

Jimmie E. Small,  
Complainant,  
v.  
Ameren Missouri, et. al.,  
Respondents.

**File No. EC-2012-0050**

Issue Date: February 7, 2013

Effective Date: February 7, 2013

Whenever any party shall deem the presiding officer for any reason to be disqualified to preside, or to continue to preside, in a particular case, the party may file with the secretary of the commission a motion to disqualify with affidavits setting forth the grounds alleged for disqualification. A copy

<sup>1</sup> *State ex rel. Rosenberg v. Jarrett*, 233 S.W.3d 757, 762 (Mo. App. W.D. 2007); *Woodman v. Director of Revenue*, 8 S.W.3d 154, 157 (Mo.App.1999)

of the motion shall be served by the commission on the presiding officer whose removal is sought and the presiding officer shall have seven (7) days from the date of service within which to reply.

Mr. Small's motion was not accompanied by an affidavit setting forth any grounds for the alleged disqualification of the presiding officer. Since the motion does not comply with Commission rules or describe any reason for the presiding officer to be removed, the Commission will deny Mr. Small's motion.

**THE COMMISSION ORDERS THAT:**

1. Mr. Small's *Application for Change of Judge in a Civil Case* is denied.
2. This order is effective immediately upon issuance.

**BY THE COMMISSION**



Shelley Brueggemann  
Acting Secretary

( S E A L )

Michael Bushmann, Regulatory Law  
Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 7<sup>th</sup> day of February, 2013.