

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

In the Matter of the Application of Missouri)
Department of Transportation – Central)
District for Change of Electric Supplier from)
Union Electric Company d/b/a Ameren)
Missouri to Co-Mo Electric Cooperative, Inc.)

File No. EO-2025-0019

NOTICE OF DEFICIENCY

Issue Date: July 10, 2024

On July 10, 2024, Missouri Department of Transportation – Central Division (MoDOT) filed an application for a change of electric service provider. The application is signed by Chase Barbarick.

Commission Rule 20 CSR 4240-2.040(5), specifically addressing practice before the Commission, states:

A natural person may represent himself or herself. Such practice is strictly limited to the appearance of a natural person on his or her own behalf and shall not be made for any other person or entity.

The basis for these Commission Rules is found in Sections 484.010 and 484.020.¹ Section 484.010 defines the practice of law as “the appearance as an advocate in a representative capacity or the drawing of papers, pleadings or documents or the performance of any act in such capacity in connection with proceedings pending or prospective before any court of record, commissioner, referee or any body, board, committee or commission constituted by law or having authority to settle controversies.”

¹ All statutory citations refer to RSMo 2016 unless otherwise noted.

Section 484.020 restricts the practice of law and engagement in law business to licensed attorneys.²

MoDOT, not being a natural person representing only itself, must be represented by an attorney authorized to practice law in Missouri to appear before the Commission in this Application. The application is defective because of the lack of that representation as evidenced by the lack of a signature by an attorney authorized to practice law in Missouri. The application is deficient and the Commission shall take no further action in this matter until such time as the deficiency is corrected.



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

Riley G. Fewell, Regulatory Law Judge
By delegation of authority pursuant
To Section 386.240 RSMo 2016.

Dated at Jefferson City, Missouri,
on this 10th day of July, 2024.

² "The law does not treat individuals and corporations equally. The law allows an individual to bear the risk that representation without an attorney may entail. Natural persons may represent themselves in situations which, if done for someone else, would constitute the practice of law. Unlike individuals, corporations are not natural persons, but are creatures of statute. Businesses operating in corporate form are entitled to certain benefits that are denied to others. In addition to benefits, however, corporations also have certain restrictions placed upon them. One such restriction in Missouri is that a corporation may not represent itself in legal matters, but must act solely through licensed attorneys." (Internal citations omitted). *Reed v. Labor and Indus. Relations Com'n*, 789 S.W.2d 19, 21 (Mo. banc 1990).

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 10th day of July 2024.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

July 10, 2024

File/Case No. EO-2025-0019

MO PSC Staff

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

**Office of the Public Counsel
(OPC)**

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opc@opc.mo.gov

**Co-Mo Electric Cooperative,
Inc.**

Legal Department
29868 Highway 5
P.O. Box 220
Tipton, MO 65081-0220

**Missouri Department of
Transportation - Central District**

Legal Department
1511 Missouri Blvd.
Jefferson City, MO 65102
cdcr@modot.mo.gov

Union Electric Company

William Holthaus
1901 Chouteau Avenue
P.O. Box 66149, Mail Code 1310
St. Louis, MO 63103
wholthaus@ameren.com

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

Sincerely,



**Nancy Dippell
Secretary**

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