

**BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI**

Jimmie E. Small	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>File No. EC-2012-0050</u></b>
	)	
Union Electric Company d/b/a	)	
Ameren Missouri,	)	
	)	
Respondent.	)	

**STAFF’S RESPONSE TO COMPLAINANT’S OCTOBER 12, 2011 AND OCTOBER 14,  
2011 FILED OBJECTIONS**

COMES NOW the Staff of the Missouri Public Service Commission, by and through the undersigned counsel, and respectfully submits the *Staff’s Response To Complainant’s October 12, 2011 And October 14, 2011 Filed Objections (Response)* to the Commission stating the following:

1. On August 15, 2011<sup>1</sup>, Mr. Jimmie E. Small (Complainant) filed a *Complaint* with the Commission. On August 16, the Commission issued its *Notice of Contested Case and Order Directing Filings* that directed the Staff to investigate the *Complaint* by September 30.
2. On September 30, counsel for the Staff filed the *Staff’s Recommendation (Recommendation)* in this matter.
3. On October 12, the Commission received the *Complainant’s Objections To Staff Recommendation 9/30/11*.
4. On October 14, the Commission also received the *Complainant’s Supplemental Objections to Staff Report of 09/30/2011*.

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<sup>1</sup> All dates herein refer to the calendar year 2011, unless otherwise specified.

5. The Staff notes that the Complainant's filings appear to be more that of responses to the *Recommendation* than legal objections. Any response to the *Recommendation* was due by October 11, 2011. See 4 CSR 240-2.050 and 240-2.080 (15).

6. The Complainant alleges that the Staff, the undersigned counsel and other individuals outside the Commission have discriminated against him during the Staff's investigation. The Staff conducted its investigation in the same manner it investigates any complaint filed before the Commission. The Staff reviewed any and all information filed by the Complainant with the *Complaint*, or received thereafter, as well as account information obtained from Union Electric Company d/b/a Ameren Missouri (Ameren Missouri or Company).

7. The Staff is charged with being a neutral evaluator to the Commission and neither the Staff, nor its counsel, have received any benefit from the result reached within the September 30, 2011 *Recommendation*.

8. The Staff has not withheld any information from the Complainant and does not have the authority to grant the Complainant access to any Company facility as he suggests.

**WHEREFORE**, the Staff submits this *Response* for the Commission's information and consideration.

Respectfully submitted,

**/s/ Jennifer Hernandez**  
Jennifer Hernandez  
Associate Staff Counsel  
Missouri Bar No. 59814

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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served via first class U.S. postal mail, postage prepaid, on Jimmie E. Small, 606 West Hwy #2 Milton, IA 52570; Sarah Giboney and Wendy Tatro, attorneys for Ameren Missouri at [giboney@smithlewis.com](mailto:giboney@smithlewis.com) and [AmerenMOService@ameren.com](mailto:AmerenMOService@ameren.com); and the Office of Public Counsel at [opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov) this 24<sup>th</sup> day of October 2011.

**/s/ Jennifer Hernandez**