

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

Dr. Jerry R. Eichholz,)	
)	
Complainant,)	
)	
v.)	Case No. EC-2008-0385
)	
Union Electric Company, d/b/a)	
AmerenUE,)	
)	
Respondent.)	

REQUEST FOR MEDIATION

COME NOW the Staff of the Missouri Public Service Commission (Staff), through Counsel, on behalf of Dr. Jerry R. Eichholz (Complainant) and Union Electric Company, d/b/a AmerenUE (AmerenUE or company), and state to the Missouri Public Service Commission (Commission) the following:

Procedural History

1. On June 17, 2008, Complainant filed an amended Complaint with the Commission, which asserted AmerenUE failed to adequately maintain their equipment and service lines to avoid power outages, and is unconcerned with customer service and the process for reporting outages.
2. On June 18, 2008, the Commission issued its Notice Of Complaint.
3. Additionally, on June 18, 2008, the Commission issued its Order Directing Staff to Investigate and ordered a recommendation be filed on or before August 18, 2008.
4. On July 18, 2008, Counsel for AmerenUE filed an Answer, which asserted the company adequately maintains its equipment and service lines, and has taken several steps to improve reliability and customer service.

Joint Request For Mediation

5. On or around July 24, 2008, Complainant contacted Staff requesting mediation.
6. On July 28, 2008, Counsel for Staff contacted Wendy Tatro, Counsel for AmerenUE, to convey Complainant's request. Counsel for AmerenUE does not take issue with the request and is willing to participate in mediation.
7. Additionally, on July 28, 2008, Counsel for Staff contacted the Complainant, who again verbally conveyed his request for mediation.
8. Counsel for Staff does not object to the parties attempting in good faith to resolve the Complaint, and is filing this request for the parties to facilitate the mediation process.
9. 4 CSR 240-2.125 contains the Commission's procedures for alternative dispute resolution. Subsection (2)(B) states "[a]s the commission deems appropriate, or upon the filing of a request for mediation by any party, mediation services may be provided by a presiding officer or by a neutral third party for the purpose of identifying the issues and attempting a resolution."
10. 4 CSR 240-2.125(5) states "[a]t any time, upon the request for mediation or upon the issuance of an order requiring mediation, the commission may order that all other actions on the case cease and all time limitations be tolled pending the completion of mediation process."

WHEREFORE, Counsel for Staff, on behalf of the Complainant and AmerenUE, requests the Missouri Public Service Commission issue an order 1) allowing mediation; 2) appointing an administrative law judge to preside as mediator; 3) stating a place and time for the mediation process; and 4) ceasing all other actions in the case and tolling time limitations pending the completion of the mediation process.

Respectfully submitted,

/s/ Jennifer Hernandez

Jennifer Hernandez

Legal Counsel

Missouri Bar No. 59814

Attorney for Staff of the
Missouri Public Service Commission

P.O. Box 360

Jefferson City, MO 65102

(573) 751-8706 (Telephone)

(573)-751-9285 (Fax)

jennifer.hernandez@psc.mo.gov

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing was sent to all parties of record, or counsel of record via US Mail, electronic mail or facsimile on this 4th day of August, 2008.

/s/ Dawn M. Carafeno