

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

Jimmie E. Small,)
)
 Complainant,)
)
 v.)
)
 Union Electric Company)
 d/b/a Ameren Missouri)
)
 Respondent.)

File No. EC-2015-0058

ORDER GOVERNING HEARING AND PRE-HEARING PROCEDURE

Issue Date: February 10, 2015

Effective Date: February 10, 2015

The Commission is setting forth the subject matter of the evidentiary hearing and discovery, and the order of proof at the evidentiary hearing.

The subject of the hearing shall be whether a bill for service at Lot 23, 2306 Potter Trail, Lot 23, Kirksville, Missouri (“service address”) remains unpaid and whether such bill supports denial of reconnection to the service address. The complaint of Jimmie E. Small charges that Union Electric Company d/b/a Ameren Missouri (“Ameren”) denied reconnection to the service address. Ameren’s answer and Staff’s recommendation cite provisions allowing Ameren to deny reconnection based on an unpaid bill for service at the service address. The pleadings reveal no other matter over which the Commission has jurisdiction, so the Commission will limit the evidence at hearing to that subject matter. That subject matter also circumscribes the scope of discovery as set forth in the ordered paragraphs.

Because Ameren has a regulatory duty to maintain records of service and payment, those matters are peculiarly within Ameren’s knowledge. Therefore, the sequence of proof

shall be as follows. Ameren shall present evidence supporting its defense, then Staff shall make its witness available, then Mr. Small may present his case.¹ This order does not alter the burden of proof, which Mr. Small must carry to prove his case.²

THE COMMISSION ORDERS THAT:

1. Any subpoena request shall be filed in writing no less than 20 days before the hearing. Subpoena requests may be granted only by the regulatory law judge assigned to this action. No subpoena will be issued except on a showing of relevance to the subject matter described in the body of this order and, in the case of a witness subpoena, of the proposed witness's refusal to testify voluntarily.
2. At the evidentiary hearing, the subject matter and the sequence of proof shall be as set forth in the body of this order.
3. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

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

Dated at Jefferson City, Missouri,
on this 10th day of February, 2015.

¹ 4 CSR 240-2.110(5).

² AG Proc., Inc. v. KCP&L Greater Missouri Operations Co., 385 S.W.3d 511, 516 (Mo.App., W.D. 2012).