

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

In the Matter of Union Electric Company d/b/a )  
Ameren Missouri's Application for Approval of )  
Revised Tariff Sheet Nos. 54, 54.4, & 54.7 to )  
Continue to Default Certain Residential )  
Customers to the Evening/Morning Savers Rate )  
Plan, Motion for Waiver of 60-Day Notice )  
Requirement, Motion for Expedited Treatment, ) File No. ET-2024-0156  
and if Expedited Treatment Not Granted, )  
Alternative Motion for Approval of Substitute )  
Revised Tariff Sheets to Delay Defaulting Certain )  
Residential Customers to Smart Savers Rate Plan )  
Beyond March 31, 2024. )

**RESPONSE IN OPPOSITION TO BRETT  
FELBER'S APPLICATION TO INTERVENE**

Pursuant to the *Notice and Order Directing Filing* issued by the Missouri Public Service Commission (“Commission”) on November 6, 2023, Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri” or “Company”) responds to the document filed by Brett Felber ("Mr. Felber") on November 10, 2023 as follows:

**I. Introduction**

1. On November 3, 2023, Ameren Missouri filed its *Application* to revise three electric tariff sheets attached thereto as Schedule 1 to allow Ameren Missouri to continue to default residential customers to the low-differential Evening/Morning Savers rate plan instead of the high-differential Smart Savers rate plan, waive the 60-day notice requirement, expedite decision, and alternatively, approve interim substitute electric tariff sheets.

2. On November 10, 2023, Mr. Felber filed a document that purports to be an "Application to Intervene" under 20 CSR 4240-2.075, but is otherwise indiscernible.

**II. Opposition**

3. Mr. Felber's document fails to meet all the basic requirements set out in the

Commission's Intervention Rule, 20 CSR 4240-2.075.

4. 20 CSR 4240-2.075(2)(A) requires any motion to intervene to include "[t]he legal name of each association, person, or entity seeking intervention or to be added." Mr. Felber's document states: "1) Brett Felber is an individual who seeks intervention on this matter and utilizes a non-profit for best interest of consumers and Missourians." Mr. Felber's document never identifies the non-profit he seeks to "utilize" for intervention, and therefore, fails to meet the requirement set out in 20 CSR 4240-2.075(2)(A). Mr. Felber's document does not explain whether the non-profit he seeks to "utilize" for intervention is an association. According, Mr. Felber's document may not meet 20 CSR 4240-2.075(2)(D).

5. 20 CSR 4240-2.075(2)(B) and (C) require any motion to intervene to include the street and mailing address of the principal office or place of business, email address, and fax number, if any, of each association, person, or entity seeking intervention. Mr. Felber's document provides three different addresses (only one of which is within the State of Missouri), and does not identify whether they are principal offices or places of business. Mr. Felber's document does not provide any email address or fax number for the person or any association, nor explain Mr. Felber as a person or any association he seeks to "utilize" for intervention has no email address or fax number.

6. 20 CSR 4240-2.075(2)(E) requires a motion to intervene to include "[a] statement of the proposed intervenor's or new member's interest in the case and the reasons for seeking intervention or to be added." Mr. Felber's document rambles incoherently, even posing questions at some points, and fails to state an interest in the case and reasons for seeking intervention.

7. 20 CSR 4240-2.075(3) prescribes:

The commission may grant a motion to intervene or add new member(s) if—

(A) The proposed intervenor or new member(s) has an interest which

is different from that of the general public and which may be adversely affected by a final order arising from the case; or  
(B) Granting the proposed intervention would serve the public interest.

Mr. Felber's document fails to explain any interest in the matter, and certainly not how the interest is different from that of the general public and will be adversely affected by a final order in this case. And, granting Mr. Felber's intervention and/or the intervention of whatever non-profit Mr. Felber seeks to "utilize" for intervention would certainly not serve the public interest.

8. Mr. Felber is no stranger to the Commission, and has a pending customer complaint against Ameren Missouri before the Commission, File No. EC-2023-0395, wherein substantial Company as well as Staff and Commission resources have been expended. In the complaint matter, Mr. Felber has filed hundreds of documents through the Commission's EFIS system, five prehearing conferences were held, the evidentiary hearing had to be postponed due to Mr. Felber's failure to timely respond to data requests, and two days of evidentiary hearing have been completed. Yet, as all parties to the complaint matter await the Commission's decision, in just the last 12 days, Mr. Felber has submitted seven things: titled in EFIS as Complainant's Response to Respondent Filing, a Memo to Commission and Honorable Judge Clark, Response to Respondent's Response to Order, Letter to Commissioners, Motion for Immediate Restoration of Utility Services, Motion for Reconnection of Services, and Cold Weather Rule Response.<sup>1</sup> Mr. Felber has also filed an application for change of electric supplier, File No. EO-2024-0163. In File No. EO-2024-0395, the Commission issued an Order Regarding Clarification and Notice of Deficiency on November 9, 2023. Mr. Felber should not be allowed to intervene in this tariff revision case in an attempt to require even more resources be expended to first try to discern his incoherent ramblings and then respond to them. To allow Mr. Felber or the non-profit he seeks to "utilize" for the

---

<sup>1</sup> File No. EC-2023-0395, Complainant's Filings, EFIS Item Nos. 196, 197, 199, 200, 201, 206 and 207.

intervention to intervene here simply would not serve the public interest and would instead undermine the public interest.

**WHEREFORE**, Ameren Missouri requests that the Commission resoundingly deny and reject Mr. Felber's document, accept this Response in Opposition, and grant the Company whatever additional remedy the Commission deems reasonable.

Respectfully submitted,

By: /s/ *Jermaine Grubbs*  
Jermaine Grubbs, MO Bar #68970  
Corporate Counsel  
Ameren Missouri  
1901 Chouteau Ave.  
P.O. Box 149 (MC 1310)  
St. Louis, MO 63166  
(314) 554-2041 (telephone)  
(314) 554-4014 (facsimile)  
[AmerenMOService@ameren.com](mailto:AmerenMOService@ameren.com)

**ATTORNEY FOR UNION ELECTRIC  
COMPANY d/b/a AMEREN MISSOURI**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on all parties of record via electronic mail (e-mail) on this 15th day of November, 2023.

*/s/ Jermaine Grubbs*  
Jermaine Grubbs