

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

Jimmie E. Small,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>File No. EC-2012-0050</u></b>
	)	
Ameren Missouri, et. al.,	)	
	)	
Respondents.	)	

**NOTICE REGARDING EVIDENTIARY HEARING**

Issue Date: May 30, 2012

On May 9, 2012, the Missouri Public Service Commission ("Commission") amended the procedural schedule in this case and set an evidentiary hearing for June 13, 2012 at 9:30 a.m. in Jefferson City, Missouri. This case is designated as a small formal complaint case pursuant to Commission Rule 4 CSR 240-2.070(15), which provides for special hearing procedures. Although the hearing will be held in the Commission's hearing room in the Governor Office Building, the hearing will not be webcast. Members of the Commission's Staff who investigated the complaint must be present at the hearing and available to the parties as a possible witness. Staff members must also bring a copy of the Staff investigation report and any other relevant documents that may be entered into the record as exhibits.

Those particular rules in 4 CSR 240-2.070(15) that relate to the hearing process are included below, as follows:

(D) The commission's staff shall, within forty-five (45) days after the complaint is filed, investigate the complaint and file a report detailing staff's findings and recommendations. The regulatory law judge may allow staff additional time to complete its investigation for good cause shown. The member or members of the commission's staff who investigate the complaint shall be available as a witness at the hearing if the regulatory law judge or any party wishes to call them to testify. Staff shall not advocate a position beyond reporting the results of its investigation. If staff believes it should advocate a position, it may file a motion to change the status of the complaint under subsection (B) of this section.

(E) Any hearing, unless otherwise agreed to by the parties, shall be held in the county, or a city not within a county, where the subject utility service was rendered or within thirty (30) miles of where the service was rendered. The regulatory law judge may allow any party, witness, or attorney to participate in the hearing by telephone.

(F) Small formal complaint case hearings shall be conducted in an informal summary manner whenever possible, without affecting the rights of the parties—

1. The technical rules of evidence shall not apply;
2. The regulatory law judge shall have the authority to dispense with pre-filed written testimony; and
3. The regulatory law judge shall assume an affirmative duty to determine the merits of the claims and defenses of the parties and may question parties and witnesses.

(G) The regulatory law judge, after affording the parties reasonable opportunity for discovery and a fair hearing, shall issue a recommended report and order within one hundred (100) days following the filing of the complaint, unless the regulatory law judge finds good cause to extend that time or the extension is otherwise agreed to by the parties.

(H) Any party subject to a recommended order disposing of the case or a recommended report and order issued by a regulatory law judge under this section may file with the commission, within ten (10) days of the issuance of the recommended order, comments supporting or opposing the recommended order. Any comments opposing the recommended order shall contain specific detailed grounds upon which it claims the order is unlawful, unjust, or unreasonable. The commission may approve or reject the recommended order based on the existing record without further hearing. If the commission rejects the recommended order, the

commission shall issue its own order based on the evidence previously submitted, or upon such additional evidence, as the commission shall choose to receive.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'S. C. Reed', written over a horizontal line.

Steven C. Reed  
Secretary

( S E A L )

Dated at Jefferson City, Missouri,  
on this 30th day of May, 2012.

Bushmann, Regulatory Law Judge