

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

Jimmie E. Small,)	
)	
Complainant,)	
)	
v.)	File No. EC-2015-0058
)	
Union Electric Company)	
d/b/a Ameren Missouri)	
)	
Respondent.)	

ORDER DENYING LEAVE TO AMEND COMPLAINT

Issue Date: April 16, 2015

Effective Date: April 16, 2015

The Commission is denying Jimmie Small's motion to amend ("motion"),¹ because he filed it too late for the evidentiary hearing, as the following history shows.

The complaint has been pending since August 29, 2014.² Mr. Small filed the motion on April 16, 2015. That date is the Thursday before the Monday morning on which the evidentiary hearing will convene on the merits of the complaint. Jimmie Small filed the motion so that he could add new charges to the complaint.³ The complaint alleges that Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri") violated provisions related to reconnection of service, and Ameren Missouri alleges an amount outstanding on the relevant account. The motion seeks to add charges of

¹ EFIS No. 58 (April 16, 2015), *Complainant's Mo. R. Civ. Proc. RULE 55.33 (b), (d), Supplemental Pleading to Conform to on Commission File Record Evidence*.

² Electronic Filing and Information System ("EFIS") No. 1 (August 29, 2014) complaint.

³ Leave to amend is necessary because Mr. Small filed the complaint more than ten days ago. 4 CSR 240-2.080(18)

retaliation against Mr. Small,⁴ by disclosing his account information, and includes former Commission employee Alexander Antel as respondent.

Those new charges are not close enough to the complaint's charge for the parties to develop their cases on the new charges in one business day. The motion also includes charges on which the Commission has already ruled and will not discuss again in this order. Further, the motion also asks the Commission to take official notice of an earlier order, which Mr. Small may renew at the evidentiary hearing. Therefore, the Commission will deny the motion.⁵

THE COMMISSION ORDERS THAT:

1. The *Complainant's Mo. R. Civ. Proc. RULE 55.33 (b), (d), Supplemental Pleading to Conform to on Commission File Record Evidence* is denied.
2. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in dark ink that reads "Morris L. Woodruff". The signature is written in a cursive style.

Morris L. Woodruff
Secretary

Daniel Jordan, Senior Regulatory Law Judge,
by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 16th day of April, 2015.

⁴ 4 CSR 240-13-060(2).

⁵ This order is not determining whether Mr. Small has experienced retaliation as he alleges. This order is determining only that the Commission will not make that determination in this complaint. Mr. Small may file a new complaint to address the new charges if he wishes.