

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

Peter B. Howard,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>Case No. EC-2008-0329</u></b>
	)	
Union Electric Company d/b/a	)	
AmerenUE,	)	
	)	
Respondent.	)	

**ORDER GRANTING MOTION TO EXTEND FILING DEADLINE**

Issue Date: May 29, 2008

Effective Date: May 29, 2008

Peter B. Howard filed a formal complaint against Union Electric Company d/b/a AmerenUE ("AmerenUE") on April 9, 2008. On April 16, 2008, the Commission notified AmerenUE of the complaint and allowed it thirty days in which to answer as provided by 4 CSR 240-2.070(7). On the same day, the Commission ordered Staff to investigate the complaint and to file "a report concerning the results of [its] investigation no later than two weeks after AmerenUE files its answer, which is due no later than May 16, 2008."

On May 16, 2008, AmerenUE timely filed its answer to the complaint, so Staff's report became due on May 30, 2008. On May 27, 2008, Staff filed its Motion for Extension of Time to Complete Investigation and File Report. In this motion, Staff requested that the Commission extend the due date for Staff's report from May 30, 2008 to June 11, 2008. Staff averred that such an extension was warranted since it had not yet received or

reviewed certain documentation from AmerenUE and would be unable to do so before May 30, 2008.

Although neither Mr. Howard nor OPC has had a full opportunity to express any opposition to Staff's motion within the maximum time allowed by the Commission's rules,<sup>1</sup> the Commission has no reason to believe that they would even if they were given the full ten-day response period referred to in Commission Rule 4 CSR 240-2.080(15), inasmuch as Staff's motion is authorized under Commission Rule 4 CSR 240-2.050(3)(A)<sup>2</sup> and everyone involved in this case has an interest in ensuring that all relevant information and documentation is reviewed and included in Staff's investigation and report. Accordingly, the Commission finds Staff's request to be reasonable under the circumstances and shall grant it.

**IT IS ORDERED THAT:**

1. Staff's Motion for Extension of Time to Complete Investigation and File Report is granted. The deadline for Staff to complete its investigation and file its report shall be June 11, 2008.

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<sup>1</sup> Commission Rule 4 CSR 240-2.080(15) provides that unless otherwise ordered by the Commission, "[p]arties shall be allowed not more than ten (10) days from the date of filing in which to respond to any pleading."

<sup>2</sup> In relevant part, this rule provides that "[w]hen an act is required . . . to be done by order or rule of the commission, the commission, *at its discretion*," may "[o]rder the period enlarged before the expiration of the period originally prescribed or as extended by a previous order." Therefore, the issue before the Commission

2. This order shall become effective on May 29, 2008.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Benjamin H. Lane, Regulatory Law  
Judge, by delegation of authority  
under Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 29th day of May, 2008.

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is whether, under the circumstances present here, the Commission should exercise its discretion to extend the due date for Staff's report.