

JBH
AS

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

TUCKER SHELL, LLC)	
)	
Complainant,)	
)	
v.)	CASE NO. EC-2011-0233
)	
UNION ELECTRIC COMPANY)	
D/B/A AMERENUE)	
)	
Respondent.)	

MOTION TO RESPOND TO RESPONDENT'S MOTION TO DISMISS COMPLAINT

COMES NOW Complainant, Tucker Shell, LLC, by and through its attorneys, BETH C. BOGGS, MARCUS K. GNADE and BOGGS, AVELLINO, LACH & BOGGS, L.L.C., and for its Motion to Respond to Respondent's Motion to Dismiss Complaint, states as follows:

1. On February 8, 2011, Union Electric Company d/b/a Ameren Missouri, filed an Answer to the above Complaint. With its Answer, Ameren also filed a Motion to Dismiss the Complaint.
2. Complainant did not respond within ten (10) days or by February 18, 2011, to Ameren's Motion to Dismiss.
3. The Commission granted Complainant ten (10) extra days to file a response to Ameren's Motion to Dismiss on or no later than March 4, 2011.
4. Complainant's counsel spoke with Respondent's counsel on Thursday, February 24, 2011, about granting Complainant thirty (30) extra days or until March 26, 2011, to amend their Complaint. Respondent's attorney had no objection.

WHEREFORE, pursuant to 4CSR240-2.050 (3)(B), Tucker Shell, LLC respectfully requests the Commission be permitted to file Amended Complaint on or before March 26, 2011.

Respectfully submitted,

TUCKER SHELL, LLC

By: 

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was forwarded, via the United States Postal Service, first-class mail, postage prepaid, and facsimile this 25th day of February, 2011, to:

Jennifer Hernandez

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