

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

Irene D'Souza,)	
Complainant,)	
)	
v.)	Case No. GC-2007-0442
)	
Union Electric Company,)	
d/b/a AmerenUE,)	
Respondent.)	

**ANSWER OF AMERENUE AND
MOTION TO DISMISS COMPLAINT**

COMES NOW Union Electric Company d/b/a AmerenUE (AmerenUE or Company), and for its *Answer and Motion to Dismiss Complaint*, states as follows:

1. On January 22, 2007, Irene D'Souza of 3708 W. Rollins, Columbia, Missouri 65201 (Complainant) initiated this proceeding by filing a Complaint against AmerenUE.
2. In paragraph 1 of the Complaint, Complainant alleges that AmerenUE is located in St. Louis, Missouri and that AmerenUE is a public utility under the jurisdiction and supervision of the Public Service Commission of the State of Missouri (Commission). AmerenUE admits the allegations contained in paragraph 1 of the Complaint.
3. In paragraph 2, the Complainant makes several allegations, including that she requested service at 1301 West Broadway in Columbia, Missouri (Broadway address), that she did not receive a bill for this property until March of 2007, that she involved the Area Agency on Aging to attempt to resolve this issue and that the service at

the Broadway address was not disconnected when requested. Complainant further alleges that she ultimately received a bill for several months of service, totaling **[REDACTED]** and that this total was transferred to her home account.

4. AmerenUE admits that Complainant requested service in her name at 1301 Broadway, that the Area Agency on Aging has been involved and that the final bill of **[REDACTED]** was transferred to Complainant's home account. The Company denies that bills for the rental property were never sent out, although it admits those bills were sent to the rental address for several months.

5. AmerenUE's records show the following timeline of events.

- The Company received a telephone call from an individual identifying herself as "Irene" requesting a connection at 1301 W. Broadway in Columbia. She was told that the service would be turned on the next Monday at 10:00 a.m. and that someone needed to be present at that time. The service was connected on Monday, November 11, 2006.
- On December 7, 2006 a bill was issued for **[REDACTED]** and sent to Complainant at the Broadway address.
- On January 10, 2007, a bill was issued for **[REDACTED]** to Complainant and sent to the Broadway address. Disconnect notices were issued January 10, 2007 and January 13, 2007. Both notices were sent to the Broadway address.
- A collection call was made to **[REDACTED]** on January 18, 2007, but no one answered the call. This phone number is the same phone number as Complainant listed on her home account, at 3708 W. Rollins

(Rollins address). The disconnection did not occur because of temperature restrictions contained within the Commission's Cold Weather Rule.

- On February 8, 2007, a bill was issued for **[REDACTED]** to Complainant at the Broadway address.
- On February 9, 2007 and February 14, 2007, disconnection notices were sent to Complainant at the Broadway address. The disconnection did not occur because of temperature restrictions contained within the Commission's Cold Weather Rule.
- On March 8, 2007, AmerenUE received returned mail from the post office which provided the Company with the Rollins address for Complainant. The next day, on March 9, 2007, the Company sent a bill for **[REDACTED]** to Complainant at the Rollins address.
- On March 19, 2007, the Company received a telephone call from a Jennifer Shikles from the Area Agency on Aging. Ms. Shikles set up payment arrangements on the outstanding bill for the Broadway address. Complainant was to pay **[REDACTED]** each month in addition to the entire bill for the Rollins address.
- On March 22, 2007, Complainant called to dispute the bill for the Broadway address. Complainant admitted that she had requested service to be established in her name, that she failed to contact us when she did not receive a bill and that she would not pay the bill for the Broadway address.

- Disconnection notices were issued on April 2, 2007 and April 5, 2007 for the past due amount of **[REDACTED]**. These notices were sent to the Rollins address.
- On April 5, 2007, Complainant called the Company to complain about this bill. At the conclusion of this call, Complainant repeated the statements made in her March 22, 2007 telephone call.
- On April 10, 2007, a bill for **[REDACTED]** was mailed to Complaint for service at the Broadway address. The bill was sent to the Rollins address.
- On April 17, 2007, Ms. Shikles again called. She requested the service at the Broadway address be disconnected, that the account be closed and transferred to Complainants account at the Rollins address. The Company complied with this request, closing the account as of April 8, 2007. The final bill was for [REDACTED]**. AmerenUE later reduce the final bill to **[REDACTED]**, as if the service had been terminated on March 7, 2007. Copies of all bills for the Broadway address are attached (Exhibit A).

6. There is no dispute on the amount that is due and owing. All bills issued for the Broadway address were based on actual readings; no estimated bills are involved.

7. In discussing this issue with Commission staff during the informal complaint process, the Company offered to test the meter from the Broadway address. That test was completed on April 26, 2007 and the meter tested within acceptable limits. A copy of the meter shop's test report is attached (Exhibit B).

8. Both parties agree as to the facts underlying the Complainant. There is no dispute that the service was properly in Complainant's name. There is no dispute that

service was used. There is no dispute as to the amount of the final bill. In fact, there is no allegation of any violation of a Missouri statute or Commission regulation.

9. What occurred was a misunderstanding as to what address the Broadway bills should have been mailed. The Company recognizes that it was upsetting for Ms. Dsouza to receive a large bill reflective of several months' service. However, Complainant was aware that she had requested service at the Broadway address and was surely aware that she had not received or paid a bill for that service. Complainant never called AmerenUE to inquire about those bills and the Company had no reason to know that she wasn't receiving the bills until the post office provided the new address. AmerenUE realizes that it may be difficult for Ms. Dsouza to pay her bill at one time and has offered, and continues to offer, to work with her so that she can pay the bill over time.

10. The only reason set forth in the Complaint as to why Complainant should not have to pay the Broadway bill is that the bills were not mailed to the Rollins address. Yet she admits the bills were sent to the Broadway address, a property that she owns. None of the allegations made by Complainant constitute an act in violation of "...any provision of law or of any rule or order or decision of the commission." 4 CSR 240-2.070(3).

11. AmerenUE requests the Commission dismiss this Complaint as it does not state a claim upon which relief may be granted. 4 CSR 240-2.070(6).

WHEREFORE, AmerenUE respectfully requests that the Commission dismiss this Complaint as there is no violation of statute or of Commission rules. In the

alternative, AmerenUE requests that the Commission schedule a hearing in this proceeding.

Respectfully submitted,

UNION ELECTRIC COMPANY,
d/b/a AmerenUE

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Dated: June 25, 2007

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Entry of Appearance was served via electronic filing and electronic mail (e-mail) or via regular mail on this 25th day of June, 2007, to:

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/s/ Wendy Tatro _____
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