

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

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

**AMEREN MISSOURI’S OBJECTIONS TO  
COMPLAINANTS’ EXHIBITS**

**COMES NOW** Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri" or "Company") and for its objections to Complainants’ exhibits respectfully states the following to the Missouri Public Service Commission ("Commission"):

1. Complainants filed documents in this case on April 24, 2024, April 30, 2024, and May 21, 2024. Additionally, the Complainants’ late filed exhibits for the evidentiary hearing were filed in EFIS on May 29, 2024, after the evidentiary hearing was concluded. Ameren Missouri has reviewed each document and offers the following argument and objections to certain exhibits as provided below.

2. Fundamental rules of evidence govern the admissibility of exhibits offered at hearings.

Relevance

3. One of these fundamental rules of evidence is the exclusion of irrelevant evidence. Mo. Rev. Stat. § 536.070(8) (“Irrelevant and unduly repetitious evidence shall be excluded”). To be relevant, the proffered evidence must tend to either prove or disprove any fact in issue or corroborate other relevant evidence bearing on the principal issues before the Commission. *In the*

*Matter of the Joint Application of Great Plains Energy Incorporated, et.al., for Approval of the Merger of Aquila, Inc., with a Subsidiary of Great Plains Energy Incorporated and for Other Related Relief*, Case No. EM-2007-0374, August 5, 2008, quoting *State v. Liles*, 237 S.W.3d 636, 638-639 (Mo. App. 2007).

#### Proper Foundation

4. Another fundamental rule of evidence applicable before the Commission is the necessity of laying a proper foundation for the admissibility of writings, documents and records. *Smith v. Morton*, 890 S.W.2d 403, 406 (Mo. App. 1995)(Confirming that in an administrative proceeding a proper foundation is required even though the technical rules of evidence do not apply.) Proper foundation requires authentication of the document sought to be admitted. *Collins v. W. Plains Mem'l Hosp.*, 735 S.W.2d 404, 407 (Mo. App. 1987). “The authenticity of a document cannot be assumed, what it purports to be must be established by proof.” *Id.*, citing *United Factories v. Brigham*, 117 S.W.2d 662, 665 (Mo. App. 1938); Missouri Evidence, Third Edition, The Missouri Bar (1980), § 10.1; McCormick on Evidence, § 218, pp. 684–687 (3d ed. 1984).

5. The Commission, as required by the fundamental rule of evidence requiring a proper foundation, has previously rejected the admission into evidence of documents for which the proper foundation has not been laid. *See, e.g., In the Matter of the Application by Aquila, Inc., for Authority to Assign, Transfer, Mortgage or Encumber Its Franchise, Works or System*, Case No. EF-2003-0465, December 4, 2003 (rejecting Staff request to admit SEC10-Q filing and documents evidencing sale of collateral where no foundation could be laid for exhibits); *In the Matter of Missouri Gas Energy’s Tariff Sheets Designed to Increase Rates for Gas Service*, Case No. GR-1998-0140, August 10, 2000 (denying admission of IRS letter ruling because, among other grounds, no foundation had been laid for its admission.)

### Bar Against Hearsay

6. The bar against the admission of hearsay evidence over objection is also a fundamental rule of evidence before the Commission.

7. In *State ex. rel. Simmons*, the Missouri Court of Appeals, in addressing relator's contention that the tribunal's adverse decision below was "based upon hearsay evidence" stated as follows:

Interwoven with the basic point raised by relator is the contention that the Commission's decision was based upon hearsay evidence, conclusions of witnesses, and inflammatory matter. We recognize that in dealing with hearings before an administrative official or tribunal, our courts have declared and ruled that technical rules of evidence do not control. **While leading questions and other informalities may be permitted, it does not follow that the fundamental rules of evidence can be abrogated and nullified.** State ex rel. De Weese v. Morris, 359 Mo. 194, 221 S.W.2d 206, loc. cit. 209. **Thus hearsay evidence and conclusions based upon hearsay do not satisfy the 'competent and substantial evidence upon the whole record' requirement essential to validity of a final decision.** *State ex rel. De Weese v. Morris*, supra, 221 S.W.2d loc. cit. 209, and cases cited; *Dittmeier v. Missouri Real Estate Commission*, supra, 237 S.W.2d loc. cit. 206.

299 S.W.2d 540, 545 (Mo. App. St. L. 1957) (emphasis added). *See also Speer v. City of Joplin*, 839 S.W.2d 359, 360 (Mo. App. S.D. 1992) ("Although technical rules of evidence are not controlling in administrative hearings, fundamental rules of evidence apply [cite omitted]. Hearsay evidence and conclusions based upon hearsay do not qualify as "competent and substantial evidence upon the whole record" essential [under the Missouri Constitution] to the validity of a final decision of an administrative body....").

8. The Commission itself has relied upon *Simmons* and *Speer*, recognizing that the hearsay prohibition is a fundamental rule of evidence. *See Application of Russell*, 1981 WL 158856 (Mo.P.S.C.), 24 Mo.P.S.C. (N.S.) 367, Report and Order, Case No. T-44,381 (June 12, 1981) (Quoting *Simmons*' identification of the prohibition upon reliance on hearsay as a

fundamental rule of evidence). *See also Shepherd v. KCP&L GMO*, 2011 WL 6960557 (Mo.P.S.C.), Order Regarding Motion for Summary Determination, File No. EC-2011-0373 (Dec. 23, 2011) (Relying on *Simmons* and recognizing that “[f]undamental rules of evidence include the rule against hearsay.”); *McFarlin v. KCP&L GMO*, 2013 WL 1287761 (Mo.P.S.C.), Order Regarding Motion for Summary Determination, File No. EC-2013-0024 (Mar. 21, 2013) (relying on *Simmons* and *Speer* for the same proposition); *Lee v. Missouri-American Water Co.*, 2009 WL 1505334 (Mo.P.S.C.), Order Denying Evidentiary Motions Without Prejudice, File No. WC-2009-0277 (May 19, 2009) (Relying on *Speer*, and stating that “Upon objection, we apply the rule barring hearsay because it is a fundamental rule of evidence....”); *Staff v. Heartland Health System, Inc.*, 2004 WL 1813848 (Mo.P.S.C.), Report and Order, File No. TC-2004-0390) (Noting that the Commission did consider hearsay evidence, *because there was no objection*, but then recognizing that the Commission cannot rely upon it because it is not competent and substantial evidence).

#### Best Evidence Rule

9. "The best evidence rule, in its most common application, requires that when the terms or contents of a writing are material and are in dispute, the original writing must be produced to prove those terms unless the failure to produce the original is satisfactorily explained." § 1002:1. Missouri practice, 23 Mo. Prac., Missouri Evidence § 1002:1 (4th ed.), *citing State v. Elgin*, 391 S.W.2d 341, 344–45 (Mo. 1965); *State v. Foulk*, 725 S.W.2d 56, 69 (Mo. Ct. App. E.D. 1987); *see also State v. McDaniel*, 300 S.W.3d 274, 278 (Mo. Ct. App. W.D. 2009); *Interstate Distributing, Inc. v. Freeman*, 904 S.W.2d 481, 484 (Mo. Ct. App. S.D. 1995); *Killian Const. Co. v. Tri-City Const. Co.*, 693 S.W.2d 819, 834 (Mo. Ct. App. W.D. 1985) (“The best evidence rule, of course, insists that the terms of a document be proved by the production of the document itself.”). “That

is so because the original writing provides the best evidence of its terms." § 1002:1. Missouri practice, 23 Mo. Prac., Missouri Evidence § 1002:1 (4th ed.) citing *Moschale v. Mock*, 591 S.W.2d 415, 419 (Mo. Ct. App. S.D. 1979); *Padgett v. Brezner*, 359 S.W.2d 416, 422 (Mo. Ct. App. 1962); see also *Weber v. Knackstedt*, 707 S.W.2d 800, 803 (Mo. Ct. App. E.D. 1986) ("The purpose of the best evidence rule, ... is to secure the most reliable information available when the contents of a writing are in dispute.").

10. "The rule exists primarily to ensure accuracy in situations where the exact words of a writing are important, such as with deeds, wills, or contracts." § 1002:1. Missouri practice, 23 Mo. Prac., Missouri Evidence § 1002:1 (4th ed.) citing *Pool v. Farm Bureau Town & Country Ins. Co. of Missouri*, 311 S.W.3d 895, 902–03 (Mo. Ct. App. S.D. 2010), transfer denied, (June 29, 2010)("The principal reason for the rule is the danger of mistransmission of the contents of a writing when evidence other than the writing itself is offered for the purpose of proving its terms.).

#### Specific Objections to Exhibits

11. Ameren Missouri objects to Complainants' Exhibit No. 1C based on lack of relevance, lack of foundation, and hearsay. The exhibit appears to be a page from a bill for service issued 12/28/2023. The bill is not relevant to the Complaint as the time period subject to the Complaint is September 2021 through October 2023.

12. Ameren Missouri objects to Complainants' Exhibit No. 2C based on lack of foundation, hearsay and the best evidence rule. The exhibit appears to be a bill for service issued 01/25/2022. The best evidence for this exhibit is Ameren Missouri's Exhibit 100C, pp. 17-20, that was admitted as a business record of the Company at the evidentiary hearing.

13. Ameren Missouri objects to Complainants' Exhibit No. 3C based on lack of foundation, hearsay and the best evidence rule. The exhibit appears to be a bill for service issued

02/22/2022. The best evidence for this exhibit is Ameren Missouri's Exhibit 100C, pp. 21-24, that was admitted as a business record of the Company at the evidentiary hearing.

14. Ameren Missouri objects to Complainants' Exhibit No. 4C based on lack of foundation, hearsay and the best evidence rule. The exhibit appears to be a bill for service issued 04/22/2022. The best evidence for this exhibit is Ameren Missouri's Exhibit 100C, pp. 29-32, that was admitted as a business record of the Company at the evidentiary hearing.

15. Ameren Missouri objects to Complainants' Exhibit No. 5C based on lack of foundation, hearsay and the best evidence rule. The exhibit appears to be a page from a bill for service between 06/14/2023 and 06/30/23. The best evidence for this exhibit is Ameren Missouri's Exhibit 100C, p. 90, that was admitted as a business record of the Company at the evidentiary hearing.

16. Ameren Missouri objects to Complainants' Exhibit No. 6C based on lack of foundation, hearsay and the best evidence rule. The exhibit appears to be a bill for service issued 05/24/2023. The best evidence for this exhibit is Ameren Missouri's Exhibit 100C, pp. 81-84, that was admitted as a business record of the Company at the evidentiary hearing.

17. Ameren Missouri objects to Complainants' Exhibit No. 7C based on lack of foundation and hearsay.

18. Ameren Missouri objects to Complainants' Exhibit No. 8C based on lack of foundation and hearsay.

19. Ameren Missouri objects to Complainants' Exhibit No. 9C based on lack of foundation, hearsay and the best evidence rule. The exhibit appears to be a bill for service issued 06/22/2023. The best evidence for this exhibit is Ameren Missouri's Exhibit 100C, pp. 85-88, that was admitted as a business record of the Company at the evidentiary hearing.

20. Ameren Missouri objects to Complainants' Exhibit No. 10C based on lack of foundation, hearsay and the best evidence rule. The exhibit appears to be a page from a bill for service issued 07/07/23. The best evidence for this exhibit is Ameren Missouri's Exhibit 100C, p. 89, that was admitted as a business record of the Company at the evidentiary hearing.

21. Ameren Missouri objects to Complainants' Exhibit No. 11C based on lack of foundation, hearsay and the best evidence rule. The exhibit appears to be a page from a bill for service issued 07/07/23. The best evidence for this exhibit is Ameren Missouri's Exhibit 100C, p. 91, that was admitted as a business record of the Company at the evidentiary hearing.

22. Ameren Missouri objects to Complainants' Exhibit No. 12C based on lack of foundation, hearsay and the best evidence rule. The exhibit appears to be a bill for service issued 07/07/23. The best evidence for this exhibit is Ameren Missouri's Exhibit 100C, pp. 89-92, that was admitted as a business record of the Company at the evidentiary hearing.

23. Ameren Missouri objects to Complainants' Exhibit No. 13C based on lack of foundation, hearsay and the best evidence rule. The exhibit appears to be a page from a bill for service between 08/23/2023 and 09/22/2023. The best evidence for this exhibit is Ameren Missouri's Exhibit 100C, p. 106, that was admitted as a business record of the Company at the evidentiary hearing.

24. Ameren Missouri objects to Complainants' Exhibit No. 14C based on lack of foundation, hearsay and the best evidence rule. The exhibit appears to be a page from a disconnection notice dated August 22, 2023. The best evidence for this exhibit is Ameren Missouri's Exhibit 105C, p. 1, that was admitted as a business record of the Company at the evidentiary hearing.

25. Ameren Missouri objects to Complainants' Exhibit No. 15C based on lack of foundation, hearsay and the best evidence rule. The exhibit appears to be a page from a disconnection notice dated August 22, 2023. The best evidence for this exhibit is Ameren Missouri's Exhibit 105C, p. 2, that was admitted as a business record of the Company at the evidentiary hearing.

26. Ameren Missouri objects to Complainants' Exhibit No. 16C based on lack of foundation and hearsay.

27. Ameren Missouri objects to Complainants' Exhibit No. 17C based on lack of foundation and hearsay.

28. Ameren Missouri objects to Complainants' Exhibit No. 18C based on lack of foundation, hearsay and the best evidence rule. The exhibit appears to be a page from a bill for service issued 09/26/2023. The best evidence for this exhibit is Ameren Missouri's Exhibit 100C, p. 107, that was admitted as a business record of the Company at the evidentiary hearing.

29. Ameren Missouri objects to Complainants' Exhibit No. 19C based on lack of foundation and hearsay.

30. Ameren Missouri objects to Complainants' Exhibit No. 20C based on lack of foundation, hearsay and the best evidence rule. The exhibit appears to be a page from a bill for service issued 09/26/2023. The best evidence for this exhibit is Ameren Missouri's Exhibit 100C, p. 105, that was admitted as a business record of the Company at the evidentiary hearing.

31. Ameren Missouri objects to Complainants' Exhibit No. 21C based on lack of relevance, lack of foundation, and hearsay. The exhibit appears to be a page from a bill for service between 11/23/2023 and 12/26/2023. The bill is not relevant to the Complaint as the time period subject to the Complaint is September 2021 through October 2023.



32. Ameren Missouri objects to Complainants' Exhibit No. 22C based on lack of relevance, lack of foundation, and hearsay. The exhibit appears to be a page from a bill for service between 11/23/2023 and 12/26/2023. The bill is not relevant to the Complaint as the time period subject to the Complaint is September 2021 through October 2023.

33. Ameren Missouri objects to Complainants' Exhibit No. 23C based on lack of relevance, lack of foundation, and hearsay. The exhibit appears to be a page from a bill for service issued 11/27/2023. The bill is not relevant to the Complaint as the time period subject to the Complaint is September 2021 through October 2023.

34. Ameren Missouri objects to Complainants' Exhibit No. 24C based on lack of foundation and hearsay.

35. Ameren Missouri objects to Complainants' Exhibit No. 25C based on lack of foundation and hearsay.

36. Ameren Missouri objects to Complainants' Exhibit No. 26C based on lack of foundation and hearsay.

37. Ameren Missouri objects to Complainants' Exhibit No. 27C based on lack of foundation and hearsay.

38. Ameren Missouri objects to Complainants' Exhibit No. 28C based on lack of foundation and hearsay.

39. Ameren Missouri objects to Complainants' Exhibit No. 29C based on lack of foundation and hearsay.

40. Ameren Missouri objects to Complainants' Exhibit No. 30C based on lack of foundation and hearsay.

41. Ameren Missouri objects to Complainants' Exhibit No. 31C based on lack of foundation and hearsay.

42. Ameren Missouri objects to Complainants' Exhibit No. 32C based on lack of foundation and hearsay.

43. Ameren Missouri objects to Complainants' Exhibit No. 33C based on lack of foundation and hearsay.

44. Ameren Missouri objects to Complainants' Exhibit No. 34C based on lack of foundation and hearsay.

45. Ameren Missouri objects to Complainants' Exhibit No. 35C based on lack of foundation and hearsay.

46. Ameren Missouri objects to Complainants' Exhibit No. 36C based on lack of foundation and hearsay.

47. Ameren Missouri objects to Complainants' Exhibit No. 37C based on lack of foundation and hearsay.

48. Ameren Missouri objects to Complainants' Exhibit No. 38C based on lack of foundation and hearsay.

49. Ameren Missouri objects to Complainants' Exhibit No. 39C based on lack of foundation and hearsay.

50. Ameren Missouri objects to Complainants' Exhibit No. 40C based on lack of foundation and hearsay.

51. Ameren Missouri objects to Complainants' Exhibit No. 41C based on lack of foundation and hearsay.

52. Ameren Missouri objects to Complainants' Exhibit No. 42C based on lack of foundation and hearsay.

53. Ameren Missouri objects to Complainants' Exhibit No. 43C based on lack of foundation and hearsay.

54. Ameren Missouri objects to Complainants' Exhibit No. 44C based on lack of foundation and hearsay.

55. Ameren Missouri objects to Complainants' Exhibit No. 45C based on lack of foundation and hearsay.

56. Ameren Missouri objects to Complainants' Exhibit No. 46C based on lack of foundation and hearsay.

57. Ameren Missouri objects to Complainants' Exhibit No. 47C based on lack of foundation and hearsay.

58. Ameren Missouri objects to Complainants' Exhibit No. 48C based on lack of foundation and hearsay.

59. Ameren Missouri objects to Complainants' Exhibit No. 49C based on lack of foundation and hearsay.

60. Ameren Missouri objects to Complainants' Exhibit No. 50C based on lack of foundation and hearsay.

61. Ameren Missouri objects to Complainants' Exhibit No. 51C based on lack of foundation and hearsay.

62. Ameren Missouri objects to Complainants' Exhibit No. 52C based on lack of foundation and hearsay.

63. Ameren Missouri objects to Complainants' Exhibit No. 53C based on lack of foundation and hearsay.

64. Ameren Missouri objects to Complainants' Exhibit No. 54C based on lack of foundation and hearsay.

65. Ameren Missouri objects to Complainants' Exhibit No. 55C based on lack of foundation and hearsay.

66. Ameren Missouri objects to Complainants' Exhibit No. 56C based on lack of foundation and hearsay.

67. Ameren Missouri objects to Complainants' Exhibit No. 57C based on lack of foundation and hearsay.

68. Ameren Missouri objects to Complainants' Exhibit No. 58C based on lack of relevance, lack of foundation and hearsay. The recording appears to be a call between the Complainants and their bank and is not relevant to the issues subject to the Complaint.

69. Ameren Missouri objects to Complainants' Exhibit No. 59C based on lack of relevance, lack of foundation and hearsay. The recording appears to be a call between the Complainants and their bank and is not relevant to the issues subject to the Complaint.

70. Ameren Missouri objects to Complainants' Exhibit No. 60C based on lack of foundation and hearsay.

71. Ameren Missouri objects to Complainants' Exhibit No. 61C based on lack of foundation and hearsay.

72. Ameren Missouri objects to Complainants' Exhibit No. 62C based on lack of foundation and hearsay.

73. Ameren Missouri objects to Complainants' Exhibit No. 63C based on lack of foundation and hearsay.

74. Ameren Missouri objects to Complainants' Exhibit No. 64C based on lack of foundation and hearsay.

75. Ameren Missouri objects to Complainants' Exhibit No. 65C based on lack of foundation and hearsay.

76. Ameren Missouri objects to Complainants' Exhibit No. 66C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

77. Ameren Missouri objects to Complainants' Exhibit No. 67C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

78. Ameren Missouri objects to Complainants' Exhibit No. 68C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

79. Ameren Missouri objects to Complainants' Exhibit No. 69C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

80. Ameren Missouri objects to Complainants' Exhibit No. 70C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

81. Ameren Missouri objects to Complainants' Exhibit No. 71C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

82. Ameren Missouri objects to Complainants' Exhibit No. 72C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

83. Ameren Missouri objects to Complainants' Exhibit No. 73C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

84. Ameren Missouri objects to Complainants' Exhibit No. 74C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

85. Ameren Missouri objects to Complainants' Exhibit No. 75C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

86. Ameren Missouri objects to Complainants' Exhibit No. 76C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

87. Ameren Missouri objects to Complainants' Exhibit No. 77C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

88. Ameren Missouri objects to Complainants' Exhibit No. 78C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

89. Ameren Missouri objects to Complainants' Exhibit No. 79C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

90. Ameren Missouri objects to Complainants' Exhibit No. 80C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

91. Ameren Missouri objects to Complainants' Exhibit No. 81C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

92. Ameren Missouri objects to Complainants' Exhibit No. 82C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

93. Ameren Missouri objects to Complainants' Exhibit No. 83C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

94. Ameren Missouri objects to Complainants' Exhibit No. 84C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

95. Ameren Missouri objects to Complainants' Exhibit No. 85C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

96. Ameren Missouri objects to Complainants' Exhibit No. 86C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

97. Ameren Missouri objects to Complainants' Exhibit No. 87C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' credit score and is not relevant to the issues subject to the Complaint.

98. Ameren Missouri objects to Complainants' Exhibit No. 88C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' loan and is not relevant to the issues subject to the Complaint.

99. Ameren Missouri objects to Complainants' Exhibit No. 89C based on lack of foundation, hearsay and the best evidence rule. The exhibit appears to be an email with Complainants' account activity from 07/13/2023 to 10/24/2023. The best evidence for this exhibit is Ameren Missouri's Exhibit 102C, pp. 3-4, that was admitted as a business record of the Company at the evidentiary hearing.

100. Ameren Missouri objects to Complainants' Exhibit No. 90C based on hearsay.

101. Ameren Missouri objects to Complainants' Exhibit No. 91C based on lack of relevance, lack of foundation and hearsay. The document appears to be Complainants' 1099-K form for 2021 and is not relevant to the issues subject to the Complaint.

102. Ameren Missouri objects to Complainants' Exhibit No. 92C based on lack of foundation and hearsay.



103. Ameren Missouri objects to Complainants' Exhibit No. 93C based on lack of foundation and hearsay.

104. Ameren Missouri objects to Complainants' Exhibit No. 94C based on lack of foundation and hearsay.

105. Ameren Missouri objects to Complainants' Exhibit No. 95C based on lack of foundation and hearsay.

106. Ameren Missouri objects to Complainants' Exhibit No. 96C based on lack of foundation and hearsay.

107. Ameren Missouri objects to Complainants' Exhibit No. 97C based on lack of foundation and hearsay.

108. Ameren Missouri objects to Complainants' Exhibit No. 98C based on lack of foundation and hearsay.

109. Ameren Missouri objects to Complainants' Exhibit No. 99C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' loan and is not relevant to the issues subject to the Complaint.

110. Ameren Missouri objects to Complainants' Exhibit No. 1001C based on lack of relevance, lack of foundation and hearsay. The document appears to be information regarding Complainants' loan and is not relevant to the issues subject to the Complaint.

111. Ameren Missouri objects to Complainants' Exhibit No. 1002C based on lack of relevance, lack of foundation and hearsay. The document appears to be an incomplete informal complaint form and is not relevant to the issues subject to the Complaint.

112. Ameren Missouri objects to Complainants' Exhibit No. 1003C based on lack of foundation and hearsay.

113. Ameren Missouri objects to Complainants' Exhibit No. 1004C based on lack of relevance, lack of foundation and hearsay. The document appears to be an invoice for appliance services and is not relevant to the issues subject to the Complaint.

114. Ameren Missouri objects to Complainants' Exhibit No. 1005C based on lack of relevance, lack of foundation and hearsay. The document appears to be an invoice for appliance services and is not relevant to the issues subject to the Complaint.

115. Ameren Missouri objects to Complainants' Exhibit No. 1006C based on lack of foundation and hearsay.

116. Ameren Missouri objects to Complainants' Exhibit No. 1007C based on lack of foundation and hearsay.

117. Ameren Missouri objects to Complainants' Exhibit No. 1008C based on lack of foundation and hearsay.

118. Ameren Missouri objects to Complainants' Exhibit No. 1009C based on lack of foundation and hearsay.

119. Ameren Missouri objects to Complainants' Exhibit No. 1010C based on lack of foundation and hearsay.

120. Ameren Missouri objects to Complainants' exhibit filed April 24, 2024, based on lack of foundation, hearsay and the best evidence rule. The exhibit appears to be a bill for service issued 04/22/2022. The best evidence for this exhibit is Ameren Missouri's Exhibit 100C, pp. 29-32, that was admitted as a business record of the Company at the evidentiary hearing.

121. Ameren Missouri objects to Complainants' exhibits filed April 30, 2024, based on hearsay.

122. Ameren Missouri objects to Complainants' exhibit filed May 21, 2024, based on lack of foundation and hearsay.

**WHEREFORE**, Ameren Missouri requests the Commission sustain these objections to Complainants' exhibits.

Respectfully submitted,

**/s/ Jennifer L. Hernandez**

Jennifer L. Hernandez, MO Bar #59814

Corporate Counsel

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

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been emailed to the parties of record on this 5<sup>th</sup> day of June 2024.

**/s/ Jennifer L. Hernandez**