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BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

TUCKER SHELL, LLC	)	
	)	
Complainant,	)	
	)	
v.	)	CASE NO. EC-2011-0233
	)	
UNION ELECTRIC COMPANY	)	
D/B/A AMERENUE	)	
	)	
Respondent.	)	

COMPLAINANT'S RESPONSE TO RESPONDENT'S MOTION TO DISMISS  
COMPLAINANT'S COMPLAINT

COMES NOW Complainant, Tucker Shell, LLC, by and through its attorneys, BETH C. BOGGS, MARCUS K. GNADE and BOGGS, AVELLINO, LACH & BOGGS, L.L.C., and for its Response to Respondent's Motion to Dismiss Complainant's Complaint, states as follows:

1. On January 10, 2011, Tucker Shell, LLC, by and through its attorneys, filed a Complaint against Union Electric Company d/b/a Ameren Missouri.
2. On February 8, 2011, Union Electric Company d/b/a Ameren Missouri, filed an Answer to the above Complaint. With its Answer, Ameren also filed a Motion to Dismiss the Complaint.
3. Complainant did not respond within ten (10) days or by February 18, 2011, to Ameren's Motion to Dismiss.
4. The Commission granted Complainant's ten (10) extra days to file a response to Ameren's Motion to Dismiss on or no later than March 4, 2011.
5. Complainant's counsel spoke with Respondent's counsel on Thursday, February 24, 2011, about granting Complainant's thirty (30) extra days or until March 26,

2011, to amend their Complaint. Respondent's attorney had no objection to this request.

6. On February 25, 2011, Complainant filed a Motion to Respond to Respondent's Motion to Dismiss Complaint with all parties in this matter advising the Commission that Respondent's counsel had agreed to let Complainant have thirty (30) extra days or until March 26, 2011 to amend their Complaint.

7. On March 15, 2011, Complainant's counsel received the second order from the Commission directing Tucker Shell, LLC to file a response to Respondent's Motion to Dismiss on or before March 18, 2011.

8. Complainant advises the Commission that if the Commission grants Complainant thirty (30) extra days or until March 26, 2011, to amend their Complaint, Respondent's Current Motion to Dismiss the same will be moot.

WHEREFORE, pursuant to 4CSR240-2.050 (3)(B), Tucker Shell, LLC respectfully requests the Commission grant Complainant thirty (30) extra days to file their Amended Complaint on or before March 26, 2011. If this occurs, Respondent's Motion to Dismiss will be moot.

Respectfully submitted,

TUCKER SHELL, LLC

By: 

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was forwarded, via the United States Postal Service, first-class mail, postage prepaid, and facsimile this 16th day of March, 2011, to:

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