

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

Tucker Shell, LLC,)	
)	
Complainant,)	
v.)	<u>File No. EC-2011-0233</u>
)	
Union Electric Company, d/b/a Ameren)	
Missouri,)	
Respondent)	

**SECOND ORDER DIRECTING
TUCKER SHELL, LLC TO FILE A RESPONSE**

Issue Date: March 11, 2011

Effective Date: March 11, 2011

Union Electric Company, d/b/a Ameren Missouri filed its answer to the above-styled complaint on February 8, 2011. With its answer, Ameren filed a motion to dismiss. Under Commission rules,¹ parties are allowed no more than 10 days to file responsive pleadings. Tucker Shell, LLC failed to respond to Ameren's motion by February 18, the 10th day after the motion was filed.

On February 22, the Commission issued an order enlarging the 10-day response time and directing Tucker to respond by March 4. Tucker Shell failed to file a response as directed by the Commission.

Commission rule 4 CSR 240-2.116 states that a party may be dismissed from a case for failure to comply with any order of the Commission. Such dismissal may result in this complaint being dismissed. Having informed Tucker Shell as such, the Commission will again direct Complainant to file a response to Ameren's motion to dismiss.

¹ 4 CSR 240-2.080(15).

THE COMMISSION ORDERS THAT:

1. Tucker Shell, LLC, shall file a response to Union Electric Company d/b/a Ameren Missouri's motion to dismiss no later than March 18, 2011.
2. This order shall become effective upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Kennard L. Jones, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 11th day of March, 2011.