

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

Charles A. Harter,)	
Complainant,)	
)	
vs.)	Case No: EC-2013-0491
)	
Union Electric Company, d/b/a)	
Ameren Missouri,)	
Respondent.)	

RESPONSE TO REQUEST FOR PRODUCTION

COMES NOW, Union Electric Company, d/b/a Ameren Missouri (“Ameren Missouri” or “Company”), and for its Response to Complainant’s Request for Production of Recordings and Transcripts in Advance of Hearing filed in this proceeding, states as follows:

1. On August 26th, 2013, Complainant joined with Staff and the Company in a Joint Proposed Procedural Schedule which stated, in part, that the parties agreed that there was no further need for discovery, and that proposed a schedule for the prompt resolution of the complaint, including an evidentiary hearing on September 19, 2013.

2. Today, September 9, 2013, immediately following a second joint conference call to develop a joint stipulation of facts, between Complainant, Staff counsel, and counsel for the Company, Complainant filed his Request for Production of Recordings and Transcripts in Advance of Hearing (the “Request”).

3. The Company denies Complainant’s allegation in the Request to the extent it implies that the Company denies having recordings of the phone calls between the parties. Rather, during today’s conference call, Counsel for the Company stated that although such calls did exist, *she* was not in possession of any calls, and despite the fact that discovery was closed by agreement of the parties, the Company would make every effort to produce the calls in a format accessible to Complainant, prior to the hearing. Company counsel advised Complainant that there had been difficulty converting the calls to such a format and she was uncertain how long it would take the Company to do so. The Company is attempting to find a solution to the formatting problem and intends to provide copies of the calls to Complainant as soon as possible.

4. In further response to the allegations contained in the Request, the Company denies that Complainant has made *any* prior request for copies of the recordings of the calls between himself and the Company, whether through formal or informal discovery requests.

5. In further response, the Company states there are no transcripts of the telephone calls between Complainant and the Company. The Company keeps written notations regarding the calls, in one format in particular referred to internally as “call contacts,” and these have already been freely provided to Complainant—again, despite the fact that discovery is closed.

SMITH LEWIS, LLP

/s/Sarah E. Giboney
Sarah E. Giboney, #50299
111 South Ninth Street, Suite 200
P.O. Box 918
Columbia, MO 65205-0918
(573) 443-3141
(573) 442-6686 (Facsimile)
giboney@smithlewis.com

Attorney for Ameren Missouri

By: /s/ Wendy K. Tatro
Wendy K. Tatro, # 60261
Corporate Counsel
Ameren Services Company
P.O. Box 66149
St. Louis, MO 63166-6149
(314) 554-3484 (phone)
(314) 554-4014 (fax)
AmerenMOService@ameren.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Response to Request for Production was served on the following parties via electronic mail (e-mail) or via certified and regular mail on this 9th day of September, 2013.

Nathan Williams, Deputy Staff Counsel
Jeffrey A. Keevil, Senior Staff Counsel
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Nathan.williams@psc.mo.gov
Jeff.keevil@psc.mo.gov

Lewis Mills
Office Of Public Counsel
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov
Lewis.mills@ded.mo.gov

Charles A. Harter
827 S. Sappington
St. Louis, MO 63126

/s/ Sarah E. Giboney
Sarah E. Giboney