

Before the Missouri Public Service Commission

Case No. EC-2026-0004

Brett Felber (Complainant) v. Ameren Missouri (Respondent)

Response to Commission Order Establishing Protective Order

FILED  
September, 22 2025  
Missouri Public Service  
Commission

1. The Commission granted an order protecting financial information and disclosure surrounding the body. Nowhere in the order ' s body did it require that the Complainant submit or disclose Mr. Felber ' s personal financial documents into this matter.
2. Under 20 CSR 4240-2.090(1)–(2), a party may obtain discovery only through written requests (interrogatories, requests for production, depositions, or admissions) served under Commission rules. The Complainant has the right to preserve all documents, audio, and discovery materials until a formal Discovery Request is issued.
3. Discovery in Commission cases is governed by 20 CSR 4240-2.090. A party seeking documents must serve a written request for production, specifying the documents sought. The receiving party has 20 days to respond unless otherwise ordered by the Commission (20 CSR 4240-2.090(6)). Subpoenas may issue under 20 CSR 4240-2.115 and § 386.420, RSMo, but are not a substitute for discovery requests already pending within the discovery timeframe.
4. At no time prior to September 17, 2025, did Ameren Missouri serve a Discovery Request upon the Complainant requesting financial documents. Only as of September 17, 2025, did Respondent serve discovery that included requests for Mr. Felber ' s financial information.
5. From the date of Ameren ' s September 17, 2025 request, the Complainant is entitled under 20 CSR 4240-2.090(6) to the full 20-day period to respond, the same as Respondent is entitled to. Respondent cannot abridge this period by resorting to duplicative or harassing subpoenas.
6. Respondent ' s subpoena seeking the same information requested in discovery is duplicative and prejudicial. A subpoena may only be valid if, after the 20-day discovery response period, the Complainant fails to comply. As the discovery timeline has not yet lapsed, Respondent ' s subpoena is harassment.
7. Paragraph 2 of the Protective Order states: 'All persons authorized to access Highly Confidential information in this case shall complete the non-disclosure agreement attachment to this order.' Respondent ' s counsel, though already in possession of 'Highly Confidential' documents, has refused to execute the required NDA. The Order contains no exemption for attorneys; rather, it explicitly requires all persons to sign. Counsel ' s refusal is non-compliant and undermines the order.
8. The Protective Order does not compel disclosure of Complainant ' s financial records. Discovery must proceed under Commission rules with equal timelines afforded to both parties. Ameren Missouri ' s subpoena is harassment, duplicative of its discovery requests, and premature given the timeline allowed under 20 CSR 4240-2.090(6).

Respectfully submitted,

Brett Felber  
Complainant  
September 22, 2025

Certificate of Service

I hereby certify that a true and correct copy of the foregoing Response to Commission Order Establishing Protective Order was served upon all parties of record in this proceeding, including Ameren Missouri and Staff of the Missouri Public Service Commission, by electronic mail and/or first-class U.S. Mail, postage prepaid, on this 22nd day of September, 2025.

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Brett Felber, Complainant