

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

Charles Harter,)	
)	
Complainant,)	
)	<u>File No. EC-2023-0281</u>
v.)	
)	
Union Electric Company)	
d/b/a Ameren Missouri,)	
)	
Respondent)	

**ORDER SETTING PROCEDURAL SCHEDULE AND DENYING
COMPLAINANT’S REQUEST TO APPEAR VIA TELEPHONE**

Issue Date: June 21, 2023

Effective Date: June 21, 2023

On March 7, 2023, Charles Harter filed a complaint against Union Electric Company d/b/a Ameren Missouri. On March 31, 2023, Ameren Missouri filed its answer and affirmative defenses to the complaint, and on April 4, 2023, the Staff of the Commission (Staff) filed its staff report.

On May 23, 2023, the parties filed a proposed procedural schedule, including an order of witnesses and an order of cross-examination. The proposed procedural schedule requested the evidentiary hearing be held on July 6, 2023. That date was unsuitable for the Commission; so by the parties’ agreement, the evidentiary hearing will be held on July 17, 2023. The date for initial briefs will be adjusted to accommodate that schedule as well. Also, the last day of discovery was initially scheduled to be June 19, 2023, but the Commission changed that date to June 20, 2023 by its order of June 16, 2023.

On June 17, 2023, in his response to the Commission’s order directing a response to its scheduling inquiry, Mr. Harter requested that he be allowed to appear at the

evidentiary hearing via telephone. For his convenience, the Commission rules call for the evidentiary hearing to be conducted near the complainant's home. The distance Mr. Harter must travel to attend the evidentiary hearing in St. Louis is far less than any of the other parties required to attend. Mr. Harter has not stated a reason why he should be allowed to appear by telephone, so the Commission will deny his request.

The Commission will adopt the proposed procedural schedule, with the indicated changes. Anyone with questions about the hearing procedure may contact the Commission at Emily.Walthers@psc.mo.gov.

The Commission will adopt the following procedural schedule.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:

June 26, 2023	Issues and Witness List
July 17, 2023	Evidentiary Hearing
August 7, 2023	Initial Briefs
2. The order of witnesses shall be: Complainant, Respondent, and Staff.
3. The order of cross-examination shall be:

For Complainant's Witnesses: Respondent, Staff.

For Respondent's Witnesses: Complainant, Staff.

For Staff's Witnesses: Complainant, Respondent.
4. The parties shall comply with the following procedural requirements:
 - (a) Although not all parties may agree upon how each issue should be described or on whether a listed issue is in fact a proper issue in this case, the parties shall agree upon and file a list of the issues to be heard, the witnesses to appear, the order in which they will be called, and the order of cross-examination for each witness. The list of issues should be detailed enough to inform the Commission of each issue that must be resolved. The

Commission will view any issue not contained in this list of issues as not requiring resolution by the Commission.

(b) Each party shall file a simple and concise statement summarizing its position on each disputed issue. Position statements shall track the list of issues.

(c) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 20 CSR 4240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(d) If testimony or documents are prefiled and served upon the parties before a hearing, a party need only provide an emailed copy of the testimony or document to exhibits@psc.mo.gov. If not prefiled and served upon the parties, then a party who has a document marked for use at the hearing shall email it to the presiding officer, and counsel for each other party, prior to the hearing if possible.

5. The evidentiary hearing will be conducted on July 17, 2023, beginning at 10:00 a.m. The hearing shall be held at the Commission's office at Suite 105 of the Wainwright State Office Building, 111 N. 7th Street, St. Louis, MO 63101. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711, before the hearing.

6. Mr. Harter is self-represented. With respect to direct testimony, the Commission may receive his complaint and other filings as his pre-filed testimony. He may present additional evidence by live testimony and exhibits as a part of his direct case. Ameren Missouri shall receive the same latitude accorded to Mr. Harter. Ameren Missouri

may present rebuttal evidence by live testimony and exhibits to rebut matters raised in the hearing evidence.

7. Exhibit numbers are assigned as follows: 1-99 Mr. Harter, 100-199 Ameren Missouri, 200-299 Staff, 300-399 Office of the Public Counsel. Exhibits shall be marked as set forth in Commission Rule 20 CSR 4240-2.135(10)(C); for example, “Exhibit 2” is public, whereas “Exhibit 2C” is the confidential version.

8. Charles A. Harter’s request to appear at the evidentiary hearing by telephone is denied.

9. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Nancy Dippell". The signature is written in a cursive, flowing style.

Nancy Dippell
Secretary

Ross Keeling, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo (2016).

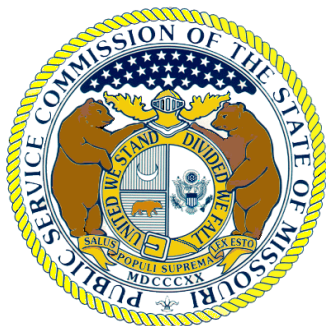
Dated at Jefferson City, Missouri,
on this 21st day of June, 2023.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 21st day of June, 2023.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

June 21, 2023

File/Case No. EC-2023-0281

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Nancy Dippell
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.