

**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 POST-HEARING MOTIONS**

Issue Date: June 23, 2015

Effective Date: June 23, 2015

After the evidentiary hearing,<sup>1</sup> Jimmie E. Small filed a motion to amend the complaint to conform to the evidence (“motion”),<sup>2</sup> a supplement to that motion (“supplement”),<sup>3</sup> an initial brief,<sup>4</sup> and a reply brief.<sup>5</sup> The motion, supplement, initial brief, and reply brief (post-hearing filings all seek to add exhibits not offered at hearing in support of charges not raised in the complaint. The proffered charges are beyond the scope of the Commission’s pre-hearing order:

The subject of the hearing shall be whether a bill for service at Lot 23, 2306 Potter Trail, Lot 23, Kirksville, Missouri (“service

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<sup>1</sup> EFIS No. 64 (June 1, 2015) *Transcript – Volume 1 Evidentiary Hearing April 20, 2015*.

<sup>2</sup> EFIS No. 63 (April 28, 2015) *Rule 55.33(b) Amendments to Conform to the Evidence; Motion for Leave to Supplement Complainant’s April 20, 2015 Testimony by Adding Relevant Respondent’s Admissions and Responses Served and Certified April 16, 2015*.

<sup>3</sup> EFIS No. 67 (May 7, 2015) *Complainant’s Mo. R. Civ. Proc. RULE 55.33 (b), (d), Supplemental Pleading to Conform to on Commission File Record Evidence*.

<sup>4</sup> EFIS No. 65 (May 5, 2015) *Complainant’s Post Hearing/Suggestions in Support for Commission Order Favoring Applicant Out-of-State Party*.

<sup>5</sup> EFIS No. 81 (June 12, 2015) *Complainant’s Post-Hearing Rule 84.(g) Reply Brief*.

address”) remains unpaid and whether such bill supports denial of reconnection to the service address. [<sup>6</sup>]

That pre-hearing order was necessary to confine the hearing to allegations addressed in the complaint, answer, and Staff recommendation so that the Commission may bring finality to this action despite Mr. Small’s successive motions to amend. Neither the pre-hearing order nor this order bars the filing of a separate complaint to address any other matter. Therefore, the Commission will deny all relief sought in the motion, supplement, and reply brief.

**THE COMMISSION ORDERS THAT:**

1. All requests described in the body of this order are denied.
2. This order shall be effective when issued.



**BY THE COMMISSION**

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

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 23<sup>rd</sup> day of June, 2015.

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<sup>6</sup> EFIS No. 42 (February 10, 2015) *Order Governing Hearing and Pre-Hearing Procedure.*