

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

Jimmie E. Small)	
)	
Complainant,)	
)	
v.)	<u>File No. EC-2012-0050</u>
)	
Union Electric Company d/b/a)	
Ameren Missouri,)	
Respondent.)	

STAFF’S RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through the undersigned counsel, and respectfully submits this *Staff Recommendation* (*Recommendation*) to the Missouri Public Service Commission (Commission) stating the following:

1. On August 15, 2011¹, Mr. Jimmie E. Small (Complainant) filed a motion for leave to file a late response to a show cause order in File No. EC-2011-0247. As the Commission noted in its August 16, 2011 *Notice of Contested Case And Order Directing Filings* (*Notice*), the Commission assumed that the Complainant wished to renew the allegations against Union Electric Company d/b/a Ameren Missouri (Company) he made in File No. EC-2011-0247. The Commission’s *Notice* also directed the Staff to conduct an investigation and file a report of its findings no later than September 30, 2011.

2. As indicated in Appendix A, the Staff investigated the Complaint and the new information filed by the Complainant. It appears to the Staff that the basic elements of the new Complaint are the same as the initial Complaint in EC-2011-0247, in that the Complainant

¹ All dates refer to the calendar year 2011 unless otherwise specified.

alleges illegal disconnection, discriminatory practices and collusion on the part of Ameren Missouri with other parties.

3. Again, the Staff has found no indication on the part of Ameren Missouri of illegal disconnection, discrimination based upon age, gender, retaliation for prior complaints, disability, geographical location or race, or collusion with other parties to engage in these behaviors. The Staff recommends a finding by the Commission that the Company's decision to disconnect services to the Complainant's mobile home was motivated by nothing more than the Complainant's nonpayment on his account.

4. Further, the Staff recommends that the Commission find, based on the Staff's independent investigation of the information submitted by the Complainant and Ameren Missouri's account records, that the Company has not violated any Commission statutes, rules, orders or a Commission-approved Company tariff.

5. Counsel for the Staff has marked the Staff's Appendix A, including the investigation and supporting documentation, as highly confidential pursuant to 4 CSR 240-2.070 (10).

WHEREFORE, the Staff submits this *Recommendation* for the Commission's information and consideration and recommends that the Commission find no violation by Union Electric Company d/b/a Ameren Missouri of any Commission statutes, rules, orders or a Commission-approved Company tariff.

Respectfully submitted,

/s/ Jennifer Hernandez

Jennifer Hernandez

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Missouri Public Service Commission

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via first class U.S. postal mail, postage prepaid, on Jimmie E. Small, 606 West Hwy #2, Milton, IA 52570; Sarah Giboney and Wendy Tatro, attorneys for Ameren Missouri at giboney@smithlewis.com and AmerenMOService@ameren.com; and the Office of Public Counsel at opcservice@ded.mo.gov this 30th day of September, 2011.

/s/ Jennifer Hernandez