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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a session of the Public Service  
Commission held at its office  
in Jefferson City on the 14th  
day of December, 1999.

Keith Williams and Xenia Waymire,	)	
	)	
Complainants,	)	
	)	
v.	)	<u>Case No. EC-2000-19</u>
	)	
Union Electric Company, d/b/a AmerenUE,	)	
	)	
Respondent.	)	

**ORDER OF DISMISSAL**

Keith Williams and Xenia Waymire (Complainants) filed their formal complaint on July 7, 1999, seeking changes to billings for electrical services in 1998 and 1999, and in particular, seeking a reduction in any required deposit by respondent Union Electric Company, d/b/a AmerenUE (Ameren). Complainants stated that the deposits required are unreasonable and compromise their ability to retain service.

On July 21, 1999, the Commission issued its Notice of Complaint. On August 20, 1999, Ameren filed its answer, asserting that the billings and deposits in question were correct, were in compliance with the company's tariff and Commission rules, and that the company had acted prudently. On August 24, 1999, the Commission issued its Order Setting Prehearing Conference and Requiring Filing of Procedural Schedule. That order set a prehearing conference for September 17, 1999. An Order

Changing Date of Prehearing Conference was issued on September 3, 1999, and rescheduled the prehearing for September 23, 1999.

On September 22, 1999, Ameren's counsel contacted the Commission and indicated that Ameren had learned that Complainants had a new address and that Complainants asserted that they had not received notice for the prehearing conference scheduled for September 23, 1999. Ameren indicated no objection to rescheduling the prehearing conference. Therefore, the Commission rescheduled the prehearing conference for October 13, 1999, in an order issued on September 23, 1999.

A prehearing conference was held on October 13, 1999. The Complainants did not appear. The Complainants did file a letter on that date that expressed certain frustrations regarding this matter, noting health problems, and, indicating that Complainants "cannot continue pursuing this issue [the case] any longer."

Ameren, the Office of the Public Counsel and the Commission's Staff attended the prehearing conference. Ameren's attorney moved to dismiss this case for reasons previously presented in its answer and also for the Complainants' failure to appear at the prehearing conference and for failure to prosecute their complaint. Ameren has stated that Complainants have disputed no amounts billed for service and that its deposit practices have complied with its approved tariff sheets.

The Commission's practice and procedural rules at 4 CSR 240-2.090 authorize the dismissal of a party for an unexcused failure to attend a prehearing conference. It appears that Complainants have abandoned their complaint. Therefore, this case may be dismissed.

**IT IS THEREFORE ORDERED:**

1. That Respondent's motion is granted and that this Complaint is dismissed.
2. That this order shall become effective on December 24, 1999.
3. That this case may be closed on December 27, 1999.

**BY THE COMMISSION**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

Lumpe, Ch., Crumpton, Drainer,  
Murray and Schemenauer, CC., concur.

Thornburg, Regulatory Law Judge

**R E C E I V E D**

**DEC 14 1999**

**COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION**