

MAY 31 2012

**Missouri Public
Service Commission**

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

JIMMIE E. SMALL,
Complainant,

V.

AMEREN MISSOURI, et al.,
Respondent.

File No. EC- 2012-0050

**COMPLAINANT’S REPLY TO RESPONDENT’S MAY 12, 2012
MOTION TO QUASH**

NOW COMWES the Complainant, Small and for his reply states unto the Honorable Commission the following particulars;

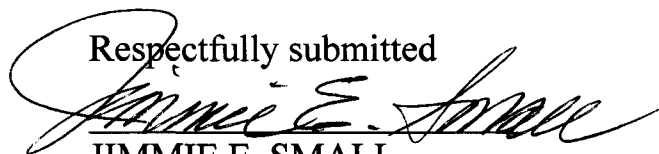
1. On the 09, day of May 2012, Secretary Reed caused to be entered and served an ORDER AMENDING PROCEDURAL SCHEDULE, No. EC-2012-0050.
2. Any procedural schedule objections Respondent Utility now has must be considered in light of Small's FIRSTB SERVED SUBPOENA DUCES TECUM, back in April 19, 2011 time period.
3. Complainant Small cannot meet compliance with part C of the Commission's May 09, 2012 AMENDED PROCEDURAL SCHEDULE, because Respondent Ameren did not fully and in good faith comply with the April 19, 2011 Subpoena Duces Tecum to begin with.

Thus Sanctions by Default is appropriate.

4. Respondent Ameren's Motion to Quash should be taken up considered and denied for the reason that the April 19, 2011 Discovery Subpoena Duces Tecum requested relevant evidence of Tariff agreement breaches, Commission rule non-compliance by Respondent Utility.
5. Commission action denying Respondent's Motion to Quash should be entered, Small's Motion to Compel and Sanctions reinstated . The Commission should enter a default judgment against the Utility for failure to comply fully and timely with the April 19, 2011 discovery request, failure to respond fully to Small's interrogatories, Request to Admit over a period of months, making the June 13, 2012 scheduled hearing before the Commission judge unrealistic.
6. The Commission Order of May 09, 2012 further directed, [5] " The parties shall comply with the following additional procedural requirements: [A],[B], [C],[D],[E]."
7. That because the Commission preferred to engage in Ex Parte Communication, denied Small's prior Motion to Compel, Small takes the position that the May 09,m 2012 Amended Procedural Schedule is coercive, injunctive, politically triggered to cause Small to waive subject matter jurisdiction over National Safety Standard claims, and further based on Small's First Amendment Speech action [view point].

Wherefore, the Commission should deny Respondent's Motion to Quash, reinstate Small's Motion to Compel, for Default judgment entry.

Respectfully submitted



JIMMIE E. SMALL

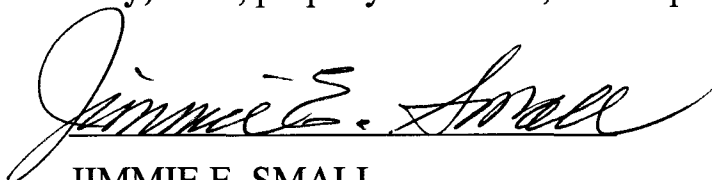
606 West Hwy # 2,

Milton, Iowa, 52570

@ 641-208-2317 Cell

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing ~~Reply~~ was served on all parties to this proceeding, Sara, L. Mills, Data Center, all done on this **25 day of May, 2012**, properly addressed, with Zip affixed.



JIMMIE E. SMALL