

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

Missouri Coalition for Fair Competition and Corey Malone,	)	
	)	
Complainants,	)	
	)	
v.	)	<b><u>File No. EC-2023-0037</u></b>
	)	
Union Electric Company d/b/a Ameren Missouri,	)	
	)	
Respondent.	)	

**NOTICE OF DEFICIENCY  
AND ORDER SHORTENING TIME TO RESPOND TO MOTION**

Issue Date: May 23, 2024 Effective Date: May 23, 2024

On May 9, 2024, Complainants the Missouri Coalition for Fair Competition and Corey Malone filed the direct testimony of three witnesses – Corey Malone, Michael Keeven, and Dave Sir. On May 20, 2024, Union Electric Company d/b/a Ameren Missouri filed a *Motion to Strike the Direct Testimony of Corey Malone, Michael Keeven and Dave Sir in its Entirety or an Alternative Motion to Strike Portions of the Testimony of Corey Malone, Michael Keeven and Dave Sir, and Motion for Expedited Treatment* (Motion), stating, among other things, that the direct testimony does not follow the formatting requirements of Commission Rule 20 CSR 4240-2.130(6) and, therefore, should be stricken in its entirety. If the Commission does not strike the testimony in its entirety, in the alternative, Ameren Missouri moves that certain portions of the testimony be stricken.

The Commission recognizes that the direct testimony filed by Complainants is deficient, in that it does not comply with the Commission Rule. However, the Commission

will give Complainants an opportunity to refile the direct testimony in a format compliant with 20 CSR 4240-2.130(6). Failure to do so may result in the Commission striking the testimony in its entirety.

Under the Commission's *Order Setting Procedural Schedule*, issued on February 16, 2024, the deadline to file rebuttal testimony is May 31, 2024. The Commission will shorten the time for parties to respond to Ameren Missouri's motion.<sup>1</sup>

**THE COMMISSION ORDERS THAT:**

1. No later than May 30, 2024, Complainants may re-file direct testimony that complies with Commission Rule 20 CSR 4240-2.130(6).
2. Parties wishing to respond to Ameren Missouri's Motion shall do so no later than May 28, 2024.
3. This order shall be effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Nancy Dippell". The signature is written in a cursive, flowing style.

Nancy Dippell  
Secretary

Kenneth J. Seyer, Regulatory Law Judge,  
by delegation of authority under  
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 23<sup>rd</sup> day of May, 2024.

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<sup>1</sup> Commission Rule 20 CSR 4240-2.080(13) allows parties ten days from the date of filing in which to respond to any pleading, unless otherwise ordered by the Commission.

**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 23<sup>rd</sup> day of May 2024.**



*Nancy Dippell*  
\_\_\_\_\_  
**Nancy Dippell**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**May 23, 2024**

**File/Case No. EC-2023-0037**

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

**Sincerely,**



**Nancy Dippell  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.