

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Craig Mershon,)	
)	<u>File No. EC-2013-0521</u>
Complainant,)	
vs.)	
)	
Union Electric Company d/b/a Ameren Missouri,)	
)	
Respondent.)	

ORDER STAYING ACTION, SETTING DEADLINE FOR RESPONSE AND DENYING MOTION TO DISMISS THE REGULATORY LAW JUDGE

Issue Date: May 22, 2014

Effective Date: May 22, 2014

On June 13, 2013, Craig Mershon ("Complainant") submitted a letter to the Missouri Public Service Commission, which initiated a small formal complaint against Union Electric Company d/b/a Ameren Missouri ("Respondent"). As part of his complaint, Complainant requested the Commission halt any disconnection of his services by Respondent.

Complainant failed to appear at a scheduled hearing on February 27, 2014. Respondent presented its case at the hearing and filed a post-hearing brief. On April 23, 2014, the Commission issued a *Report and Order* denying all relief requested by Complainant. The Commission's *Report and Order* is set to go into effect on May 23, 2014.

On May 9, 2014, Complainant submitted notice that he would be filing an application for rehearing. On that same day, Complainant also filed his *Objection to Ameren Missouri's Motion for Reconsideration of for the Amended Order and a*

Motion to Stay [sic]. On May 13, 2014, Regulatory Law Judge Daniel Jordan filed a *Notice of Recusal*.

On May 21, 2014, Complainant filed his *Motion to Dismiss the Report and Order Under 4 CSR 240-2.116* and *Motion to Dismiss the Regulatory Judge*. Complainant captioned his motion as a request under Commission Rule 4 CSR 240-2.116, which prescribes how a case can be dismissed. Since the body of Complainant's motion does not indicate a wish to dismiss his initial complaint, but rather a request to dismiss the Commission's *Report and Order*, the Commission will recognize Complainant's pleading as an application for rehearing, as permitted by Commission Rule 4 CSR 240-2.160 and Section 386.500, RSMo 2000.

Since Regulatory Law Judge Jordan recused himself from this matter on May 13th, before Complainant filed his *Motion to Dismiss the Regulatory Judge*, the Commission can grant no additional relief in response to that motion. Therefore, the Commission will deem the issue moot and deny Complainant's request. The Commission will also set a deadline for Respondent to file a response to Complainant's request for a rehearing. The Commission will also order Respondent to stay all actions to disconnect Complainant's services until a final decision by the Commission on Complainant's application for a rehearing.

THE COMMISSION ORDERS THAT:

1. Complainant's *Motion to Dismiss the Regulatory Judge* is denied.
2. Respondent may file a response to Complainant's application for rehearing no later than June 2, 2014.

3. Respondent shall stay all actions to suspend or disconnect Complainant's utility services until a final order is issued by the Commission disposing of the complaint.

4. This order shall become effective on May 22, 2014.

BY THE COMMISSION



A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Kim S. Burton, Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri
on this 22nd day of May, 2014.