

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED
September 22, 2025
Missouri Public
Service Commission

Case No. EC-2026-0004

Brett Felber, Complainant

v.

Union Electric Company d/b/a Ameren Missouri, Respondent

MOTION TO COMPEL ACCESS TO SUBPOENAS

Introduction

Complainant Brett Felber ("Complainant"), pursuant to 20 CSR 4240-2.090 and applicable provisions of Missouri law, respectfully moves the Commission to compel access to all subpoenas issued, served, or filed in the above-captioned proceeding. Complainant has been denied access to subpoenas that directly affect this proceeding, thereby impairing his ability to exercise rights afforded under Commission rules and the Missouri Constitution.

Legal Basis

1. Right to Notice and Response

Commission Rule 20 CSR 4240-2.090(1) provides that discovery in contested cases, including subpoenas, shall be conducted in accordance with Missouri Supreme Court Rules of Civil Procedure, unless otherwise modified by the Commission. Subpoenas, by their nature, are discovery devices requiring notice to all parties. Denying Complainant access obstructs his ability to file motions to quash, seek protective orders, or otherwise respond.

2. Due Process Requirements

Both the U.S. Constitution (14th Amendment) and Missouri Constitution, Article I, § 10 guarantee due process, including notice and the opportunity to be heard. Blocking a party from viewing subpoenas in their own case deprives that party of fundamental due process protections.

3. Protective Orders and Confidentiality

Even where protective orders or confidentiality provisions exist, Commission practice allows disclosure to parties and their counsel who sign the required nondisclosure agreements. The existence and scope of the subpoena itself may not be concealed entirely from a party.

Relief Requested

Complainant respectfully requests that the Commission:

1. Order immediate disclosure of all subpoenas issued, served, or filed in this proceeding to Complainant.

2. Require proper service of all future subpoenas upon Complainant in compliance with Commission rules and the Missouri Supreme Court Rules of Civil Procedure.
3. Grant such other relief as the Commission deems just and proper to protect the due process rights of the Complainant.

Certificate of Service

I hereby certify that a true and correct copy of the foregoing was served on all counsel of record and parties via the Commission's EFIS electronic filing system on this ____ day of September, 2025.

Respectfully submitted,

Brett Felber

Complainant

[REDACTED]

[REDACTED]

[Phone / Email]