

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

The Staff of the Missouri
Public Service Commission,
Complainant,
vs.
Arkansas Power and Light Company,
Respondent.

Case No. EC-86-107

COMPLAINT

Comes now the Staff of the Missouri Public Service Commission, by and through the General Counsel, and for its cause of action states:

1. This Commission has general supervisory and regulatory powers over electrical corporations. Chapters 386 and 393 RSMo. (1978), Section 393.140 RSMo. (1978).

2. Respondent is an electrical corporation regulated by this Commission.

3. That pursuant to Section 386.320.3 and 393.140.8 RSMo. 1978, the Commission has the power to examine the accounts, books, contracts, records, documents and papers of the Company and has the power to compel their production.

4. Pursuant to Section 386.470 RSMo. 1978, no person is excused from producing any books or papers when ordered to do so by the Commission.

5. Section 393.140.9 provides that should the Company fail to make specific answers to any questions when required by the Commission, the Commission may bring an action for the sum of \$100 for each and every day the Company shall continue to be in default with respect to such answer.

6. Pursuant to Section 386.600 RSMo. 1978, an action to recover a penalty or a forfeiture under this chapter or to enforce the powers of the Commission under this or any other law may be brought in

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any circuit court in this state in the name of the State of Missouri and shall be commenced and prosecuted to final judgment by the general counsel to the commission. . . . In any such action all penalties and forfeitures incurred up to the time of commencing the same may be sued for and recovered therein, and the commencement of an action to recover a penalty or forfeiture shall not be, or be held to be, a waiver of the right to recover any other penalty or forfeiture;. . . .

7. Staff submitted October 22, 1985 Data Request 1000 and October 29, 1985 Data Request 103 requesting the Company's PROMOD III computer run and documents related thereto.

8. On December 13, 1985 Staff filed a motion seeking compliance with Data Request 103.

9. On January 2, 1985 the Commission ordered that Company furnish requested documents within five (5) days from the date of said Order.

10. Under Supreme Court Rule 55.27(d) requested documents were due on January 9, 1985.

11. That to date Company has not complied with the Commission's Order and has not provided requested documents.

12. That to date the order has not been stayed, nor has a request for stay been made.

. WHEREFORE, Complainant respectfully requests that the Commission:

a) hold a hearing on the above alleged violations of its rules,

b) issue a Report and Order finding that Respondent has violated the Commission Order of January 2, 1986 as alleged above,

c) direct the General Counsel to bring and prosecute an action against Respondent in the appropriate circuit court for alleged violations above, and

d) take whatever other actions it deems appropriate under the circumstances.

Respectfully submitted,

Angela D. Turner

Angela D. Turner
Assistant General Counsel

Attorney for the Staff of the
Public Service Commission of the
State of Missouri
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CERTIFICATE OF SERVICE

I hereby certify that
copies of the foregoing
have been mailed or hand-
delivered to all parties of
record on this 21 day of

January, 19 86

Angela D. Turner