

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Brett
Felber for Change of Electric Supplier

)
)
)

File No. EO-2024-0163

ORDER TO SHOW CAUSE WHY APPLICATION SHOULD NOT BE DISMISSED

Issue Date: November 14, 2023

Effective Date: November 14, 2023

On November 8, 2023, Brett Felber filed an application with the Missouri Public Service Commission requesting a change of electric supplier from Union Electric Company d/b/a Ameren Missouri to “Eversource”. On November 9, 2023, the Commission issued an order requesting clarification from the applicant as to which “Eversource” company the applicant intended to be the subject of the application. Mr. Felber filed responses on November 9 and November 10, 2023, but did not provide the clarification sought by the Commission.

Electric utilities in Missouri take several forms as set out in the Missouri statutes. Each of these electric utility forms generally have a monopoly with regard to particular service areas within the state. An electric utility in Missouri is either a Commission-regulated investor-owned monopoly (such as Ameren Missouri, Eversource Missouri Metro, and Eversource Missouri West), a municipally-owned electric utility, or a rural electric cooperative. The Missouri Public Service Commission’s powers to regulate investor-owned electric corporations with regard to rates and service and to regulate municipal and cooperative electric utilities with regard to territorial agreements are also limited to those set out by the statutes.

Mr. Felber requests that the Commission allow a change of supplier from Ameren Missouri to one of the Evergy utilities. Mr. Felber cites no law that would allow the Commission to take such action. Under Missouri law a Missouri investor-owned electric utility may not provide service outside of its certificated service area. Ameren Missouri has a certificate of convenience and necessity to serve the area that includes Mr. Felber's address. Neither Evergy Missouri Metro nor Evergy Missouri West has a certificate to provide electric service to Mr. Felber's address. Further, contrary to Mr. Felber's arguments in his application and responses, the electric utilities in Missouri, including Ameren Missouri, are not deregulated such that any other electric service provider in the state can supply electricity his address. Thus, Mr. Felber has not asked for relief that the Commission can grant.

Under 20 CSR 4240-2.115, the Commission may dismiss for good cause, any case after ten days notice to all parties. Thus, the Commission will direct Mr. Felber to show cause why the Commission should not dismiss this application for failure to state a claim upon which relief may be granted.

THE COMMISSION ORDERS THAT:

1. On or after November 27, 2023, the Commission may dismiss this application for failure to state a claim upon which relief may be granted, unless Mr. Felber can show cause as to why it should not be dismissed.
2. Any party that wishes to respond may do so no later than November 27, 2023.
3. This order shall be effective when issued.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

Nancy Dippell, Chief Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 14th day of November, 2023.

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 14th day of November 2023.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

November 14, 2023

File/Case No. EO-2024-0163

MO PSC Staff

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel (OPC)

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcstaff@opc.mo.gov

Brett Felber

Brett Felber
316 Sonderen Street
O'Fallon, MO 63366
bfelber14@gmail.com

Evergy Missouri Metro

Legal Department
One Kansas City Place, 1200 Main Street
P.O. Box 418679
Kansas City, MO 64105
roger.steiner@evergy.com

Evergy Missouri West

Legal Department
One Kansas City Place, 1200 Main
Street
P.O. Box 418679
Kansas City, MO 64105
roger.steiner@evergy.com

Union Electric Company

Legal Department
1901 Chouteau Avenue
P.O. Box 66149, Mail Code 1310
St. Louis, MO 63103
amerenmoservice@ameren.com

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

Sincerely,



**Nancy Dippell
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.