

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

Eric E. Vickers, Personally and on Behalf of)
all Customers of Ameren Missouri Who Have)
Sought Relief under the Cold Weather Rule,)

Complainant,)

v.)

Union Electric d/b/a Ameren Missouri and)
Missouri Public Service Commission,)

Respondent.)

File No. EC-2011-0326

**ORDER TO SHOW CAUSE WHY COMPLAINT SHOULD NOT BE
DISMISSED AND SANCTIONS IMPOSED**

Issue Date: June 1, 2011

Effective Date: June 1, 2011

On April 4, 2011, Eric E. Vickers ("Complainant") filed a complaint against Union Electric d/b/a Ameren Missouri ("Ameren Missouri"). On May 4, 2011, Ameren Missouri filed its answer and motion to dismiss. And, on May 13, 2011, the Commission's Staff filed a motion for an extension of time to file its investigation report and for an order compelling discovery. Staff provided documentation to support its position that it was unable to complete its investigation because Complainant has failed and refused to respond to Staff's data requests.

On May 16, 2011, the Commission issued an order: (1) suspending the requirement for Staff to complete its investigation; (2) directing Complainant to comply with the Commission's discovery rules; (3) granting, *sua sponte*, an extension of time for Complainant to respond to Staff's data requests; (4) directing Complainant to reply to Ameren Missouri's answer; and (5) setting a procedural and discovery conference for

May 31, 2011. The order also advised Complainant of the potential consequences for failure to comply with the Commission's rules and orders.

Complainant did not comply with the Commission's May 16, 2011 order. Complainant did not respond to Staff's data requests, even when given an extension of time. Complainant did not respond to Ameren Missouri's answer. Complainant did not appear at the procedural and discovery conference convened on May 31, 2011. Complainant did not seek a continuance of the conference or an extension of time for the ordered filings. Complainant has violated the Commission's rules and the Commission's orders.

Consequently, Complainant will be directed to show cause as to why this complaint should not be dismissed and sanctions imposed for violations of the Commission's rules and orders.

THE COMMISSION ORDERS THAT:

1. No later than June 13, 2011, Eric E. Vickers shall show cause as directed in the body of this order.

2. In addition to the e-mail notification of this order that is issued in the Commission's Electronic Information and Filing System, the Commission's Data Center shall mail a copy of this order to the Complainant by priority mail with delivery confirmation.

3. In addition to the e-mail notification and certified mail copy of the Commission's May 16, 2011 order that were already provided to Complainant, the Commission's Data Center shall resend the Commission's May 16, 2011 order to the Complainant by priority mail with delivery confirmation.

4. The Commission's Data Center shall file the mail delivery confirmation notices in this file once delivery is confirmed.

5. This order shall become effective immediately upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. C. Reed', is written over a faint, illegible background.

Steven C. Reed
Secretary

(S E A L)

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

Dated at Jefferson City, Missouri,
on this 1st day of June, 2011.