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BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

Friday, June 16, 2023  
9:00 a.m.

webEx

VOLUME 1  
Pages 1 THROUGH 12

Brett Felber,	)	
	)	
Complainant,	)	
	)	
v.	)	
	)	File No. EC-2023-0395
Union Electric Company,	)	
d/b/a Ameren Missouri,	)	
	)	
Respondents.	)	

CHARLES HATCHER, Presiding  
REGULATORY LAW JUDGE

TRANSCRIBED BY:  
Angie D. Threlkeld, CCR  
Registered Professional Reporter

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15 Also Present:

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1           JUDGE HATCHER: Today is June 16th of 2023, and  
2 the Public Service Commission has set this time aside for a  
3 prehearing conference for a case captioned EC-2023-0395.  
4 And this in regards to Mr. Felber's complaint against  
5 Ameren Missouri.

6           Mr. Felber, you are with us today in person. I  
7 appreciate and thank you for that. I know you had some  
8 other plans going on today with your son's birthday. So I  
9 do appreciate you taking the time out today.

10           Really what I want to talk about was the address  
11 change that you had suggested in Wichita, Kansas, I think,  
12 and then also kind of a little bit more of a procedural  
13 discussion about what we look at in a complaint case.

14           MR. FELBER: Understandable. I did amend my  
15 complaint early this morning. Ameren sent out, even though  
16 service was already disconnected --

17           JUDGE HATCHER: Okay. Mr. Felber, this is what I  
18 wanted to talk about. We're not taking any evidence --

19           MR. FELBER: I know.

20           JUDGE HATCHER: -- not at this meeting. And  
21 really that's -- I see a lot of your filings are  
22 supplemental information, which is great, and we can  
23 certainly use that. But we'll have to wait until the  
24 actual hearing before the Commission can make any  
25 decisions.

1           MR. FELBER: Correct. Yes. No, I just -- I  
2 amended my complaint because they did property damage  
3 yesterday. So...

4           JUDGE HATCHER: Okay. I don't know if that's  
5 come through. I'm looking at EFIS filing now. I don't see  
6 any complaint about property damage or anything coming  
7 through this morning.

8           MR. FELBER: I just sent this earlier this  
9 morning around 8.

10          JUDGE HATCHER: Okay.

11          MR. FELBER: I sent pictures of it and  
12 everything.

13          JUDGE HATCHER: Okay. I'll make sure and keep an  
14 eye out for that.

15                 On your address change you had asked in one of  
16 the filings for Ameren to only send you information at the  
17 Wichita, Kansas address, which was, in my view, a  
18 communication just between the two of you; but in a later  
19 filing asked for the Commission to change your address.  
20 And I have a couple of questions.

21          MR. FELBER: Yes.

22          JUDGE HATCHER: Did you still want that address  
23 change?

24          MR. FELBER: Correct. Yes. I'm a -- yeah. I  
25 believe Ameren -- from what I gather Ameren did do it. But

1 I don't know if they did.

2 JUDGE HATCHER: Okay. I'm not -- I'm -- there's  
3 two parts to the address change. One is just  
4 recordkeeping, and that's the only part I'm interested in.  
5 The other part is your substantive complaint, which you're  
6 saying that you've moved and so they shouldn't bill anyone  
7 at --

8 MR. FELBER: Right.

9 JUDGE HATCHER: -- remaining at the property.

10 MR. FELBER: Right.

11 JUDGE HATCHER: Okay. I'm only dealing with the  
12 recordkeeping portion --

13 MR. FELBER: Okay.

14 JUDGE HATCHER: -- for today. So I have two  
15 concerns. Are you moving into a business structure there,  
16 taking over a new commercial rental enterprise?

17 MR. FELBER: I'm going to be forming a business  
18 there. I'm going to be moving there.

19 JUDGE HATCHER: Okay. So this is a UPS store  
20 currently.

21 MR. FELBER: Correct.

22 JUDGE HATCHER: And so this --

23 MR. FELBER: That's why I filed for for that way.  
24 It's for the business and everything that can be done until  
25 I actually have the storefront built out and everything,

1 yes.

2 JUDGE HATCHER: Okay. So this is -- you're  
3 renting a mailbox there?

4 MR. FELBER: Correct. Yes.

5 JUDGE HATCHER: Okay. Excellent. I'll make sure  
6 and note that. Are you going to be able to receive any  
7 mail or filings, you know, kind of while you're going back  
8 and forth?

9 MR. FELBER: Yes, I will. That's why I want it  
10 sent there, so that way -- I've already filled out the mail  
11 change and everything. So that way I don't have any  
12 discrepancy. So if essentially anybody was to send  
13 anything here, it would be rerouted there.

14 JUDGE HATCHER: Okay. Excellent. Good to know.  
15 I'll get that changed in our records.

16 Then the filings -- and I kind of already  
17 mentioned this; I just wanted to touch on it. The  
18 Commission isn't really set up to review evidence as it  
19 comes in.

20 MR. FELBER: Right.

21 JUDGE HATCHER: And certainly the Commission will  
22 accept all of your filings and review those. But what's  
23 going to happen in this process is Ameren still has, I  
24 don't know, a week or so to file their response. Then --  
25 it's a complaint process. It's -- this isn't an immediate

1 resolution process. So Ameren's going to get to file their  
2 response. Then we're going to have another meeting to  
3 discuss when we want to have a hearing.

4 MR. FELBER: Okay.

5 JUDGE HATCHER: We're going to then talk about if  
6 we want to have prefiled testimony or not. It's your  
7 complaint case. I'll really let you kind of drive the  
8 train on a lot of these decisions. But I just wanted to  
9 make you aware, I appreciate your filings, and we will keep  
10 them, and I anticipate -- when we get to hearing I would  
11 anticipate a motion from you saying, Judge, can we admit  
12 all of my filings as prefiled testimony; and I'll give you  
13 a big thumbs up.

14 But in the meantime I didn't know if you wanted  
15 to keep making that effort. And I didn't want you to be  
16 under any mistaken impression that the Commission would be  
17 able to move immediately.

18 MR. FELBER: Right. Yeah. I understand. Yeah.

19 JUDGE HATCHER: Okay. Are there any other kind  
20 of issues that we wanted to talk about? This was just kind  
21 of a meeting for us all to get together, kind of talk about  
22 the address change and what would be the next steps in the  
23 case.

24 I think we've covered that. Are there any  
25 questions?

1 MR. FELBER: Not really.

2 MR. BANKS: Your Honor, we would like some  
3 direction, in terms of the Commission's reference to a  
4 June 14th filing, exactly what is it and are we required to  
5 file a response to it?

6 JUDGE HATCHER: Yes, you are required to file a  
7 response to it. Unfortunately, I believe my order was  
8 written and submitted possibly before Mr. Felber filed a  
9 second filing on June 14th. So let me get that  
10 straightened out now.

11 I recall now that it was one of the bottom  
12 paragraphs. Yes. Okay. It's the first filing on  
13 June 14th, EFIS number 44, and it is titled Disconnection  
14 Letter to Commission. And at -- the very last line says,  
15 quote, In addition, I would like to bring in a new  
16 complaint about this, end quote. And that is what the  
17 Commission is taking as a motion to amend Mr. Felber's  
18 complaint.

19 Mr. Felber did ask for a new complaint to be  
20 filed, which would essentially have created a second  
21 complaint file. And then I anticipate that somebody would  
22 have filed a motion to consolidate the two complaints, as  
23 they may have been related and they have related parties.  
24 And so I wanted to short-circuit that. It already seemed  
25 related to me.



1           So what I did was in my order I stated that I  
2 understood Mr. Felber's statement to be a motion to amend  
3 the complaint. And seeing that Ameren had a little over 10  
4 days, I think maybe 12 days, before the June 26th due date,  
5 if they could, please, include that in their answer. And  
6 if not, Ameren is, of course, free to file a motion for an  
7 extension of time.

8           MR. BANKS: Thank you, Your Honor.

9           JUDGE HATCHER: Thank you.

10          MR. KEEVIL: Judge, one question from staff,  
11 based on something you said earlier this morning. When  
12 you're going through the order or the schedule as already  
13 ordered, you did not mention the staff report, which I  
14 believe you previously ordered as well.

15          JUDGE HATCHER: Yes, that is --

16          MR. KEEVIL: Is that still --

17          JUDGE HATCHER: Yes.

18          MR. KEEVIL: -- same schedule, same order?

19          JUDGE HATCHER: Yes, Mr. Keevil, we do still want  
20 a staff report on Mr. Felber's complaint.

21                 And I don't recall if I had designated this or  
22 not. I don't believe this was a small complaint,  
23 Mr. Felber. The Commission sets a dollar limit where we  
24 treat small complaints and have a little bit different  
25 resolution process.

1           Mr. Keevil, I believe, if I recall correctly,  
2 Mr. Felber had either stated an amount over that or I took  
3 it to more than likely include an amount. I have been  
4 treating this as a regular formal complaint, which is why  
5 we had the separate staff direction to file a  
6 recommendation.

7           Yes, that is still outstanding. I do not know  
8 the date. I believe it's after Ameren Missouri's response  
9 date though. And I will keep an eye on that to make sure  
10 it -- just in case Ameren does need more time, that staff's  
11 time is also expanded.

12           MR. FELBER: If you --

13           MR. KEEVIL: Okay. Thank you, Judge.

14           JUDGE HATCHER: Mr. Felber, go ahead.

15           MR. FELBER: Sorry for interrupting.

16           JUDGE HATCHER: No, you're fine.

17           MR. FELBER: If you need to take a dollar -- some  
18 money off of that, you can take \$5,636 off of it, as I have  
19 a lien on Ameren's premises at 1901 Chouteau Street. And  
20 I'm actually getting ready outside of there, but I do have  
21 counsel for outside of there. They are getting ready to  
22 file a foreclosure suit on the lien as early as next  
23 Tuesday to seek remedy off of that. That's an outside  
24 position that is not in there. But if they want to drop  
25 the dollar amount that Ameren owes me, they can take

1 \$5,636, approximately, off that amount as well.

2 JUDGE HATCHER: Okay. I know that you had noted  
3 that in one of your recent filings. I'm not going to  
4 change your complaint, only because we've already started;  
5 and I don't think that would matter in kind of the case  
6 classification. But I appreciate your statement. Thank  
7 you.

8 MR. FELBER: I appreciate, Your Honor.

9 JUDGE HATCHER: Okay. Are there any other  
10 questions, discussion items, concerns before I close our  
11 prehearing conference?

12 MR. BANKS: Not from Ameren Missouri, Your Honor.

13 JUDGE HATCHER: Thank you, sir.

14 Okay. Thank you all. Let's go off the record,  
15 and our prehearing conference is adjourned.

16 (Off the record.)

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1 STATE OF MISSOURI ) ss.

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REPORTER'S CERTIFICATE

5

6 I, Angie D. Threlkeld, do hereby certify that the  
7 above and foregoing transcript, consisting of the preceding  
8 11 pages is a correct transcript of the tape recorded  
9 proceeding, and is a full, true, and complete transcript of  
10 the proceedings to the best of my ability.

11 Dated July 24, 2023.

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Angie D. Threlkeld  
Court Reporter

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