

P.S.C. Secretary Reed:
"EC - 2011-0247"

HON. J. Jordan
President

DEAR HON. Secretary PSC;

Enclosed please find for
filing

FILED

APR 26 2011

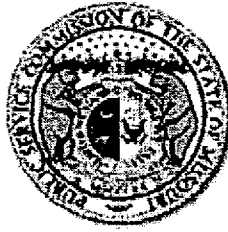
Missouri Public
Service Commission

- (A) RETURN of Service of
Subpoena Duces Tecum upon
Respondent Agent, Ms. Kathy Hart,
(4 CSR 240-2.100)
- (B) Complainant's First Request
to Admit, in aid of
Summary Disposition, (2:117)(1).
4 CSR-240-2-(1).

Respectfully,
James E. Small
Complainant

Mark

SUBPOENA DUCES TECUM



THE STATE OF MISSOURI. To AMEREN MISSOURI, AGENTS & ASSIGNS.
CASE NO. EC-2011-0247

You are hereby commanded to be and appear personally before The Public Service Commission of the State of Missouri or any Commissioner thereof on the 29th day of April, 2011 at

9 o'clock of that day, at 200 Madison Street, Room 305 Jefferson City, in the County of Cole,
in the State of Missouri, ^{SES} to testify at a hearing in the matter of: JIMMIE E. SMALL,

COMPLAINANT, vs. AMEREN MISSOURI, RESPONDENT,

And that you bring with you and produce ^{SES} at said hearing (a) METER SEAL-LOCK-SECURITY ^{METER}
RECORDS ^{April} #172006 #4677914 (b) ALL FIELD SERVICE RECORDS FOR (SEAL)
#4677914, COT #23, SERVICE LOCATION, 23067 POTTER TRAIL, KIRKSVILLE,
on behalf of COMPLAINANT SMALL and hereof fail not at your peril. The person or officer serving ^{MO.}
METER NO. 57623981. (c) AMP reading for #57623981 as of first disconnect. ⁶³⁵⁰
this writ is commanded to have the same at the time and place aforesaid, certifying thereon its return.

Given under my hand, this 19th day of APRIL, 2011.

[Signature] SECRETARY
[Name] [Title]

RETURN

I HEREBY CERTIFY that I have served the within writ by reading the same in the presence and hearing of the

within named Kathy Hart on the 19th day of April, 2011, in

Cole County, in the State of Missouri.

Jimmie E. Small Complainant EC-2011-0247 P.S.C. ^{MO.}
[Name] ADA [Title] ADA

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

JIMMIE E. SMALL, Complainant,)	
)	
)	
vs.)	PSC No. EC 2011-0247
)	Admitted Meter NO.
AMEREN MISSOURI, Respondent)	57623981, 04/19/2011
)	LOT # 23. Lake Rd. Ct.

**COMPLAINANT'S REQUEST TO ADMIT
BY RESPONDENT UTILITY**

COMES NOW, the complainant, ADA pro se, and pursuant to established rules of discovery, [Mo. R. Ct.] respectfully request Respondent Utility, [after diligent search of its documents, data records], enter written admission of material facts, customer-specific to Account No. 34433-07009, Meter Serial Number 57623981 in aid of summary disposition [summary judgment] [As to essential/main subject issues contested by answer]

***FIRST REQUEST TO ADMIT FACTS/
IDENTIFICATION NUMBERS ETC.***

REQUEST NO. 1

Respondent Ameren Missouri is the correct Respondent as to any aspect of potential liability in contested case No. EC 2011-0247.

REQUEST NO. 2

That for purposes of summary disposition, business integrity, effort to avoid potential confusion, speculation, conjecture, the responses by Respondent to request to admit relevant facts in contested case No. EC 2011-0247 are made under oath, affirmation, by authorized agents, officials, corporate officers, after careful review of documents, data, connect and disconnect orders, directives, policies, rules and or tariff regulation ratified by Respondent Utility.

REQUEST NO. 3

Charge off of account No. 34433-07009, were assigned to a debt collection agency separate entity of Respondent Ameren Missouri, in 2006 time period., and attached to Request No. 3 is valid records which verify said dates, times, places, and entity who agreed to accept CHARGE OFF debt collection action, acts or omission to protect privacy Act matters. Federal Debt Collection Statute [breach] issues. [Federal Question].

REQUEST NO. 4

WRITE OFF procedures shown of Respondents proffered through answer/account record/ data, account No. 34433-07009, were assigned to a debt collection agency separate entity from Respondent Ameren Missouri; Ameren UE; Union Electric utility, in 2006 time period. Attached to Request No. 4, is valid, authenticated utility records which the PSC may use in its determination of Summary disposition, without objection, reservation or further delay of contested disconnect/

Re-----connent at LOT # 23 service location, Small property, 23067
Potter Trail, Kirksville, Missouri. 63501

REQUEST NO. 5

That Respondent's November 15, 2007 solicitation to RECONNECT electrical services and accommodations for ADA complainant [well documented] has the legal effect [admission] that LOT # 23, meter Number 57623981 was already disconnected at that point in time, which gave Respondent Utility a purpose in sending the November 15, 2007, Meter No. 34433-07009 solicitation in the first instance.

REQUEST NO. 6

The 11/15/2007 written communication to Complainant, involved Respondent's prior attempt to collect an account debt applicable to federal law.

REQUEST NO. 7

Respondent installed LOCK, Seal, Security Device, [chattel utility property], identification number specifically ID No. 4677914, LOT # 23, [Seal structure of plastic composition, neutral color, Red stripe, wire loop/bail security device], . . . is now subject to PSC tariff regulation, jurisdiction and summary disposition, account NO. 34433-07009 and not other account data, billing statements, utility compiled records.

EC 2011-0247

REQUEST No. 8+

Respondent Ameren UE/Union Electric/Ameren Missouri, have no power, authority, rule or valid servicing policy other than that approved by appropriate tariff regulation, law, statute, applicable to No. EC2011-0247.

REQUEST NO. 9

Respondent Utility Corporation, registered with the Secretary of State, in and for Missouri, presently has a vested interest in acquiring summary disposition of EC 2011-0247 claims, as opposed to answering any amended complaint, and Respondent respectfully desires to avoid any aspect of class investigation, discovery, state wide customer-specific claims, complaints, at this point in time. 42 U.S.C. sect 12101 et seq as made applicable to disabled client accounts and Utility servicing entity matters.

REQUEST NO. 10

Respondent Ameren Missouri, account number 34433-07009, 23067 Potter Trail, Kirksville, Mo. Lot # 23, [Jim Small service location] service order No. 061408450 plus AM. MO. field order No. 197723219 identification numbers, are presently maintained as required by certain tariff rules, regulations, and procedures, made applicable to customer – specific records, and as attached to Request to Admit No. 10 so as to expedite summary disposition before Hon. Judge Jordon and other Commission officials, as appropriate.

REQUEST NO. 11

Respondent Utility, AM.MO. does admit and has previously admitted to PSC officials, that relevant account records are no longer in existence, making its agency records, incomplete, inadequate, ambiguous, speculative, as to any amount of alleged debt due on account No. 34433-07009. Data irregularities which the PSC officials or Complainant have no access, possession or control, to supervise or maintain in a contested case proceeding. Plus Respondent has maintained no record of the times, dates, location, or person who allowed said records to be misplaced, destroyed, unavailable as to PSC inquiries, or complainant for any purpose, contested proceeding or otherwise. See Tariff regulation in context to permanent data retention.

REQUEST NO. 12

Respondent utility field service order No. 197723219 identification number, was installed by Respondent agents, or assigns, by company order, however, the Identification Number [197723219 is exclusive as to LOT # 23, [Exclusive to account No. 3443307009] electric service Location, 23067 Potter trail, Kirksville, Missouri, not some other service location within Missouri jurisdiction, Cole County service area for example.

Certificate of Service

Respectfully
Jimmie E. Small
606 WEST HWY # 2
Milton, Mo 64557

The undersigned hereby certifies that a true copy of the foregoing Request To Admit ^{was} filed to Respondent ~~was~~ served on Counsel S. Giboney, by regular mail, on this 21 day of April 2011.

Jimmie E. Small
JIMMIE E. SMALL 04/21/2011

AmerenUE

One Ameren Plaza
1901 Chouteau Avenue
PO Box 66149
St. Louis, MO 63166-6149
314.621.3222

November 15, 2007



Jim E Small
23 Lakeroad Ct.
Kirksville, Mo. 63501

Re: 34433-07009

Dear Mr. Small:

You are eligible to make arrangements for reconnection of service at the above mentioned address. This would require a down payment of \$130.00, with the balance of \$365.78 to be divided into twelve installments of approximately \$30.00 each. The arrangements would be set up when you call back with your receipt and we verify payment has been made. The order for reconnection would also be placed at that time.

We hope that you find this information helpful. Should you require further assistance, please call us at 800-552-7583.

Sincerely,

AmerenUE
Customer Service