

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

SUMMERFIELD INN d/b/a)	
America's Value Inn,)	
)	
Complainant,)	
)	
v.)	Case No. GC-2009-0236
)	
Union Electric Company d/b/a)	
AmerenUE,)	
)	
Respondent.)	

**AMERENUE'S RESPONSE TO COMMISSION ORDER TO
ADDRESS CUSTOMER'S LEGAL STATUS
AND MOTION TO ACCEPT OUT OF TIME**

COMES NOW Union Electric Company d/b/a AmerenUE (AmerenUE or Company), and for its *Response to Commission Order to Address Customer's Legal Status*, states as follows:

1. On December 3, 2008, Summerfield Inn d/b/a America's Value Inn of 4224 S. Clark Street, in Mexico, Missouri (Complainant) initiated this proceeding by filing a *Complaint* against AmerenUE.

2. On February 11, 2009, the Missouri Public Service Commission (Commission) issued an order requiring AmerenUE to make a filing no later than February 19, 2009 to identify the Customer at the center of this dispute, the Customer's legal status and any appropriate motion based upon such information.

3. AmerenUE asks the Commission accept this *Response* out of time. AmerenUE had presumed the order was directed towards the Customer and did not realize it had misread the order until it was reviewed after the deadline.

4. The Customer of Record, which AmerenUE presumes the Commission was referring to when it referred to “Customer” in its order, is Sem Waheed, d/b/a Summerfield Inn. Summerfield Inn, LLC is not the Customer of Record.

5. AmerenUE agrees with Staff that there appears to be a Summerfield Inn, LLC listed with the Missouri Secretary of State’s office, but that entity is not the Customer of Record.

6. It appears this Complaint was filed in the name of Summerfield Inn, d/b/a America’s Value Inn. AmerenUE is uncertain if Complainant meant to file the Complaint in the name of Sem Waheed d/b/a Summerfield Inn or in the name of Summerfield Inn, LLC.

7. Since the Customer of Record is Sem Waheed d/b/a Summerfield Inn, AmerenUE believes the Complaint should properly have been brought in the name of Sem Waheed. Summerfield Inn, LLC has no standing to bring this Complaint because it is not the Customer of Record. AmerenUE asks the Commission to either dismiss the Complaint so that it can be refilled under the name Sem Waheed or, in the alternative, change the named Complainant to Sem Waheed.

WHEREFORE, AmerenUE respectfully requests that the Commission grant AmerenUE’s request to file this answer out of time and accept the pleading in response to the Commission’s Order of February 11, 2009.

Respectfully submitted,

UNION ELECTRIC COMPANY,
d/b/a AmerenUE

By: /s/ Wendy K. Tatro

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Answer was served on the following parties via electronic mail (e-mail) or via regular mail on this 23rd day of February, 2009.

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/s/ Wendy K. Tatro

Wendy K. Tatro