

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

Amanda Leigh Sciandra,)	
)	
Complainant,)	
)	
v.)	<u>Case No. EC-2014-0034</u>
)	
Union Electric Company, d/b/a Ameren Missouri,)	
)	
Respondent.)	

STAFF REQUEST TO LIFT STAY AND RESUME OR DISMISS CASE

COMES NOW the Staff of the Missouri Public Service Commission, by and through the undersigned counsel, and for its *Request to Lift Stay and Resume or Dismiss Case* ("Request") respectfully states as follows:

1. On August 13, 2013, Complainant Amanda Sciandra ("Complainant") filed a complaint with the Commission against Respondent Union Electric Company, d/b/a Ameren Missouri ("Respondent").
2. Respondent filed its answer to the complaint on September 12, 2013.
3. Staff filed a report herein on September 27, 2013.
4. On October 16, 2013, the Commission issued a *Notice of Stay* ("Notice") in this proceeding. In the Notice, the Commission stated that "The Commission understands that Complainant filed for bankruptcy protection on August 12, 2013 and that the case is awaiting discharge. The parties are therefore notified that this case will be stayed until the bankruptcy is discharged."

5. Staff has learned that on November 13, 2013, the United States Bankruptcy Court, Eastern District of Missouri, apparently issued a *Discharge of Debtor* in Case No. 13-47389 – the bankruptcy case referenced in the Commission’s Notice.

6. Commission Rule 4 CSR 240-2.116(2) provides that:

Cases may be dismissed for lack of prosecution if no action has occurred in the case for ninety (90) days and no party has filed a pleading requesting a continuance beyond that time.

7. Since the bankruptcy discharge was apparently issued on November 13, 2013, far more than 90 days have elapsed since the discharge, yet no action has occurred in this case. However, Complainant may have been waiting for formal notice from the Commission that the stay in this case had been lifted, or there may be other reasons unknown to Staff as to why no action has occurred in this case since November 13, 2013. Therefore, Staff believes the Commission should issue an order directing Complainant to file a pleading within a time certain either confirming or denying that the bankruptcy has been discharged and indicating whether any further action remains to be taken in this case upon the complaint as originally filed herein (and if so, what action) or whether this case may be dismissed. Respondent should then be given the opportunity to respond to Complainant within a time certain if Complainant claims further action remains to be taken in this case.

WHEREFORE Staff respectfully prays the Commission issue an order (i) directing Complainant to file a pleading within a time certain either confirming or denying that the bankruptcy has been discharged and indicating whether any further action remains to be taken in this case upon the complaint as originally filed herein (and if so, what action) or whether this case may be dismissed, and (ii) directing Respondent to

respond to Complainant within a time certain if Complainant claims further action remains to be taken in this case.

Respectfully submitted,

/s/ Jeffrey A. Keevil

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all parties of record this 18th day of November, 2014.

/s/ Jeffrey A. Keevil