BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Jimmie E. Small,)	
Complainant,)	
v.)) <u>File</u>	No. EC-2012-0050
Ameren Missouri, et. al.,)	
Respondents.)	

ORDER GRANTING AMEREN MISSOURI'S SECOND MOTION TO COMPEL PRODUCTION OF DOCUMENTS

Issue Date: November 29, 2012 Effective Date: November 29, 2012

On March 8, 2012, Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri") served Jimmie Small with a request for the production of documents under Missouri Rule of Civil Procedure 58.01. The request asked Mr. Small to produce any documents he had obtained from an Ameren Missouri representative at its office in Kirksville, Missouri. On May 30, 2012, Ameren Missouri filed a *Motion to Waive Discovery Rules and to Compel Complainant's Response to Ameren Missouri's Request for Production.* The motion alleged that Mr. Small had failed to produce the requested documents or make an objection to the request.

On May 31, 2012, the Commission granted Ameren Missouri's motion, finding that the request for the production of documents was relevant to one of the issues in this case and, therefore, was a proper matter for discovery under Missouri Rule of Civil Procedure 56.01(b). The Commission ordered Mr. Small to comply with Ameren Missouri's first

request for production of documents no later than June 7, 2012, but subsequently postponed the evidentiary hearing indefinitely at Mr. Small's request.

On October 31, 2012, the Commission amended the procedural schedule in this case and set the evidentiary hearing for March 12, 2013. Ameren Missouri asserts that Mr. Small has not produced the documents requested in its first request for production, and asks that the Commission renew its order compelling Mr. Small to produce those documents. The Commission will grant Ameren Missouri's second motion to compel production and require Mr. Small to produce the requested documents.

THE COMMISSION ORDERS THAT:

- 1. Ameren Missouri's Second Motion to Compel Complainant's Response to Ameren Missouri's Request for Production is granted. Mr. Small shall comply with Ameren Missouri's request for production of documents no later than December 29, 2012.
 - 2. This order shall become effective immediately upon issuance.

BY THE COMMISSION

Steven C. Reed Secretary

(SEAL)

Michael Bushmann, Regulatory Law Judge by delegation of authority pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri, on this 29st day of November, 2012.