

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

Lisa M. Schroeder,)	
)	
Complainant,)	<u>File No.: EC-2022-0189</u>
v.)	
)	
Union Electric Company d/b/a)	
Ameren Missouri)	

**STAFF’S MOTION FOR ORDER REQUIRING RESPONSES
TO DATA REQUESTS**

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”) and requests the Commission’s order requiring responses to data requests.¹

1. On January 18, Lisa M. Schroeder (“Ms. Schroeder”) filed a consumer complaint alleging that she had gone without power for 39 hours in July of 2021, and lost refrigerated items and employment benefits because of missed work. She alleged that the power outage was a result of the company’s failure to complete a work order that had been in place for over twelve months; that there had been frequent outages in her neighborhood over many years ranging from ten minutes to “three plus” hours, and that she had been told that squirrels had caused the outages. She alleged that the work order concerned an “alternate circuit repair.” She alleged that an entity that handled the company’s claims had told her that such outages, caused by limbs and squirrels, were “normal” for an established neighborhood with large trees and squirrels and that the circuit repair order had had nothing to do with the outages. Her complaint, however, alleges that following the work ordered circuit repair in September or October of 2021,

¹ Unless otherwise indicated, all date references will be to 2022.

“the neighborhood has had zero outages.” Finally, and notably, Ms. Schroeder alleges that the agency handling Ameren claims told her that “the [work] order wasn’t ignored but was put off for a later date when they could replace all of the older underground lines that were due for replacement.”

2. The instant complaint was preceded by an informal complaint C202200179. Subsequently to the filing of the formal complaint, Staff propounded data requests on the Company on January 27 (DR 0001, 0002, 0003, 0004, 0005, and 0006).

3. On February 7, the company filed a request for extension stating that the parties had reached an agreement “in principle” and that “the dismissal [had] been mailed to Complainant for her signature.” The request for extension stated that once “the dismissal is received it will be filed with the Commission and the settlement will be finalized.” The company requested an extension of “20 days to file the dismissal or to respond to the Data Requests.”

4. On February 7 and prior to Staff’s filing the instant pleading, the Commission sustained the company’s extension request and ordered it to answer the complaint and data requests no later than February 27.

5. The company’s request for extension did not state, and the company did not request or receive Staff’s agreement to the extension. Staff has no objection to the company’s request for an extension, but Staff gives the Commission notice that the Staff has not been involved in any settlement discussions and is not a party to any “agreement in principle.”

6. Rule 20 CSR 4240-2.116 states that “[a]n applicant or complainant may voluntarily dismiss an application or complaint without an order of the commission at any

time before prepared testimony has been filed or oral evidence has been offered by filing a notice of dismissal with the commission.”

7. Notwithstanding 20 CSR 4240-2.116, the Commission always has the authority under Section 393.140, RSMo (2020), to exercise “general supervision of all. . . electrical corporations,” and the Commission may “examine or investigate the methods employed by such persons and corporations in manufacturing, distributing and supplying gas or electricity for light, heat or power and in transmitting the same. . . .” The Commission also has the authority under Section 393.140, RSMo (2020), to “order reasonable improvements and extensions of the works, wires, poles, pipes, lines, conduits, ducts and other reasonable devices, apparatus and property of. . .electrical corporations. . . .”

8. Ms. Schroeder’s prayer for relief included a request that the Commission investigate alleged outages. Staff agrees that such an investigation should occur. Ms. Schroeder’s complaint raises issues that may affect customers other than Ms. Schroeder. As a result, it is Staff’s position that regardless of whether Ms. Schroeder settles and dismisses her complaint, given the allegations in her complaint the company should fully answer Staff’s pending data requests, provide the Commission with the settlement agreement described in the request for extension and otherwise provide the Commission with a complete explanation for the occurrences alleged in Ms. Schroeder’s complaint.

9. The company’s extension request states the parties have reached an “agreement in principle,” and Staff certainly neither opposes the principle nor in anywise opposes an immediate settlement with immediate satisfaction that makes Ms. Schroeder

whole and happy. But, happily, because of the Commission's ongoing supervisory authority, that can occur and the case can still be investigated.

WHEREFORE, Staff respectfully requests that regardless of the outcome of this case, Ameren be directed to answer Staff's DRs in this matter, provide the Staff with any settlement agreement reached between Ameren and Ms. Schroeder, and otherwise provide a complete explanation for the occurrences alleged in Ms. Schroeder's complaint, and for such other and further relief the Commission deems just and reasonable under the circumstances.

Respectfully submitted,

/s/ Paul T. Graham

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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 counsel of record this 8th day of February, 2022.

/s/ Paul T. Graham