

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 5th day of February, 2025.

| | | |
|---|---|-------------------------------------|
| Ryan P. Dooley |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | |
| |) | <u>File No. EC-2025-0093</u> |
| Union Electric Company d/b/a Ameren Missouri, |) | |
| |) | |
| Respondent. |) | |
| |) | |

ORDER DISMISSING COMPLAINT

Issue Date: February 5, 2025

Effective Date: March 7, 2025

On September 16, 2024,¹ Ryan Dooley (Complainant) filed a formal complaint with the Commission against Union Electric Company d/b/a Ameren Missouri. On October 14, Ameren Missouri filed its *Request for Mediation*. On October 18, the Commission directed the Complainant to respond to the request. On October 28, having received no response, the Commission issued an *Order Lifting Tolling of Time Limitations and Deadlines*. Ameren Missouri then filed its *Answer* on October 30. On November 6, the Staff of the Commission (Staff) filed its *Staff Status Report and Motion for Extension of Time to File its Report*. The Commission granted this request on the same day and on December 9, Staff filed its *Staff Report* finding Ameren Missouri had not violated any tariff, rule, or

¹ All date references are to the year 2024, unless otherwise noted.

statute related to the complaint. On December 11, the Commission ordered the parties to file available dates for a prehearing conference. On December 18, the parties filed their *Joint Response to Order* with January 15, 2025, as one of their available dates.

On December 18, the Commission issued an order setting a prehearing conference for January 15, 2025, to be conducted via WebEx video and teleconference. Complainant did not appear for the January 15, 2025 prehearing conference and did not contact the Commission to request a continuance of the conference. On January 16, 2025, the Commission ordered Complainant to file a pleading showing cause as to why his complaint should not be dismissed for failure to appear for the prehearing conference. The order noted that failure by a party to appear at a prehearing conference without securing a continuance constitutes grounds for dismissal of a party's complaint, unless good cause for the failure to appear is shown. Complainant was ordered to respond by January 31, 2025. No response was filed.

Three Commission rules address the failure of a party to appear for a prehearing conference. First, Commission Rule 20 CSR 4240-2.116(3) states:

A party may be dismissed from a case for failure to comply with any order issued by the commission, including failure to appear at any scheduled proceeding such as a public hearing, prehearing conference, hearing, or mediation session.

Second, Commission Rule 20 CSR 4240-2.090(5) states:

Failure to appear at a prehearing conference without previously having secured a continuance shall constitute grounds for dismissal of the party or the party's complaint, application or other action unless good cause for the failure to appear is shown.

Third, Commission Rule 20 CSR 4240-2.070(7) states:

The commission, on its own motion or on the motion of a party, may after notice dismiss a complaint for failure to state a claim on which relief may be

granted or failure to comply with any provision of these rules or an order of the commission, or may strike irrelevant allegations.

Complainant failed to appear for the January 15, 2025 scheduled prehearing conference and failed to comply with a Commission order to show good cause for his failure to appear. Therefore, as provided by the Commission's rules, his complaint will be dismissed.

Under Commission Rule 20 CSR 4240-2.070(14), the regulatory law judge shall cause the parties to be notified that the Commission's decision will be final unless an application for rehearing is filed. The application for rehearing must be filed with the Commission before the effective date of this order, which is March 7, 2025.² If the Commission denies the application for rehearing, the parties then have 30 days after the denial is issued to file an appeal with the court of appeals.³ If the Commission grants the application for rehearing, then the Commission will order appropriate actions at that time.

THE COMMISSION ORDERS THAT:

1. For all the reasons stated above, the complaint of Ryan Dooley against Ameren Missouri is dismissed without prejudice.
2. If any party wishes to request a rehearing by the Commission, such request must be filed no later than March 6, 2025.
3. This order shall become effective on March 7, 2025.
4. This file shall be closed on March 8, 2025.

² Sections 386.500 and 386.515, RSMo (Supp. 2024).

³ Section 386.510, RSMo (Supp. 2024).



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

Hahn, Ch., Coleman, Holsman
Kolkmeier, and Mitchell CC., concur.

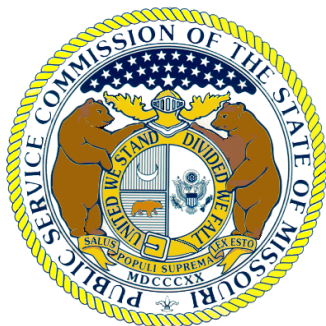
Fewell, Regulatory Law Judge

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 5th day of February 2025.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

February 5, 2025

File/Case No. EC-2025-0093

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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**

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