

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Ameren )  
Transmission Company of Illinois for a Certificate )  
of Convenience and Necessity Under Section ) **Case No. EA-2024-0302**  
393.170.1, RSMo. relating to Transmission )  
Investments in Northwest and Northeast Missouri )

## ORDER REGARDING DISCOVERY DISPUTE

Issue Date: August 21, 2025

Effective Date: August 21, 2025

On August 15, 2025, Mark Harding filed a document titled *Notice of Discovery Dispute* alleging that Ameren Transmission Company of Illinois (ATXI) had not responded properly or fully to data requests made on July 9, 2025. This data request is labeled 18C. Data request 18C concerns emails provided to Mr. Harding to which a map is referenced, but was not provided.

The parties agreed to discuss the discovery dispute at a procedural conference previously scheduled for August 19, 2025. Though initially agreeing to provide responses, ATXI ultimately objected to Mr. Harding's requests. ATXI's objections include: 1) that the information requested does not involve Mr. Harding or Mr. Harding's case-in-chief as it includes information regarding other individuals and not specifically the routing involving Mr. Harding's land; 2) the questions misstate or make assumptions about facts; 3) the questions are worded improperly; and 4) the questions assume facts not in evidence.

Commission Rule 20 CSR 4240-2.090(1) states that discovery may be obtained by the same means and under the same conditions as in civil actions in the circuit court. Missouri Rule of Civil Procedure 56.01(b) states that "parties may obtain discovery

regarding any matter, not privileged, that is relevant to the subject matter involved in the pending action, including the existence, description, nature, custody, condition and location of any books, documents or other tangible things and the identity and location of persons having knowledge of any discoverable matter.” Parties may inquire into any matter that is reasonably calculated to lead to admissible evidence.<sup>1</sup>

The content of the data request consists of a map referenced in an email between ATXI and a landowner other than Mr. Harding. Within the email, ATXI’s employee requested that the landowner identify where “new builds” are located for ATXI to review, and for the landowner to mark on a map where “new build homes” are located. The email also stated that final routing decisions would be made at a later date. Mr. Harding is limited to presenting evidence regarding routing issues involving his land. Information that contributed to routing decisions for the transmission line directly impacts the landowners’ routing issue in this case. Upon consideration of data request 18C and the party’s arguments during the procedural conference, the Commission finds that this request is reasonably calculated to lead to admissible evidence for Mr. Harding for the purposes of routing on his land and is relevant to the subject matter of routing.

The Commission will direct ATXI to answer the four questions of data request 18C no later than August 29, 2025.

**THE COMMISSION ORDERS THAT:**

1. No later than August 29, 2025, Ameren Transmission Company of Illinois shall respond to Mark Harding’s data request 18C.
2. This order is effective when issued.

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<sup>1</sup> *State ex. rel. Martel v. Gallagher*, 797 S.W.2d 730 (Mo. App. E.D. 1990).



**BY THE COMMISSION**

*Nancy Dippell*

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 21<sup>st</sup> day of August, 2025.

**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 21<sup>st</sup> day of August 2025.**



*Nancy Dippell*

**Nancy Dippell**  
**Secretary**

## **MISSOURI PUBLIC SERVICE COMMISSION**

**August 21, 2025**

**File/Case No. EA-2024-0302**

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

*Sincerely,*

A handwritten signature in black ink that reads "Nancy Dippell". The signature is fluid and cursive, with the first name "Nancy" and last name "Dippell" clearly distinguishable.

**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.