# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Peter B. Howard,

Complainant,

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File No. EC-2010-0285

AmerenUE,

Respondent.

# **ORDER TO SHOW CAUSE**

Issue Date: July 29, 2010 Effective Date: July 29, 2010

The Missouri Public Service Commission is ordering Peter B. Howard to show cause why the Commission should not dismiss this action. The Commission will not dismiss the complaint if Mr. Howard intends to pursue it. But if Mr. Howard intends to pursue the complaint, the Commission must receive a written response to this order as follows.

### A. Procedure So Far

Mr. Howard filed the complaint against Union Electric Co. d/b/a AmerenUE ("AmerenUE") on April 13, 2010, asking to reduce an electric bill. On May 3, 2010, AmerenUE filed its answer with a motion to dismiss. The Commission's staff ("Staff") filed its recommendation on June 10, 2010, against the complaint.

On June 11, 2010, the Commission sent Mr. Howard a reply form to help the Commission process the complaint. The reply form included instructions on how to fill it in and return it to the Commission. The instructions stated:

If you do not reply to a statement, the PSC may assume that you believe that such statement is true. You must return the attached form to the PSC no later than June 25, 2010. If you do not return the form by that date, the PSC may assume that you are no longer pursuing your complaint.

As of the date of this order, Mr. Howard has not returned the reply form to the Commission. On July 9, 2010, the Commission again asked Mr. Howard to return the reply form. The letter asked for a response no later than July 23, 2010. As of the date of this order, Mr. Howard has not responded to the letter.

#### B. Next Steps

Mr. Howard' failure to respond to Commission correspondence suggests that he no longer intends to pursue the complaint.

If Mr. Howard no longer intends to pursue the complaint, no further action from any party is needed, because the Commission can end these proceedings by dismissing the complaint.<sup>1</sup> But before the Commission does so, Mr. Howard may show cause why the Commission should not dismiss the complaint. To show cause why the Commission should not dismiss the complaint. To show cause why the Commission should not dismiss the complaint. To show cause why the Commission should not dismiss the complaint. To show cause why the Commission should not dismiss the complaint. To show cause why the Commission should not dismiss the complaint. To show cause why the Commission should not dismiss the complaint.

If Mr. Howard does so, the Commission may resume these proceedings, including a hearing to gather evidence on which to decide the complaint. Mr. Howard may participate in the hearing in different ways, including attending in person or by telephone. But if Mr. Howard does not respond to this order as directed, the Commission may dismiss the complaint.

#### THE COMMISSION ORDERS THAT:

1. No later than August 19, 2010, Peter B. Howard shall file a response to this order as described in the body of this order.

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2. This order shall become effective immediately on issuance.

## BY THE COMMISSION

(SEAL)

Steven C. Reed Secretary

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

Dated at Jefferson City, Missouri, on this 29<sup>th</sup> day of July 2010.

<sup>&</sup>lt;sup>1</sup> 4 CSR 240-2.090(5) and 4 CSR 240-2.116(3).