  
Annette E. Slack††

Missouri Public  
Service Commission  
Freeman R. Bosley, Jr.  
LaRee M. DeFreece  
Daniel T. Friedson  
\*\*\*

Janet Holbrook, R.N.  
\*Also Licensed in Illinois  
\*\*Also Licensed in Virginia  
† Licensed in Illinois and Mississippi  
†† Also a Registered Nurse

September 24, 2001

EC-2002-112

The Honorable Dale Hardy Roberts  
Secretary and Chief Regulatory Law Judge  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, MO 65102-0360

Re: Sterling Moody, Sterling's Market Place and Sterling's Market Place I v.  
AmerenUE, Union Electric Co. d/b/a AmerenUE and Mike Foy, Leroy  
Ettling, and Sherry Moshner, as employees

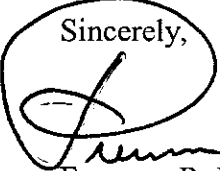
Dear Judge Roberts:

Enclosed for filing, please find the original and fourteen (14) copies of  
Complainant's Response in Opposition to Respondents' Motion for Extension of Time  
Within Which To File Answer in the above-styled cause.

Please feel free to contact me if there are any questions regarding this filing.

Thank you for your assistance.

Sincerely,

  
Freeman R. Bosley, Jr.  
Extension 203

FRB/krt  
Enclosures

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>2</sup>

SEP 25 2001

Missouri Public  
Service Commission

Sterling Moody, Sterling's Market Place,  
And Sterling's Place, I

Complainants,

v.

AmerenUE, Union Electric Co. d/b/a  
AmerenUE; and Mike Foy, Leroy Ettling,  
And Sherry Moshner, as employees of  
AmerenUE,

Respondents.

Case No.: EC 2002-112

COMPLAINANTS' RESPONSE  
IN OPPOSITION TO RESPONDENTS' MOTION  
FOR EXTENSION OF TIME IN WHICH TO FILE ANSWER

Come Now Respondents Sterling Moody, Sterling's market Place and Sterling's Market Place I and respectfully request that the Missouri Public Service Commission deny Respondent AmerenUE's request for a 30-day extension of time in which to file its answer to the Complaint in this case. In support of its opposition, Complainants state as follows:

1. On August 17, 2001, Complainants mailed Complaint to the Public Service Commission.
2. On August 17, 2001, a copy of the Complaint was mailed to Harvey Pines, attorney at Law, a legal representative of the Respondents who was also present during a meeting on or about May 16, 2001 with Respondents and Complainants regarding Complainants' electric service.

3. On or about August 22, 2001, James Cook or his representative contacted Complainants' attorney's office and requested a copy of the Complaint.

4. On August 22, 2001, as a courtesy, Complainants' attorney mailed a copy of the Complaint to the Respondents' attorney.

5. On September 4, 2001, the Commission issued its Notice of Complaint.

6. That on September 19, 2001, Complainants met with Robert Haar, a legal representative of the Respondents, to discuss issues surrounding the Complaint.

7. That during the meeting on September 19, 2001, Respondents' legal representative asked whether Complainants would consent to mediation and Complainants' attorney declined.

8. On September 24, 2001, Complainants filed their rejection of Respondents' Request for Mediation.

9. Pursuant to 4 CSR 240-2.070(7), Respondent AmerenUE must file its answer to said Complaint on or before October 4, 2001.

10. According to the Notice of Complaint, if the Complainants decline the opportunity to seek mediation, Respondent AmerenUE will be notified of the date by which an answer or notice of satisfaction must be filed, which may be the remainder of the original 30-day period.

11. Complainants believe that by submitting their request for mediation after being informed that said request was declined, Respondents are not negotiating in good faith and only seek to delay its answer to the Complaint.

12. That as a result of Respondents' actions, Complainants' electric service was terminated for 32 days.

13. That the Grocery Season official starts October 1, 2001 and that Complainants have suffered damages in excess of One Million Dollars (\$1,000,000.00).

WHEREFORE, for the foregoing above-mentioned reasons Complainants hereby request that the Commission deny Respondents' request for an additional thirty (30) days within which to answer the Complaint.

Respectfully submitted,

CALDWELL & SINGLETON, LLC



Freeman R. Bosley, Jr., #29341  
1601 Olive Street, First Floor  
St. Louis, MO 63103-2344  
(314) 421-0077  
(314) 421-5377 Facsimile

*Attorneys for Complainants  
Sterling Moody, Sterling's Market Place  
And Sterling's Market Place, I*

**CERTIFICATE OF SERVICE**

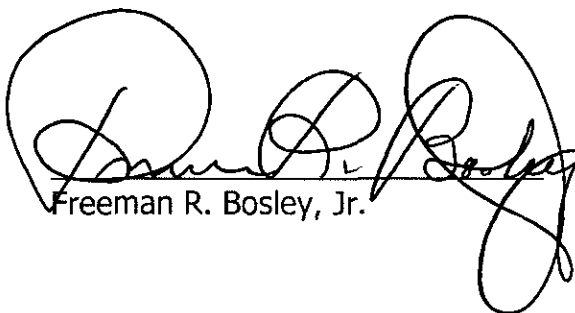
The undersigned hereby certifies that a copy of the foregoing was served via U.S. first class mail on this 24th day of September, 2001 to all parties of record listed below.

**CASE NO. EC-2002-112**

Office of the Public Counsel  
P. O. Box 78  
Jefferson City, MO 65102

James J. Cook  
AmerenUE  
1901 Chouteau Avenue  
P. O. Box 66149  
St. Louis, MO 63166-6149

General Counsel  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102



Freeman R. Bosley, Jr.