

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

Jill Covington Beatty,)	
)	
Complainant,)	
)	
v.)	<u>File No. EC-2017-0198</u>
)	
Union Electric Company d/b/a)	
Ameren Missouri)	

**NOTICE ACKNOWLEDGING DISMISSAL OF COMPLAINT AND
CLOSING FILE**

Issue Date: November 28, 2017

On January 20, 2017, Jill Covington Beatty filed a complaint against Union Electric Company d/b/a Ameren Missouri. The complaint alleged that Ameren Missouri over-collected payments from Ms. Beatty’s account for electric service and refused to repay those over-collected amounts. The complaint alleged the overpayments could amount to \$6,000 or more, and demanded payment of \$50,000 as compensation for pain and suffering. Ameren Missouri answered the complaint on February 17, 2017, offered several affirmative defenses, and asked the Commission to dismiss the complaint. At the direction of the Commission, the Commission’s Staff investigated the complaint and filed a report on March 10, 2017. Staff concluded Ameren Missouri did not violate any applicable Commission rules or tariffs related to the complaint. An evidentiary hearing was scheduled

for October 4, 2017, to be held at Caruthersville City Hall in Caruthersville, Missouri, the city where Ms. Beatty resides.

Ms. Beatty appeared in person at the time and location of the hearing. Legal counsel and a witness for Ameren Missouri also appeared in person, as did the presiding officer. Legal counsel for the Office of the Public Counsel and legal counsel and a witness for the Commission's Staff appeared for the hearing by phone. Ms. Beatty and legal counsel for Ameren Missouri engaged in off-the-record discussions in the hearing room outside the presence of the presiding officer before the scheduled start-time of the hearing. After the presiding officer returned to the hearing room with the court reporter and established the telephone connection with Staff and Public Counsel, but before going on the record, and before any witnesses were sworn or any testimony taken, Ms. Beatty indicated she no longer wanted to proceed to hearing. The presiding officer explained that if she did not present evidence to support her complaint, that complaint could be dismissed. She reiterated that she did not wish to have a hearing and left the hearing room. The presiding officer proceeded to take evidence from Staff and Ameren Missouri without Ms. Beatty's participation.

The dismissal of a complaint before the Commission is controlled by Commission rule 4 CSR 240-2.116(1), which states:

An applicant or complainant may voluntarily dismiss an application or complaint without an order of the commission at any time before prepared testimony has been filed or oral evidence has been offered by filing a notice of dismissal with the commission.

No prepared testimony was filed in this case and no oral evidence had been offered before Ms. Beatty left the hearing room. Therefore, as she was allowed to do by the Commission's regulation, Ms. Beatty voluntarily dismissed her complaint when she adamantly stated that

she no longer wanted a hearing and left the hearing room. She did not need the permission of the Commission to dismiss her complaint, and the collection of evidence after she had dismissed her complaint was a nullity.

The Commission acknowledges the dismissal of Ms. Beatty's complaint and will close this file.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Woodruff, Chief Regulatory Law Judge

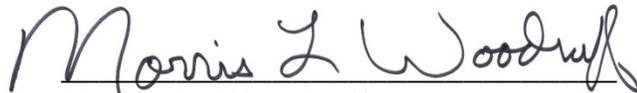
STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 28th day of November 2017.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

November 28, 2017

File/Case No. EC-2017-0198

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



Morris L. Woodruff
Secretary

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.