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Missouri Public
 Service Commission

TO: M.P.S.C.
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 FAX NUMBER: 573-522-6176
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 FROM: JIMMIE E. SMALL
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TO: MPSC, DATA CENTER

MESSAGE: PLEASE DELIVER THE
 ATTACHED Rule 4 CSR-240-2,
 REQUEST FOR EXTENSION OF 10 DAY
 Rule TO HONORABLE M. BUSHMANN
 FOR FURTHER DISPOSITION OF PROCESS.
 RESPECTFULLY SUBMITTED

Jimmie E. Small
 Complainant

Before the Missouri Public Service
Commission, State of Missouri

Jimmie E. Small,
Complainant,

March 09, 2012,

vs.

Case No. ^{EC-}2012-0050

Hon. M. Regla

Ameren Missouri,
Respondent.

J. Bushman
presiding

Complainant's Request For
Reasonable extension of time to
assimilate, draft and file his
Application for rehearing of
the procedural schedule filed on
March 02, 2012, and his objection
to Ex-parte communication between
Commission Chairman Dunn and
Respondent Counsel, St. Louis, Mo.
is clear violation of Substantive
due process of law. U.S.C.A. Const.
Amend 14. See *Hernandez v.*
Texas 347 U.S. 475.

Small v. U.E. Am. Mo.
No. EC-2012-0050

03/09/2012

Now Comes J. Agnew, Complainant
in the above styled cause
And respectfully request an
appropriate Order extending
the 10 day Rehearing rule to
March 15, 2012, Making the pro se
until the 15 day of March 2012
to file his Rehearing grounds
And Objections to the March
02, 2012 Commission order, scheduling
an evidence hearing for April 11, 2012
As grounds for extension, the
pro se states;

1. That he has not previously
requested an extension to respond
to the March 02, 2012 Commission
procedural schedule.

- 2) Respondent's ability would not be prejudiced by an order extending the 10 day rule.
4 CSR 240-2 Subpart (13) until March 15, 2012.
- 3) The party's request for extension is filed in good faith, not to cause undue delay, increase proceeding cost or to impede Respondent's defense.
- 4.) The effective date of the March 02, 2012 Commission order became effective on March 02, 2012, not later.
State ex rel. Ultra R. Co. v. Public Service Commission, 536 S.W.2d 766 (Mo. 1974).
- 5.) This Request for reasonable extension was filed timely, prior to the expiration of the 10 day rule standard. 4 CSR 240-2, Subpart (13).

6. Other than by Request for extension, Pro Se Ammon has no adequate remedy available.

7. That if the extension request is granted until March 15, 2012, the pro se shall file his rehearing request setting forth evidence of extra-judicial communication, ex-parte communication evidence, between Counsel for Respondent and Commission Chairman 12-4-7-7 making further MPSC and April 11, 2012 evidence hearing to be an exercise in pure judicial futility, showing preferential treatment to Respondent Herbert Morrison, a 25-26 Billion dollar utility, serving some one (1) Million (2) two hundred thousand Missouri electrical customers. Wherefore the undersigned respectfully request such reasonable extension of time the Hon. J.

M. Bushmann might deem appropriate
in the above case premises.

Respectfully Submitted
Jimmie E. Small
General Delivery
Quincy, Illinois 62301.

Rule 4 C.S.R. 240-2, part (16)(17)
proof of Service

The undersigned Certifies that
a complete copy of the foregoing
request for extension was
served upon Respondent Counsel
Paul E. Gibson, Columbia, Missouri
by U.S. Mail, postage fully prepaid.
Done on this (Friday) March
09, 2012. EXCEPTIONS NONE. Original
filed with Data Center for transfer to
Hon. M. Bushmann, as appropriate.
Jimmie E. Small

page (5) of (5) JES.



counsel;

3. The designated Missouri attorney shall simultaneously enter an appearance as an attorney of record; and

4. The visiting attorney shall provide a receipt or a statement showing that he or she has complied with the requirement of Missouri Supreme Court Rule 6.01(m).

(4) An eligible law student certified under Missouri Supreme Court Rule 13 may appear before the commission as an attorney. The student must comply with any applicable rules or statutes.

(5) Practice by Nonattorneys. A natural person may represent himself or herself. Such practice is strictly limited to the appearance of a natural person on his or her own behalf and shall not be made for any other person or entity.

(6) After an attorney has entered an appearance for any party, the attorney may withdraw only by leave of the commission.

AUTHORITY: section 386.410, RSMo 2000.* Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. Amended: Filed Nov. 7, 1984, effective June 15, 1985. Rescinded and readopted: Filed March 10, 1995, effective Nov. 30, 1995. Rescinded and readopted: Filed Aug. 24, 1999, effective April 30, 2000. Amended: Filed March 2, 2011, effective Oct. 30, 2011.

*Original authority: 386.410, RSMo 1939, amended 1947, 1977, 1996.

Smith v. Public Service Commission, 336 S.W.2d 491 (Mo. 1960). Commission Rule 12.07 allowing individual party before commission held not to authorize non-lawyer individual to act as attorney for twenty-five other individuals. See also *Reed v. Labor and Industrial Relations*, 789 S.W.2d 19 (Mo. banc 1990) and *Clark v. Austin*, 340 Mo. 647, 101 S.W.2d 977 (Mo. 1937).

4 CSR 240-2.045 Electronic Filing (Rescinded October 30, 2011)

AUTHORITY: section 386.410, RSMo 2000. Original rule filed Dec. 7, 2001, effective May 30, 2002. Rescinded: Filed March 2, 2011, effective Oct. 30, 2011.

4 CSR 240-2.050 Computation of Time

PURPOSE: This rule sets standards for computation of effective dates of any order or

time prescribed by the commission when no specific date is set by commission order.

(1) In computing any period of time prescribed or allowed by the commission, the day of the act, event, or default shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, Sunday, or legal holiday, in which case the period runs until the end of the next day which is not a Saturday, Sunday, or legal holiday. This rule does not apply when the commission establishes a specific date by which an action must occur, nor does it operate to extend effective dates which are established by statute.

(2) Except when the issuance and effective date are the same, in computing the effective date of any order of the commission, the day the order was issued shall not be included, and the order is considered effective at 12:00 a.m. on the effective date designated in the order, whether or not the date is a Saturday, Sunday, or legal holiday. If the effective date and the issuance date are the same, the order shall be effective at the date and time the order is issued by the commission.

(3) When an act is required or allowed to be done by order or rule of the commission at or within a specified time, the commission may—

(A) Order the period enlarged before the expiration of the period originally prescribed or as extended by a previous order; or

(B) After the expiration of the specified period, permit the act to be done where the failure to act was the result of excusable neglect or for other good cause shown.

AUTHORITY: section 386.410, RSMo 2000.* Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. Amended: Filed Nov. 7, 1984, effective June 15, 1985. Rescinded and readopted: Filed March 10, 1995, effective Nov. 30, 1995. Rescinded and readopted: Filed Aug. 24, 1999, effective April 30, 2000. Amended: Filed March 2, 2011, effective Oct. 30, 2011.

*Original authority: 386.410, RSMo 1939, amended 1947, 1977, 1996.

State ex rel. Alton R. Co. v. Public Service Commission, 536 S.W.2d 766 (Mo. 1941). The effective date of an order is at the beginning of that date, rather than at its close.

PURPOSE: Applications to the commission requesting relief under statutory or other authority must meet the requirements set forth in this rule.

(1) All applications shall comply with the requirements of these rules and shall include the following information:

(A) The legal name of each applicant, a brief description of the legal organization of each applicant, whether a Missouri corporation, foreign corporation, partnership, proprietorship, or other business organization, the street and mailing address of the principal office or place of business of each applicant and each applicant's electronic mail address, fax number and telephone number, if any;

(B) If any applicant is a Missouri corporation, a Certificate of Good Standing from the secretary of state;

(C) If any applicant is a foreign corporation, a certificate from the secretary of state that it is authorized to do business in Missouri;

(D) If any applicant is a partnership, a copy of the partnership agreement;

(E) If any applicant does business under a fictitious name, a copy of the registration of the fictitious name with the secretary of state;

(F) If any applicant is a political subdivision, a specific reference to the statutory provision and a specific reference to any other authority, if any, under which it operates;

(G) If any applicant has submitted the applicable information as set forth in subsections (1)(B)–(F) of this rule in a previous application, the same may be incorporated by reference to the case number in which the information was furnished, so long as such applicable information is current and correct;

(H) A brief statement of the character of business performed by each applicant;

(I) Name, title, address, and telephone number of the person to whom correspondence, communications, and orders and decision of the commission are to be sent, if other than to the applicant's legal counsel;

(J) If any applicant is an association, other than an incorporated association or other entity created by statute, a list of all of its members;

(K) A statement indicating whether the applicant has any pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment, or decision has occurred within three (3) years of the date of the application;

(L) A statement that no annual report or assessment fees are overdue; and

4 CSR 240-2.060 Applications