

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

In the Matter of the Cancellation of the)	
Certificate of Convenience and Necessity)	<u>File No. ED-2019-0309</u>
Originally Approved in File No. EA-2005-0180)	
and the LTS Rate Schedule)	

STAFF RESPONSE TO CONSUMERS' MOTION FOR ORAL ARGUMENT

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through Staff Counsel's Office, and responds to the July 1, 2019, *Request For Oral Argument* of the Midwest Energy Consumers Group ("MECG"), the Missouri Industrial Energy Consumers ("MIEC"), and the Office of the Public Counsel ("OPC") (collectively referred to as the "Consumers"). In support thereof, Staff states as follows:

1. At various points in the July 1, 2019, *Response Of Consumers And Motion For Oral Argument*, Consumers state their request for oral argument.
2. Just as there is no statute or rule requiring a hearing for the Commission to consider and approve the April 12, 2019, *Application And Request For Variance* of Union Electric Company, d/b/a Ameren Missouri ("Ameren Missouri") there is no statute or rule requiring oral argument for the Commission to consider and approve the April 12, 2019, *Application And Request For Variance* of Ameren Missouri.¹ Also, just as due process does not require a hearing because there is no protected property interest in a particular utility rate, due process does not require oral argument because there is no protected property interest in a particular utility rate.²

¹ *State ex rel. Laclede Gas Co. v. Public Serv. Comm'n*, 535 S.W.2d 561, 566 (Mo.App. K.C. 1976); *State ex rel. Utility Consumers Council, Inc. v. Public Serv. Comm'n*, 585 S.W.2d 41, 49 (Mo.banc 1979).

² *State ex rel. Jackson County v. Public Serv. Comm'n*, 532 S.W.2d 20, 31 (Mo.banc 1975), *cert. denied*, 429 U.S. 882, 97 S.Ct. 73, 50 L.Ed.2d 84 (1976); *In Re Kansas City Power & Light Co. v. Public Serv. Comm'n*, 509 S.W.3d 757, 784 (Mo.App. W.D. 2016).

WHEREFORE Staff requests that the Commission overrule the Consumers' July 1, 2019, *Motion For Oral Argument*.

Respectfully submitted,

/s/ Steven Dottheim

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Staff Response To Commission Order Directing Filing has been transmitted electronically to all counsel of record this 8th day of July, 2019.

/s/ Steven Dottheim