

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

Edward and Patricia Nelson,)	
)	
Complainant,)	
)	
v.)	Case No. EC-2005-0352
)	
Ameren Union Electric Company,)	
d/b/a AmerenUE,)	
)	
Respondent.)	

ANSWER

COMES NOW Union Electric Company d/b/a AmerenUE (“AmerenUE”), and for its Answer to the Complaint filed in this proceeding, states as follows:

1. On April 5, 2005, Edward and Patricia Nelson of 10116 Old Highway 54, Eugene, Missouri (“Complainants”), initiated this proceeding by filing a Complaint against AmerenUE.
2. In paragraph 1 of the Complaint, Complainants allege that AmerenUE is located in Lake of the Ozarks, Missouri. AmerenUE admits that it has a district office at Lake of the Ozarks, Missouri, but its headquarters is located in St. Louis, Missouri. Further in paragraph 1 Complainants state that AmerenUE is a public utility under the jurisdiction and supervision of the Public Service Commission of the State of Missouri. AmerenUE admits this allegation.
3. In paragraph 2 of the Complaint, Complainants allege that this Complaint involves their property located at 26072 Indian Creek Lane, Barnett, Missouri. AmerenUE admits this allegation.

4. In the remainder of the Complaint, Complainants provide a long narrative of their efforts to get an electric pole moved on their property to accommodate a doublewide trailer they have purchased. The narrative contains a number of allegations concerning Complainants' interactions with third parties (other than AmerenUE) including the seller of the doublewide trailer, the Commission Staff and Chairman Davis. AmerenUE has no direct knowledge of any of these allegations that would permit it to either admit or deny them; therefore it denies these allegations.

5. The Complaint also contains detailed descriptions of the Complainants' interactions with AmerenUE employees that AmerenUE admits are generally accurate, with the following exceptions:

(a) AmerenUE denies that its employee told Mr. Nelson that moving the electric pole that is located on the Complainants' property back sixteen feet would put it in line with all the other utility poles;

(b) AmerenUE denies that any of its employees told Mr. Nelson that the electric pole located on the Complaints' property had been placed in the wrong location;

(c) AmerenUE denies that any of its employees told Mr. Nelson that he would be responsible for costs incurred in replacing the falling pole located three lots away from Complainants' property;

(d) AmerenUE denies that its employee ultimately quoted a price of \$3,300 to move the electric pole located on the Complainants' property; and

(e) AmerenUE denies that its customer service representative either stated or implied that AmerenUE was willing to relocate the electric pole on the Complainants' property for free.

6. The facts pertinent to this Complaint are rather simple. AmerenUE placed an electric pole on what is now the Complainants' property in 1948. At the time the electric pole was placed at that location, Complainants' property was part of a much larger parcel. AmerenUE purchased and still retains easements that authorize it to install and maintain its electric pole at the existing location.

7. AmerenUE acknowledges that the Complainants have no responsibility for the cost of repairing or replacing the electric pole located three lots away from their property. However, Complainants are responsible for the cost AmerenUE will incur to move the electric pole located on their property. AmerenUE has estimated that the cost of moving that pole will be \$3,139.77, and believes the Complainants should be required to pay this amount.

WHEREFORE, for the reasons set forth herein, AmerenUE respectfully requests that the Commission set this matter for hearing, or, in the alternative, dismiss this Complaint.

Respectfully submitted,

By: 

Thomas M. Byrne, MBE No. 33340
Managing Associate General Counsel
Ameren Services Company
P. O. Box 66149 (MC 1310)
St. Louis, MO 63166-6149
(314) 554-2514 (Direct Line)
(314) 554-4014 (Facsimile)
tbyrne@ameren.com

Dated: May 6, 2005

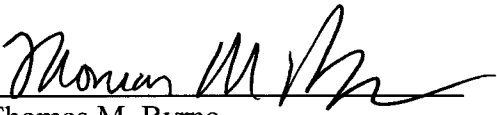
CERTIFICATE OF SERVICE

The undersigned certifies that true and correct copies of the foregoing have been e-mailed or mailed, via first-class United States Mail, postage pre-paid, to the service list of record this 6th day of May, 2005.

Dana K. Joyce
P.O. Box 360
200 Madison Street, Suite 800
Jefferson City, Missouri 65102
GenCounsel@psc.mo.gov

John B. Coffman
P.O. Box 7800
200 Madison Street, Suite 640
Jefferson City, MO 65102
opcservice@ded.mo.gov

Edward and Patricia Nelson
10116 Old Highway 54
Eugene, Missouri 65032



Thomas M. Byrne