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BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS  
PROCEDURAL CONFERENCE

Dranel J. Clark and )  
Aquilla Canada, )  
Complainants, )  
v. ) File No. EC-2024-0111  
Union Electric Company )  
d/b/a Ameren Missouri, )  
Respondent. )

FRIDAY, FEBRUARY 9, 2024  
10:00 a.m.  
Jefferson City, MO 65101  
via WebEx  
VOLUME 2

KENNETH SEYER, Presiding  
REGULATORY LAW JUDGE

(Due to the quality of the recorded media, portions were unable to be transcribed and include inaudible portions. The transcript may also include misinterpreted words and/or unidentified speakers. The transcriber was not present at the time of the recording; therefore, this transcript should not be considered verbatim.)

TRANSCRIBED BY: MELISSA EICKEN

1           LAW JUDGE SEYER: Okay. We're on the  
2 record. Today is February 9th, 2024. It's 10:00  
3 o'clock a.m. The commission has set this time for a  
4 procedural conference in the case captioned Dranel J.  
5 Clark and Aquilla Canada, complainants versus Union  
6 Electric Company, doing business as Ameren Missouri,  
7 respondent. It's the Public Service Commission file  
8 number EC-20 -- 2024-0111.

9           My name is Ken Seyer, and I'm the  
10 regulatory law judge in this matter.

11           If a hearing is held regarding this  
12 complaint, I will conduct that hearing. However, it  
13 is the five commissioners who will decide whether  
14 Ameren Missouri has violated any statutes, commission  
15 rules or tariffs.

16           Do you understand what I'm saying,  
17 Ms. Canada?

18           AQUILLA CANADA: Yes, I can hear you.

19           LAW JUDGE SEYER: Okay. But do you  
20 understand what I'm saying, I -- if we --

21           AQUILLA CANADA: No. I --

22           LAW JUDGE SEYER: This goes to --

23           AQUILLA CANADA: I'm having a hard time  
24 making out exactly what you said. If you could  
25 explain it a little bit better, that would be great.

1           LAW JUDGE SEYER: Yeah, yeah. So assuming  
2 this goes to a hearing, a formal hearing, I would be  
3 the judge on that hearing, but I don't decide what  
4 happens in your case. It's the five commissioners  
5 that will hear -- hear the evidence and make a  
6 decision in your case.

7           AQUILLA CANADA: Okay. Okay.

8           LAW JUDGE SEYER: So one of the things I  
9 want to do to start off with is, have the attorneys  
10 make their entries of appearance, beginning with the  
11 attorneys for Ameren Missouri.

12           MS. MOORE: Yes, Your Honor. Appearing on  
13 behalf of Ameren Missouri, Jennifer Moore and Jennifer  
14 Hernandez. Our business address is 1901 Chouteau  
15 Avenue, St. Louis, Missouri 63166.

16           LAW JUDGE SEYER: All right. Thank you.  
17 For the staff of the commission.

18           MR. PRINGLE: Thank you, Judge. On behalf  
19 of staff, this is Travis Pringle, P.O. Box 360,  
20 Jefferson City, Missouri 65102.

21           LAW JUDGE SEYER: Okay. Thank you.

22                   And I'm not seeing anyone from the Office  
23 of Public Counsel. So I assume that they are not on.

24           MR. POSTON: Judge, this is Marc Poston.  
25 I'm on.

1 LAW JUDGE SEYER: He's on. And for the  
2 sake of the record, your first name is M-A-R-C?

3 MR. POSTON: M-A-R-C, right. P-O-S-T-O-N.  
4 From the Office of Public Counsel.

5 LAW JUDGE SEYER: All right. Thank you.  
6 Thank you, Mr. Poston.

7 So we do have -- and -- well, I should also  
8 ask Ms. Canada to -- to go ahead and state and spell  
9 her name.

10 AQUILLA CANADA: My name is Aquilla Canada.  
11 I am the complainant. My name is spelled  
12 A-Q-U-I-L-L-A, last name is Canada, same spelling as  
13 the country, C-A-N-A-D-A. And I reside at 9240  
14 Waldorf Drive, St. Louis, Missouri 63136.

15 LAW JUDGE SEYER: All right. Thank you.

16 So we are -- we are at a point in your  
17 case, Ms. Canada, where you filed your complaint.  
18 Ameren Missouri has filed their answer. I asked the  
19 staff to conduct a bit of an investigation, and  
20 they've filed a report. So really, the next step in  
21 the proceedings would be an evidentiary hearing. I  
22 don't know -- well, I should say it this way. We need  
23 to get an evidentiary hearing on the calendar assuming  
24 that this is a case that cannot be settled in some  
25 way.

1           AQUILLA CANADA: That sounds good to me. I  
2 was just speaking with Mr. Clark when we were  
3 listening to everyone introduce themselves, and he  
4 definitely does want to take it to that level if need  
5 be. We have no problem with that, so.

6           UNIDENTIFIED MALE: (Inaudible).

7           LAW JUDGE SEYER: Okay. Okay. I just -- I  
8 want to make sure you understand that, that hearing  
9 will be a formal hearing, somewhat like a trial, in  
10 that each party will present evidence whether it be  
11 witness testimony, documents, so forth. There will be  
12 cross examination. There will be questions from --  
13 from me, from -- from the commissioners, and that's --  
14 that's one of the reasons I wanted to have this  
15 conference is to make sure you understood all of that.

16           AQUILLA CANADA: Yes. We -- we understand  
17 completely. And that's fine with us. We are -- some  
18 of our questions that I had concerns with was the  
19 evidence that we had, we're not sure you all received  
20 all of it, and there's -- there's other things that  
21 we're not sure how we present them, whether it be  
22 presented before the time of the evidence be --  
23 hearing or -- or how -- because we're having issues  
24 just technically getting everything over to you. It  
25 seems like we're sending stuff. It's not getting out,

1 and then we don't find out until a later date that it  
2 hasn't been received. So we just want to make sure we  
3 get all of our information -- you know, dot our Is and  
4 cross our Ts.

5 LAW JUDGE SEYER: Uh-huh. Well, any --  
6 any -- any documents, let's say, that you wish to  
7 present during the hearing would go through kind of a  
8 formal process where --

9 AQUILLA CANADA: Okay.

10 LAW JUDGE SEYER: -- hopefully all the  
11 parties would have a chance to see that ahead of time  
12 and would be --

13 AQUILLA CANADA: Right.

14 LAW JUDGE SEYER: -- prepared whether to --  
15 whether they wanted to object to those documents  
16 coming into evidence.

17 AQUILLA CANADA: Okay.

18 LAW JUDGE SEYER: So that's really --  
19 that's really up to the parties to make sure they --  
20 they all have copies of -- of the -- the evidence that  
21 they're planning on presenting during the hearing, and  
22 I generally, as judge, try to stay out of that unless  
23 there's some issue.

24 AQUILLA CANADA: Is there a certain place  
25 that I should be sending this, because it just seems

1 like when I try to upload it into the EFIS system, I'm  
2 having issues with that, so. And -- it doesn't help  
3 that I'm blind, but Mr. Clark has been trying to  
4 upload stuff as well, so -- but it just doesn't seem  
5 like it's going through. So just communication wise,  
6 is there anywhere else we should be sending it?

7 LAW JUDGE SEYER: That's a little outside  
8 of -- of my realm of my comfort zone because I'm not  
9 involved in that. I would -- I mean, it could always  
10 be mailed to the other parties.

11 AQUILLA CANADA: Okay.

12 LAW JUDGE SEYER: But I don't know --

13 AQUILLA CANADA: Should I -- Mr. Pringle,  
14 should I just continue to send in things via e-mail  
15 or --

16 MR. PRINGLE: Ms. Canada, so I guess for  
17 that portion, sending stuff to staff because our  
18 report is done --

19 AQUILLA CANADA: Oh, okay.

20 MR. PRINGLE: -- sending it to us, we  
21 really -- we wouldn't really be able to do much with  
22 it at this point. That's why the judge described it  
23 bringing at the hearing, but that's probably, to me,  
24 the best avenue for you.

25 AQUILLA CANADA: Okay. Okay. Well, we

1 would -- we would definitely like to set that up  
2 because -- if that's okay.

3 LAW JUDGE SEYER: All right. And the --  
4 let me ask you, Mr. Pringle, as far as coming up with  
5 a joint procedural schedule, how much time would you  
6 need to get with the other parties and -- and file  
7 that?

8 MR. PRINGLE: I would love it if we can  
9 come up with one after we go off the record today. I  
10 can't imagine it taking more than a week, ten days, so  
11 no later than the week after next, I would think.

12 LAW JUDGE SEYER: Uh-huh.

13 AQUILLA CANADA: Okay.

14 LAW JUDGE SEYER: I'm looking at a  
15 calendar. That would be about the 23rd of the month.

16 So what I'm -- what I'm saying, Ms. Canada,  
17 is, I would give the parties a couple of weeks to  
18 present a schedule that would include that evidentiary  
19 hearing date. So the evidentiary hearing date  
20 wouldn't happen in a couple of weeks, but hopefully,  
21 we would all -- all the parties could agree on the  
22 date of the hearing, the location of the hearing,  
23 whether it would be conducted in person here at -- in  
24 Jefferson City or whether it would be at some other  
25 location. That's all up to you all to -- to get with



1 each other and hopefully agree on.

2 AQUILLA CANADA: Okay. Okay.

3 LAW JUDGE SEYER: And then one other thing  
4 I want to kind of emphasize today is, you and  
5 Mr. Clark, you're the complainants. So you bear the  
6 burden of proof. So you -- it -- it will be up to you  
7 at the hearing to present enough evidence to convince  
8 the commissioners, the five commissioners, that Ameren  
9 Missouri has -- has violated a statute or a -- or a  
10 commission rule or a -- some -- some provision of  
11 their tariff, the -- the -- the rules that they have  
12 to go by when dealing with their customers, so I  
13 just -- I guess what I want to make sure you  
14 understand is, it's not simply a matter of just  
15 saying, here's my complaint, here -- here are my  
16 allegations. You also have to present evidence that  
17 convinces the commissioners that these things have  
18 happened and --

19 AQUILLA CANADA: I understand.

20 LAW JUDGE SEYER: Okay. Perfect.

21 AQUILLA CANADA: I understand.

22 LAW JUDGE SEYER: Is it possible for you to  
23 stay on the line and possibly work with Ameren's  
24 attorneys and Mr. Pringle as far as maybe possibly  
25 hashing out some -- some dates for the hearing and --

1 and the things leading up to the hearing?

2 AQUILLA CANADA: I do have -- I think I  
3 can -- I can spare me maybe about ten minutes.

4 LAW JUDGE SEYER: Okay.

5 AQUILLA CANADA: I -- I have to get on the  
6 clock after that, but --

7 LAW JUDGE SEYER: Gotcha.

8 AQUILLA CANADA: -- I definitely can -- if  
9 it wouldn't take too long for us to try to come up  
10 with something, I definitely can do that.

11 LAW JUDGE SEYER: Okay. And let me ask,  
12 Mr. Pringle, and Ms. Moore, Ms. Hernandez, and  
13 Mr. Poston, do you -- as part of that procedural  
14 schedule, do you plan on filing pre-filed testimony?

15 MR. PRINGLE: My opinion would be to leave  
16 that to the complainants' decision. I know from  
17 staff, typically, we'll stand on our report, but we'll  
18 definitely discuss that.

19 LAW JUDGE SEYER: All right. I'll leave  
20 that all up to you once I get off here, so.

21 Is there anything else that the parties  
22 wish to take up before I go ahead and leave this  
23 conference and --

24 AQUILLA CANADA: I just wanted to make sure  
25 that everyone knows that we are serious about our

1 complaint, and we're not just trying to waste the  
2 Court's time or anything like that at all. We just  
3 want to make sure that we're heard because it has been  
4 a ongoing issue. We continue to pay our utilities as  
5 expected on time, so that isn't the issue. We just  
6 want to make sure that we're heard. That's all.

7 LAW JUDGE SEYER: Okay.

8 AQUILLA CANADA: Yeah.

9 LAW JUDGE SEYER: Well --

10 AQUILLA CANADA: (Inaudible) hear you.

11 LAW JUDGE SEYER: All right. Well, then  
12 I'm going to adjourn the conference. If everyone will  
13 stay on the line, those people that -- the attorneys  
14 for -- for the parties would stay on the line and  
15 possibly see how far they can get, as far as a  
16 procedural schedule, that would be perfect. But I'm  
17 going to go ahead and adjourn the conference, adjourn  
18 the hearing, and go off the record, so.

19 AQUILLA CANADA: Sounds good. Thank you.

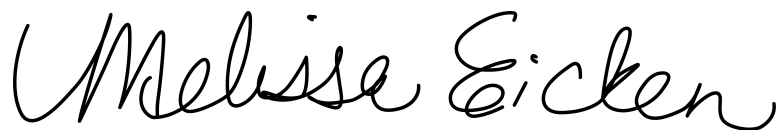
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6 hereby certify that I was asked to prepare a  
7 transcript of proceedings had in the above-mentioned  
8 case, which proceedings were held with no court  
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11 I further certify that the foregoing pages  
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13 proceedings as transcribed by me to the best of my  
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15 misidentified speakers of said open microphone  
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19 Melissa J. Eicken, CCR, CSR, RPR  
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24 Date:  
25

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