

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

Marlyn Young,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. EC-2006-0283
	)	
Union Electric Company,	)	
d/b/a AmerenUE,	)	
	)	
Respondent.	)	

**ANSWER OF AMERENUE TO MOTION FOR JUDGMENT**

COMES NOW Union Electric Company d/b/a AmerenUE (“AmerenUE” or “Company”), and for its Answer to Motion and Order for Judgment Against Union Electric Company, states as follows:

**History**

1. On January 3, 2006, Marlyn Young of 2437 Wieck Drive, St. Louis, Missouri 63136 (“Complainant”) initiated this proceeding by filing a Complaint against AmerenUE.
2. On February 2, 2006, AmerenUE filed its Answer to the Complaint.
3. On March 24, 2006, the Staff of the Missouri Public Service Commission (Staff) filed its Staff Report, which found no basis to support Mr. Young’s complaint.
4. On April 24, 2006, Mr. Young filed his response to the Staff Report.
5. On May 2, 2006, Staff filed a Reply to Mr. Young’s Response. AmerenUE filed its Reply on May 4, 2006.

6. On May 12, 2006, the Commission set the matter for hearing. On June 16, 2006, the hearing date was rescheduled for August 16, 2006 at 10:00 am.

7. On June 16, 2002, Mr. Young filed a Motion entitled Motion and Order for Judgment Against Union Electric Company (Motion). This Motion alleges that AmerenUE sent out disconnect notices in violation of 4 CSR 240-13.045(5) and (6).

#### **AmerenUE Response to the Motion**

8. The Company admits there is a formal complaint filed by Mr. Young which is still pending at the Commission against AmerenUE, as stated in paragraph one of the Motion.

9. The Company admits it is bound by the rules and regulations of the Commission and by applicable state laws and regulations, as stated in paragraph two of the Motion.

10. The Company admits that Mr. Young received two notices of disconnection, as stated in paragraph three of the Motion. These notices were issued on June 5<sup>th</sup> and June 8<sup>th</sup> for a delinquent amount of \$563.56.

11. The Company does not believe it is in violation of Commission regulations, as Mr. Young alleges in paragraph four of the Motion. 4 CSR 240-13.045 contains standards for handling disputes between a utility and its customer. No amount of the \$563.56 is related to the current dispute before the Commission. Attachment A to this Response contains copies of all bills for 2437 Weick Drive with the exception of the very first bill of \$3.92, which cannot be retrieved from AmerenUE's billing system. AmerenUE notes that on the bill dated April 6, 2006, one disputed amount, \$108.23, was accidentally transferred along with \$21.20 from an unpaid bill at 10128 Cavalier Court. The \$108.23 was removed from Mr. Young's bill immediately upon discovery of the incorrect transfer and was not included in the amount noted on either disconnection notice. There were only two bills issued on Cavalier Court account and

although these amounts are not part of this current dispute, a copy of both bills is included as Attachment B.

12. The Company admits that Mr. Young's pending dispute challenges the validity of certain charges and deposits at another address, as stated in paragraph five of his Motion. The charges which are the subject of this Complaint are not included in the \$563.56 bill for which Mr. Young received the disconnect notices.

13. AmerenUE is unclear what account Mr. Young is referencing in paragraph six of the Motion. Mr. Young currently has two active accounts, one at 211 Coburg Drive and one at 2437 Weick Drive. If Mr. Young would like either account closed, the Company would do so. AmerenUE has not refused to disconnect service.

14. AmerenUE denies paragraph seven, in which Mr. Young alleges that the Company is assessing additional charges, fees and deposits from a previous address to his current account. The only deposit currently being billed is for 2437 Weick, Mr. Young's current address. The only amounts included in the current account balance which are not for service at the Weick address is a charge of \$21.20 final bill from an account in Mr. Young's name at 10128 Cavalier Court between December 31, 2005 and January 18, 2006. As stated above, the Cavalier Court bill is not part of the dispute in this case.

15. Paragraph eight alleges that a deposit is requested for a property that he has owned for six years. This deposit was requested pursuant to 4 CSR 240-13.030(c) which allows a deposit to be requested if the customer has failed to pay an undisputed bill on or before the delinquent date for five out of twelve consecutive monthly billing periods. Mr. Young failed to pay five undisputed bills: his May 6, 2005 bill which became delinquent on May 27, 2005; his June 7, 2005 bill which became delinquent on June 28, 2005; his September 6, 2005 bill which

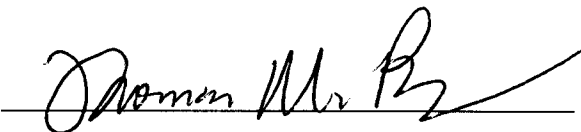
became delinquent on September 27, 2005; his October 5, 2005 bill which became delinquent on October 26, 2005; and his November 3, 2005 bill which became delinquent on November 28, 2005.

16. Finally, AmerenUE would point out that Mr. Young is not and has not been current on his bills at 211 Coburg Drive and 2437 Weick Drive. For example, since the beginning of 2006, Mr. Young has made only three payments on the 2437 Weick Drive account. The Company requests the Commission issue an order which makes clear that the filing of a complaint case at the Commission does not relieve Mr. Young of the responsibility to make timely payment on his current, undisputed bills.

WHEREFORE, AmerenUE respectfully requests that the Commission issue an order finding the Complaint's Motion to be without merit and further that the Commission make clear to Complainant his obligation to continue paying his current bills on his two active accounts as those amounts are not part of the dispute in front of the Commission.

Respectfully submitted,

UNION ELECTRIC COMPANY,  
d/b/a AmerenUE

By: 

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Dated: June 26, 2006

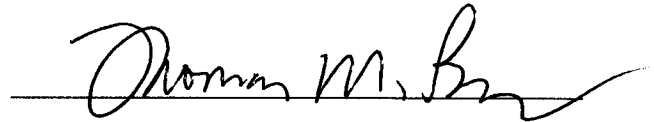
**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Entry of Appearance was served via electronic filing and electronic mail (e-mail) or via regular mail on this 26<sup>th</sup> day of June, 2006, to:

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Lewis R. Mills  
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Marlyn Young  
2437 Wieck Drive  
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[yumorl@aol.com](mailto:yumorl@aol.com)

A handwritten signature in black ink, appearing to read "Thomas M. Byrne", is written over a horizontal line.

Thomas M. Byrne