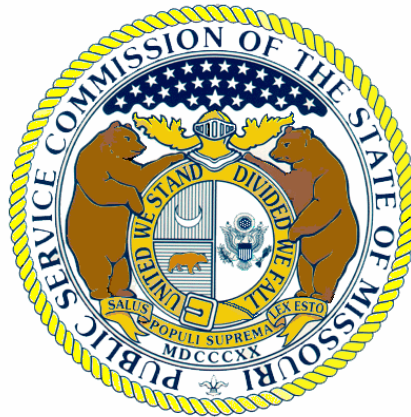


**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**



Damon Andersson,

Complainant,

v.

Union Electric Company d/b/a AmerenUE,

Respondent.

**Case No. EC-2005-0398**

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**REPORT AND ORDER**

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**Issue Date:** January 26, 2006

**Effective Date:** February 6, 2006

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

Damon Andersson,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>Case No. EC-2005-0398</u></b>
	)	
Union Electric Company, d/b/a AmerenUE	)	
	)	
	)	
Respondent.	)	

**APPEARANCES**

**Damon Andersson**, 1 El Perro Drive, St. Peters, Missouri, 63376, Complainant.

**James Lowery, Esq.**, Smith Lewis, LLP, 111 South Ninth Street, Suite 200, Columbia, Missouri, 65201, for Respondent.

**Robert S. Berlin, Esq.**, Associate General Counsel, Post Office Box 360, Jefferson City, Missouri 65102, for the Staff of the Missouri Public Service Commission.

**REGULATORY LAW JUDGE:**    **Ronald D. Pridgin**

**REPORT AND ORDER**

**Background**

This complaint stems from an attempt by Union Electric d/b/a AmerenUE (Ameren) to collect payment for services from Mr. Damon Andersson, which amount Mr. Andersson does not believe he owes. Mr. Andersson filed a complaint on May 3, 2005; an evidentiary hearing was held on November 21, 2005.

During the period of November 10, 2000 to February 28, 2002, Mr. Andersson lived with three other people at 111 E. Pittman, O'Fallon, Missouri. Mr. Andersson and Ms. Billie Meyer leased the property, and two other people, "Rick" and "Kathy," lived there but were not listed on the lease. Ameren's records list Mr. Andersson as a customer of record at that address, although Mr. Andersson asserts that he did not have an account for electric service there, but paid Rick for his portion of the electric bill. An outstanding balance of \$795.20 remains on the account.

Ameren asserts that Mr. Andersson was a customer of record for that address during that time period. It is undisputed that Mr. Andersson did live there at the time in question, and did receive and benefit from electrical service. Ameren asserts that its tariff, presently effective and effective at all times relevant to this dispute, permits it to transfer the balance to Mr. Andersson's present address.

We agree.

### **Discussion**

The issues in this dispute are:

1. Was Mr. Andersson a customer of record at 111 E. Pitman between November 10, 2000 and February 28, 2002?

Respondent's tariffs define a customer as a "person . . . that applies for, or is responsible for payment for electric service . . . ." <sup>1</sup> Complainant's name was on the account, and Complainant lived at the address in question and received service from Respondent. The Commission finds that Mr. Andersson is a customer of record at that address for that time period.

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<sup>1</sup> P.S.C. Mo. Schedule No. 5, 3<sup>rd</sup> Revised Sheet No. 127 (effective November 6, 1994).

2. Did Ameren properly transfer the \$795.20 outstanding balance to Mr. Andersson's account at his new residence?

Ameren's tariff provides: "In the event of disconnection or termination of service at a separate customer metering point, premises or location, [Ameren] may transfer any unpaid balance to any other service account of the customer having a comparable class of service."<sup>2</sup> Mr. Andersson had an unpaid balance of \$795.20 for residential service at 111 E. Pitman and has an account for residential service at his new address. The transfer was proper.

### **Findings of Fact**

The Missouri Public Service Commission, having considered all of the competent and substantial evidence upon the whole record, makes the following findings of fact:

1. Ameren is a public utility engaged in providing electric service in Missouri, and is an electrical corporation subject to the jurisdiction of the Commission.

2. Mr. Andersson resided at 111 E. Pitman Drive in O'Fallon, Missouri from November 10, 2000 until February 28, 2002. During that time, Ameren supplied electricity to that address, and Mr. Andersson received service there. Mr. Andersson's name was on the account.

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<sup>2</sup> P.S.C. Mo. Schedule No. 5, 8<sup>th</sup> Revised Sheet No. 169 (effective June 30, 2001).

## **Conclusions of Law**

The Missouri Public Service Commission makes the following conclusions of law:

1. The Commission has jurisdiction over Ameren's services, activities and rates, and is authorized to hear and determine complaints made by any person concerning any activity of a public utility.
2. Mr. Andersson was Ameren's customer at 111 E. Pitman Drive in O'Fallon, Missouri, from November 10, 2000 until February 28, 2002.
3. Ameren's tariff provisions concerning the definition of "customer" and transfers of unpaid balances were lawful and effective at all times relevant to this dispute.
4. Ameren's action in transferring the unpaid balance to Mr. Andersson was consistent with its tariff provisions. The transfer the \$795.20 balance to Mr. Andersson's current account was proper.

## **CONCLUSION**

For these reasons, the Commission concludes that Ameren appropriately billed Mr. Andersson and he is not entitled to any relief. The Commission further concludes the complaint should be denied. The Commission, however, will remind the parties that they were willing to accept a reasonable payment plan for the bill, which Mr. Andersson stated would be six to twelve months.

### **IT IS THEREFORE ORDERED:**

1. That the Complaint Damon Andersson filed on May 3, 2005, against Union Electric Company d/b/a AmerenUE is denied.
2. That all pending motions are denied.

3. That this Report and Order shall become effective on February 6, 2006.
4. That this case may be closed on February 7, 2006.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Davis, Chm., Murray, Gaw, Clayton,  
and Appling, CC., concur and certify  
compliance with the provisions of  
Section 536.080, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 26th day of January, 2006.