

Filed
July 18, 2013
Data Center
Missouri Public
Service Commission

Case No. 2012-0050

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Commission, of a scheduled hearing in cause No. 2012-0050.

2. Complainant request a continuance of the July 18, 2013 hearing based on the following good causes.
3. Respondent utility UE/AM/MO requested a continuance n 2013, for good cause. The Commission granted the same. No resistance was filed by Small.
4. Before and after the latest Appeal, material witness Breese Benton, former employee, of Respondent utility, [a decision maker on contested/disputed account], has not been located for purposes of deposition discovery. See. Rule Civ. Proc. R. 65.94
5. The Complainant has not been successful in obtaining Mark Twain Legal Service assistance, a federally funded project to assist Small in meeting his burden of proof on July 18, 2013 or any prior time period.
6. An Appeal is pending before Missouri State officials in regards to part 5,[legal aid assistance request] referred to in part # 5 above.
7. The United States Postal Service, Bryan James Wilson, postmaster, and City of Milton, stopped delivering Small's Mail delivery which has created

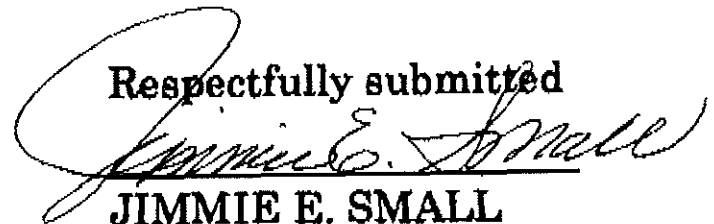
- delivering Small's Mail delivery which has created prejudicial barriers to Small's ability to receive timely notices concerning litigation in Iowa and Missouri.
8. FedEx delivery attempts to deliver critical notices to Small, 606 West Hwy # 2, Milton Iowa Homestead Location, Docket No. 2012-0050 have been sporadic, inconsistent and in some cases non-delivered.
 9. Not delivering U.S. Mail NOTICE to the undersigned Complainant Small involved a conspiracy between U.S. Postal Service, City of Milton, Iowa and Utilities Company Alliant Energy, Cedar Rapids Iowa and Respondent Union Electric Company. 2013 time period and continuing.
 10. That the facts stated in paragraph # 9 next above written requires Small to file a New Complaint under Jurisdiction of (a) Missouri Public Service Commission (b) Federal Court, Davenport Iowa, where non-delivery of Small's U.S. Mail service, involves a non-resident of Missouri, which gives rise to federal claims.
 11. Complainant Small presently is defending his Homestead Exempt property in the Iowa Supreme Court, Docket Numbers 12-1222 and DOCKET No. 13-1030.

12. The Iowa Utilities Board ruled on March 26, 2007 that Small's electric service was installed at 606 West Hwy # 2, Milton, Iowa as a permanent Structure.
13. Thereafter, Alliant Energy Utility and City of Milton, Iowa Respondents did not appear and the March 16, 2007 IUB decision became final.
14. Thereafter the City of Milton and Respondent Alliant Energy retaliated against Small, and on April 02, 2012 sold Small's Homestead Exempt property by Public Auction, without due process or equal protection of Missouri and Iowa laws.
15. On May 02, 2013 one year following the Van Buren County, Ia Sheriff's Sale of Small's Homestead Exempt property, Dan Tedrow, Sheriff of Van Buren County, transferred the title to Complainant's Homestead property into the Name of City of Milton Iowa without legal or statutory right.
16. On June 12, 2013 Small was served with a FED unlawful detainer action Van Buren County, Small Claims Division.
17. The June 12, 2013 service of NOTICE gave Small 8 eight days to appear in court on June 20, 2013

18. On June 19, 2013 Small filed a Motion for continuance with the State Court Administrator's Office, Docket NO. SCSC007857.
 19. That motion for Continuance was orally denied.
 20. On June 20, 2013 Small appeared in Small Claims Court sick with a GI Infection.
 21. On June 20, 2013 Small filed an Appeal to the Iowa Supreme Court. Now Docket NO 13-1030.
 22. On June 24, 2013 Magistrate Waggoner granted Milton Plaintiff ordering Small be and the same person evicted from his Homestead exempt property.
 23. Small was not given 20 days to file a pre-answer MOTION under standard due process policy/
 24. Small was not given 20 days to file his answer to Milton's Complaint, DOCKET No SCSC007857.
 25. Approximately one day ago a friend called Small and informed Complainant that a hearing had been scheduled for July 18, 2013 before the Missouri Public Service Commission.
- WHEREFORE, based on the above and foregoing factors, the undersigned complainant request a continuance of proceeding until late September 2013, Alternatively to file

a New Complaint, or transfer the Complaint NO 2013-0050 to Federal District Court permitting federal claims to receive disposition.

Respectfully submitted



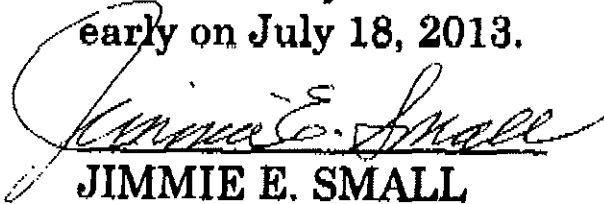
JIMMIE E. SMALL

606 West Hwy # 2,
Milton, Iowa, 52570

PROOF OF SERVICE

No. 2012-0050

The Undersigned certifies that he faxed a copy of this Application for continuance to Data Center, Missouri Public Service Commission, Jefferson City and to Ms. Sara Giboney at their last known Fax number. All done early on July 18, 2013.



JIMMIE E. SMALL