

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

Delmar Gardens Enterprises, Inc.,)	
)	
Complainant,)	
)	
v.)	<u>File No. EC-2022-0163</u>
)	
Union Electric Company d/b/a Ameren)	
Missouri,)	
)	
Respondent)	

NOTICE OF DEFICIENCY

Issue Date: December 21, 2021

On December 20, 2021, Delmar Gardens Enterprises, Inc. (Delmar Gardens) filed a complaint against Union Electric Company d/b/a Ameren Missouri. Delmar Gardens' complaint is signed by Howard M. Oppenheimer and Jeffrey Mishkin. Neither Mr. Oppenheimer nor Mr. Mishkin are identified as an attorney licensed to practice law in Missouri or any other state.

Missouri statute Section 484.020, RSMo 2016, restricts the practice of law to licensed attorneys. Consequently, Commission Rule 20 CSR 4240-2.040(5), requires pleadings filed with the Commission to be signed by an attorney authorized to practice law in Missouri unless the entity signing the pleading is a natural person acting solely on his or her own behalf and representing only him or herself.¹ Delmar Gardens' complaint is signed by Mr. Oppenheimer and Mr. Mishkin, neither of whom is identified as an

¹ See also *Clark v. Austin*, 340 Mo 467, 101 S.W. 2d 977 (Mo 1937); *Reed v. Labor and Indus. Relations Com'n*, 789 S.W.2d 19 (Mo 1990).

attorney licensed to practice in Missouri. The present complaint is filed on behalf of the corporation, Delmar Gardens, rather than by Mr. Oppenheimer or Mr. Mishkin as a natural person on their own behalf.

Therefore, Delmar Gardens' filing is deficient and the Commission cannot take action on this complaint until these deficiencies are corrected. The Commission will leave the file open until January 20, 2022, to allow Delmar Gardens to correct the deficiency. If no response is filed by that time, the Commission will reject the filing and close the file.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

Charles Hatcher, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 20th day of December, 2021.

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 December, 2021.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

December 21, 2021

File/Case No. EC-2022-0163

**Missouri Public Service
Commission**

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**Delmar Gardens Enterprises,
Inc.**

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Union Electric Company

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

Sincerely,



**Morris L. Woodruff
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.