

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

Peter B. Howard,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>Case No. EC-2008-0329</u></b>
	)	
Union Electric Company,	)	
d/b/a AmerenUE,	)	
	)	
Respondent.	)	

**ORDER ADOPTING PROCEDURAL SCHEDULE**

Issue Date: July 15, 2008

Effective Date: July 15, 2008

On April 9, 2008, Peter B. Howard filed a complaint with the Missouri Public Service Commission against Union Electric Company, d/b/a AmerenUE. Ameren filed its answer on May 16, 2008, Mr. Howard replied to Ameren's answer on June 3, 2008, and the Staff of the Commission filed a report of its investigation on June 10, 2008. A prehearing conference was held on June 30, 2008.

The complaint remains unresolved. On July 10, 2008, the Staff filed a proposed procedural schedule which includes dates for the exchange of exhibits and documents to be used at hearing; for the filing of a list of issues and witnesses, and order of witnesses; and for a hearing. The parties stipulated that no written prefiled testimony will be offered.

The Commission has reviewed the proposed procedural schedule and agrees that there is no need for prefiled testimony in this case. The Commission will adopt the

procedural schedule recommended by the parties, and will set forth the procedure it will follow to hear Mr. Howard's case, as follows.

(A) All testimony will be presented live and in person. Mr. Howard will testify first and present his case to the Commission. He will then be subject to cross-examination (questions), first by the Staff of the Commission, then by the Office of the Public Counsel, and finally by Ameren.

(B) Ameren will then present its witness[es], who will be subject to cross-examination first by Staff, then by Public Counsel, and finally by Mr. Howard.

(C) The Staff of the Commission will present its witness[es] next, with cross examination first by Ameren, then by Public Counsel, and finally by Mr. Howard.

(D) Although the parties are strongly encouraged to attend the hearing in person, any party wishing to participate by telephone or videoconference will be permitted to do so after notifying the Regulatory Law Judge by calling 573-751-4393 or sending e-mail to [nancy.dippell@psc.mo.gov](mailto:nancy.dippell@psc.mo.gov) no later than July 28, 2008. If a party elects to participate by videoconference, he must appear at the Public Service Commission's offices at 9900 Page Avenue, Suite 103, Overland, Missouri, on the date and time set for the hearing.

(E) The parties shall arrange to exchange copies of all documents they intend to offer as evidence at hearing according to the proposed procedural schedule.

(F) In addition to exchanging documents as set out in (E) above, if any party appears at the hearing by telephone or videoconference, they shall provide a copy of the documents intended to be offered to the Regulatory Law Judge no later than August 5,

2008. These documents may be sent by First Class Mail, faxed to 573-526-6010, or e-mailed to [nancy.dippell@psc.mo.gov](mailto:nancy.dippell@psc.mo.gov).

The parties are reminded that Mr. Howard, as the complainant in this matter, bears the burden of proof to establish with credible evidence that the facts and statements in his formal complaint are more likely than not to be true.

Mr. Howard is advised that failure to participate in the evidentiary hearing could result in his case being dismissed.

**IT IS ORDERED THAT:**

1. The following procedural schedule is established for this case:

Notice to Judge of wish to appear by phone or videoconference	July 28, 2008
Parties' exchange of exhibits and documents to be offered at hearing	August 5, 2008
Filing of List of Issues, List of Witnesses, and Order of Cross-examination	August 5, 2008
Hearing	August 7, 2008 9:00 a.m.

The hearing will be held, unless otherwise ordered, at the Commission's offices in the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. Anyone needing additional accommodations to participate in the hearing should call the Public Service Commission's Hotline at 1 800 392 4211 (voice) or Relay Missouri at 711 prior to the hearing.

2. Any party wishing to appear by telephone or videoconference shall notify the Regulatory Law Judge by calling 573-751-4393 or sending e-mail to [nancy.dippell@psc.mo.gov](mailto:nancy.dippell@psc.mo.gov) no later than July 28, 2008.

3. The parties shall bring to the hearing copies of all documents they intend to offer as evidence. If a party is appearing by telephone or videoconference, he or she shall provide these copies to the Regulatory Law Judge as set out in the body of this order.

4. This order shall become effective on July 15, 2008.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', is written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Nancy Dippell, Deputy Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 15th day of July, 2008.