

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

Jimmie E. Small,
Complainant

vs.

Ameren Missouri,
Respondent

)
)
)
)
)
)
)

Case No. EC-2012-0050

PUBLIC COUNSEL’S MOTION FOR APPOINTMENT OF A MEDIATOR

COMES NOW the Office of the Public Counsel and for its Motion for Appointment of a Mediator states as follows:

1. On August 31, 2011, Jimmie E. Small filed a complaint against Union Electric Company d/b/a Ameren Missouri UE.¹
2. On October 26, the Commission issued an order directing the parties to state “what remedy, if any, the Commission has authority to grant Mr. Small in the event he prevails in his complaint.” Several responses were filed on November 7; Public Counsel’ response suggested that there may be a dispute within the jurisdiction of the Commission, and that the dispute may be resolved in such a manner as to provide relief to the Complainant.
3. On November 3, Mr. Small filed a request for mediation.² It appears that mediation would be very helpful in this case, but Ameren has neither accepted nor rejected Mr.

¹ Other entities were included in the complaint as additional respondents, but the Commission subsequently dismissed them.

² The filing is titled in EFIS as “Complainant’s Letter to Ameren Missouri,” but it is clearly a request for mediation. The concluding sentence reads: “The undersigned respectfully request Respondent Utility respond to Company’s desire for MEDIATION in Case No 2012-0050, and as to any specific point of interest subject to mediation.”

Small's request for mediation. Public Counsel suggests that the Commission appoint a mediator pursuant to 4 CSR 240-2.125(2)(A) and (B).

WHEREFORE Public Counsel respectfully requests that the Commission appoint a mediator pursuant to 4 CSR 240-2.125(2)(A) and (B).

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

By: /s/Lewis R. Mills
Lewis R. Mills, Jr. (#35275)
Public Counsel
P O Box 2230
Jefferson City, MO 65102
(573) 751-1304
(573) 751-5562 FAX
lewis.mills@ded.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been emailed to all parties this 23rd day of November 2011.

Missouri Public Service Commission
Jennifer Hernandez
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
jennifer.hernandez@psc.mo.gov

Missouri Public Service Commission
Office General Counsel
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
GenCounsel@psc.mo.gov

Union Electric Company
Sarah E Giboney
P.O. Box 918
Columbia, MO 65205-0918
giboney@smithlewis.com

Union Electric Company
Wendy Tatro
1901 Chouteau Avenue
St. Louis, MO 63166-6149
AmerenMOService@ameren.com

Jimmie E. Small
Jimmie E Small
General Delivery
3535 Locust St.
Quincy, IL 62301

By: Lewis R. Mills