

Numerous call to V.E. over last
3 yrs to NO Avail. Also contacts
with Public Service Commission
most recent time 1st week of Jan. 03 at address
of 900 S. Morris and #15 Bergenville. No info.

WHEREFORE, Complainant now requests the following relief:

Review By, + Supervision by Public
Service Commission and Change of
Interpretation of Policy, SCR 240.13.050 (2E)
See 1st of letter to Mr. Bucher # PP. 11
or letter to Mr. Jay Fred PP # 2

3/27/03
Date

Beth Miller
Signature of Complainant

Attach additional pages, as necessary.
Attach copies of any supporting documentation.

3-28-03

Missouri Public Service Commission

Ms. Gay Fred

Attached is a letter sent to Ameren U E which outlines the extreme difficulty that the land lords have in dealing with Ameren U E and the disconnection of service notices to their tenants and/or property. First of all, the landlord cannot even find out from Ameren U E when services are going to be disconnected. Secondly, even if they find out, there is absolutely no way to get the service restored by the land lord. The economic consideration of this, depending on the properties involved, can be devastating, and places the land lord in a position of either violating the tenants rights or eating the costs of repair without any due recourse because of Ameren U E's policies and decisions. It is obvious they have taken an enabling regulation developed by the Economic Development Commission and turned it into an arbitrary rule for themselves without regard to the consequences for other people. It is also obvious that the Economic Development Commission or Public Service Commission or whom ever, has not had sufficient oversight with regard to this situation. I am specifically requesting that they look into this matter and would appreciate you letting me know what your decisions are regarding this matter..

I would like to suggest that a much more reasonable approach would be for AmerenU E to notify land lords when service is going to be disconnected during winter months when physical damage can occur to the properties, allowing land lords, who have appropriate Land lord Leave on Agreements, to place the utilities in their name, if, prior to that change of service, there is an acceptable payment plan negotiated between Ameren U E and the tenant for payment of the back bill so that Ameren U E 's bills would be protected. after a period not to exceed 120 days or after the cut off date for inclement weather, utilities could be shut off for non payment at Ameren U E 's discretion.

This would allow for the land lords to be protected, enabling him to be aware of what was going on with his property and if necessary, give him adequate time to follow legal due process to as Ameren U E puts it, "kick them out " so the tenants rights are not violated and the legal implications are not incurred by the land lord.

I would appreciate you letting me know how this matter can be resolved for all concerned.

Thank you...

Ralph Mika
609 N. Blvd
Mexico, Mo 65265

March 24, 2003

Ameren U E
One Ameren Plaza
1901 Chouteau Ave
P O Box 66149
St. Louis, MO 63166-6149

Mr. E.R. Buhr,

I have received your letter of 3-11-03 that you wrote at the request of Mrs. Gay Fred regarding the fact that AmerenUE has the policy that they do not send out notifications of disconnection of services during winter months to landlords so that they may protect their property from serious and severe damage because of the lack of utility services.

In addition, if the landlord requests that the service be put in his name and is willing to accept the responsibility of the costs of services when it is disconnected from the tenants home, the property owner is not allowed to do so, unless he, "according to your staff", "kick them out of the house", and "our workers will check to see if they are still living there and if they are, the utilities will not be turned back on". Obviously the staff at Ameren UE is not familiar with Chapter 535 Landlord-Tenants Actions, Section 535.010 through Section 535.300. Unlike discountenances of utilities, tenants being "kicked out" must have due process under the law, and to make a long story short, this takes 3 separate notifications, and specific periods of time, which takes anywhere from 45 days to 6 months, depending on the circumstances of each individual case. In addition, all of this is supervised by the court. I am sure you must also be aware

that Ameren U E policies, which prohibit landlords from placing the utilities in their name if a disconnect notice is received by a tenant, can be one of the major reasons why especially in the metropolitan areas, there can be so much damage and abandonment of property due to broken pipes, registers, boilers and such without the landlord even knowing the situation is happening and not being allowed to even safeguard their property because of the policies of Ameren U E.

For these reasons, I find your letter totally unacceptable from the standpoint of a customer, a landlord, and a citizen of the state. I was unaware that the Public Service Commission was a division of the Department of Economic Development. This is rather ironic since you have taken a rule - SCR240.13.050(2E) and through your interruption of changing the word "MAY" to the word "WILL", made it so that the Dept. of Economic Development might as well, for these circumstances, be called the Department of Economic Destruction

Your 4th paragraph regarding 3rd party notification does absolutely nothing to resolve any problems for landlords as you already note in your 3rd paragraph, "the distinguishing factor is that the person who owed for the past service at your rental property, continues to live there."

It is obvious that AmerenUE's re-interruption from MAY to WILL of the Department of Economic Development's rule SCR240.13.050 without notification to the landlord and without allowing the landlord to protect his property by placing the service in his name, unless he is willing to violate tenants rights under Missouri code is arbitrary, capricious, and confiscatory.

The economic destruction that these policies contribute to, can go way beyond the landlord or tenants domain. It can significantly contribute to the run down, dilapidated, and uninhabitable properties in both the metropolitan and small communities. It specifically deteriorates the housing stock of any community. It deteriorates the tax base of any given community, and results in specific costs and time for cities and other public entities, of course after due process, which unfortunately is not provided by Ameren UE to the landlord at the beginning of the process; for the demolition of the property.

March 11, 2003

Mr. Ralph Mika
P. O. Box 237
Mexico, MO 65265

Dear Mr. Mika:

At the request of the Missouri Public Service Commission, I am writing this letter to explain we were unable to put the service in your name under the Rules of Department of Economic Development, Division 240 Public Service Commission, Chapter 13 Service and Billing Practices for Residential Customers of Electric, Gas and Water Utilities in the State of Missouri.

In the above named document, under SCR 240.13.050 Discontinuance of Service, (2) (E) utilities may disconnect service if the previous occupant who has an unpaid or delinquent bill "remains an occupant or user."

Some owners do elect to keep utility bills in their name while a tenant lives at their property. This is certainly allowed as long as the owner knows that by doing this they are accepting responsibility for any service used at the property. The distinguishing factor is that the person who owed for past service at your rental property continued to live there.

We do have a Third Party Notification program you might consider. Customers may request a third party receive copies of Notices sent on their account. This is normally done for elderly or handicapped customers—but there is nothing to stop a landlord from having tenants apply for Third Party Notification on their account and list the landlord as the Third Party. You would then receive notification--as the customer would--if their account was in threat of disconnection. We would not be breaching confidentiality since the customer makes the request on their own account.

We are sorry we could not accommodate your request at your rental property. I hope this letter provides a satisfactory explanation why and perhaps an alternative solution for your consideration. If there is anything else we can do for you, please give us a call.

Sincerely,



D. R. Buhr
Supervisor, Customer Contact Center

Cc: Gay Fred, MPSC





Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

March 14, 2003

Mr. Ralph Mika
P. O. Box 237
Mexico, MO 65265

Dear Mr. Mika:

This is in response to your complaint against AmerenUE and your indication you wish to file a formal complaint.

A formal complaint must be filed in written form including an original or duplicate original and eight (8) copies addressed to the Secretary/Chief Regulatory Law Judge of the Commission. After filing, the Commission will give the company thirty (30) days to either satisfactorily resolve the complaint or respond in writing with the company position. If the complaint is not settled and the company responds denying the allegations, the Commission may order the Staff to conduct an investigation and may schedule a hearing.

The hearing is very similar to a trial in a court of law. At the time of the hearing, state law requires that you present evidence which will substantiate your claim against the company. The company also will be given the opportunity to present evidence discounting your claims. All parties, including the Commission's Staff, will have the opportunity to cross-examine the other parties witnesses. Further, any person as defined in 4CSR 240-2.010(11), other than an individual must be represented by an attorney.

Please note further filing requirements in the enclosed Chapter 2 - Rules of Practice and Procedure.

Sincerely,

A handwritten signature in black ink, appearing to read "Gay Fred".

Gay Fred, Manager
Consumer Services Department

Enc: Formal complaint form - Chapter 2 - Rules of Practice and Procedure



Commissioners
 KELVIN L. SIMMONS
 Chair
 CONNIE MURRAY
 SHEILA LUMPE
 STEVE GAW
 BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
 JEFFERSON CITY, MISSOURI 65102
 573-751-3234
 573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>

February 28, 2003

ROBERT J. QUINN, JR.
 Executive Director
 WESS A. HENDERSON
 Director, Utility Operations
 X ROBERT SCHALLENBERG
 Director, Utility Services
 DONNA M. PRENGER X
 Director, Administration
 DALE HARDY ROBERTS
 Secretary/Chief Regulatory Law Judge
 DANA K. JOYCE
 General Counsel

Mr. Ralph Mika
 Box 237
 Mexico, MO 65265

Dear Mr. Mika:

This letter is in response to your request for information we discussed via telephone call February 10, 2003, concerning Ameren UE's Residential Landlord Leave-On Agreement. As discussed, this issue is not covered by Commission Rules or by company tariffs when the matter involves nonpayment of utility services.

However, I contacted the company on your behalf to inquire about the possibility of Ameren UE adding to their practice/procedure for Residential Landlord Leave-On Program a method whereby they provide notice to the landlord prior to disconnection of service, especially during winter months to prevent possible property damage due to no heat. According to a company representative, they will take this matter under advisement and will consider this possibility in the future.

As you know, the primary purpose of the Landlord Leave-On Program is to provide uninterrupted service and automatic billing for rental property owners once Ameren UE is notified that a tenant is moving out from the property. In addition, enrollment in the Landlord Leave-On Program does not prevent disconnection of the tenant's service for nonpayment of utility service billing or for safety reasons when Ameren UE's records show the tenant is still their customer.

I have also discussed this matter with Commissioner Gaw. He and I both understand your concern and will continue to pursue this matter on your behalf with Ameren UE. If you have any further questions, please feel free to contact me toll free at 1-800-392-4211.

Sincerely,

Gay Fred

Gay Fred
 Consumer Services Manager

Call 1-800-255-5322 FTL working 573-635-1915 no toll tele commission