

11/25

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

Charles A. Harter,)	
)	
Complainant,)	
)	
v.)	<u>Case No. EC-99-87</u>
)	
AmerenUE,)	
)	
Respondent.)	

ORDER DIRECTING STAFF INVESTIGATION

Charles A. Harter (Complainant) filed a formal complaint against AmerenUE on August 31, 1998. The Complainant alleges that AmerenUE is attempting to collect from him an outstanding electric bill in the amount of \$337.30. The Complainant alleges that the bill is for services rendered more than five years ago and therefore is barred by the statute of limitations for actions upon contracts. The Commission issued notice of the complaint on September 3, 1998.

On October 5, 1998, AmerenUE filed an answer and motion to dismiss denying that any Commission rule or other rule of law had been violated and asking that the Commission dismiss the complaint for failure to state a claim upon which relief may be granted.

The Commission finds that there are issues in dispute and that the Commission's Staff should conduct an investigation. Specifically, the Staff should determine whether the Commission has jurisdiction to rule on the applicability of Section 516.120(1), RSMo, the statute of limitations. Additionally, if the Staff determines that the Commis-

sion does have such authority, Staff should provide an opinion as to whether or not collection of the Complainant's debt is barred by the statute. Staff shall file a memorandum setting out the results of the investigation.

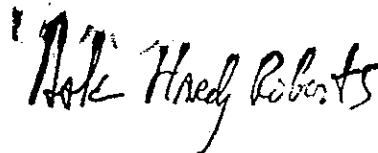
IT IS THEREFORE ORDERED:

1. That the Staff of the Commission shall conduct an investigation of the complaint and file a memorandum report of its findings no later than January 25, 1999.

2. That AmerenUE and Complainant may file their responses to Staff's memorandum no later than February 23, 1999.

3. That this order shall become effective on November 25, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Anji Gandhi, Regulatory Law
Judge, by delegation of authority
pursuant to 4 CSR 240-2.120(1)
(November 30, 1995) and
Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 25th day of November, 1998.

