

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

Myron Lockhart,)	
Complainant,)	
)	
vs.)	Case No: GC-2012-0078
)	
Union Electric Company, d/b/a)	
Ameren Missouri, and)	
)	
Laclede Gas Company,)	
Respondents.)	

ANSWER AND MOTION TO DISMISS

COMES NOW, Union Electric Company, d/b/a Ameren Missouri (“Ameren Missouri” or “Company”), and for its Answer to the Complaint filed in this proceeding, states as follows:

1. On September 12, 2011, Mr. Lockhart (“Complainant”), with a mailing address of P.O. Box 203, Jefferson City, Missouri 65102, whose residence address is unknown to Company, and who does not appear from Company’s records to be a current customer of Company at any service address, initiated this proceeding by filing a complaint (the “Complaint”) against the Company and against Laclede Gas Company (“Laclede”).

2. Any allegation not specifically admitted herein by the Company should be considered denied.

3. In paragraph 1 of his Complaint, Complainant alleges that Union Electric, 1926 Chouteau [sic], St. Louis, Missouri is a public utility under the jurisdiction of the Public Service Commission of the State of Missouri. The Company admits these allegations, but notes that its proper name is Union Electric Company, its location and mailing address is 1901 Chouteau Ave., MC-1310, P.O. Box 66149, St. Louis, Missouri 63166-6149, and it is doing business as Ameren Missouri.

4. In paragraph 2 of his Complaint, as the basis of his Complaint, Complainant attaches a handwritten statement. To the best of Company’s understanding of the statement, Complainant alleges with regard to Company that Irving Trust Company was an underwriter for Ameren Missouri; that Ameren Missouri and Irving Trust Company were “directly connected” to

“IPC Information System, Inc.”; that First Boston Corporation was also somehow involved with Ameren Missouri; and that shortly after First Boston Corporation became a member corporation of the New York Stock Exchange on March 25, 1971, stocks and bonds of the Company were sold to the public. The Company admits that in 1971, in Case No. 17,177, the Company sought Commission authority to issue new bonds and to sell shares of preferred stock through underwriters. The Company denies the remaining allegations of paragraph 2 of the Complaint as stated.

5. Complainant has attached to his Complaint around 75 pages of documents, the majority of which appear to relate to Laclede and not Company. Complainant does not make any specific allegations regarding the significance of the documents or facts alleged therein. To the extent any of the attached documents may somehow be interpreted as alleging a Company violation of a statute, rule, order or decision of the Commission, however, Ameren Missouri denies such allegations.

6. In the complaint form completed by Complainant, after the preprinted statement, “WHEREFORE, Complainant now requests the following relief:[,]” Complainant has written, “Bonds stock shares and trust compensation inform of payments current value.” This statement does not appear to contain any request whatsoever and therefore Ameren Missouri denies that Claimant is entitled to any relief.

7. In further answer, any cognizable claim for relief which may be read into the Complaint is barred by the doctrines of collateral estoppel and res judicata, and the applicable statute of limitations.

8. In further answer, and as addressed in greater detail in paragraphs 3 through 6 of Laclede Gas Company’s Motion to Dismiss Complaint Or, In the Alternative, Motion for a More Definite Statement, filed in this Case on September 28, 2011, the Company states that the Complaint does not comply with Commission rules 4 CSR 240-2.070(5)(A),(C), (D) and (F), and should be dismissed by the Commission pursuant to its authority under 4 CSR 240-2.070(6), for failure to comply with the provisions of the Commission’s rules.

9. In further answer, the Company states that the Complaint fails to allege a violation by the Company of any particular statute, rule, order or decision within the Commission’s jurisdiction, which alleged violations, per 4 CSR 240-2.070(1) and (3) and 4 CSR 240-13.070(2), are the bases upon which a person may file a formal or informal complaint with

the Commission. As such, the Complaint fails to state a claim for which relief can be granted, and should be dismissed by the Commission pursuant to its authority under 4 CSR 240-2.070(6).

10. The following attorneys should be served with all pleadings in this case:

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WHEREFORE, Company respectfully requests that the Commission issue an order:

- A. Dismissing the Complaint; or in the alternative,
- B. finding that Complainant has failed to state a claim upon which relief can be granted but granting Complainant leave to amend the Complaint to comply fully with Commission rule 4 CSR 240-2.070(5), to allege a violation of a particular statute, rule, order or decision within the Commission's jurisdiction, and to ask for relief that can be granted by the Commission.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Answer was served on the following parties via electronic mail (e-mail) or via certified and regular mail on this 3rd day of October, 2011.

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