

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Brett Felber,)	
)	
Complainant,)	
)	
v.)	<u>Case No. EC-2026-0004</u>
)	
Union Electric Company d/b/a Ameren)	
Missouri,)	
)	
Respondent.)	

SECOND NOTICE OF DEFICIENCY

Issue Date: October 3, 2025

On September 15, 2025, Brett Felber's *Motion to Disqualify or Reassign Administrative Law Judge/Commissioner* was filed in this case. Felber's motion requests that the "currently assigned Administrative Law Judge/Commissioner" be disqualified or reassigned from this case. The Commission issued a *Notice of Deficiency* on September 22, 2025, informing Felber that his motion was deficient because it was not accompanied by "affidavits setting forth the grounds alleged for disqualification" in compliance with 20 CSR 4240-2.120.

On October 2, 2025, Felber filed a second *Motion to Disqualify Administrative Law Judge* which included a portion titled "Exhibit A – Affidavit of Sworn Facts" and a "Declaration" section where Felber declared under penalty of perjury that the facts in Exhibit A were true and correct. However, Felber's motion remains deficient as a declaration under penalty of perjury is not a substitute for a sworn affidavit. "An affidavit

is a written declaration on oath sworn to by a person before someone authorized to administer such oath.”¹

Therefore, Felber is hereby notified that no action will be taken on the motion until the deficiency is cured. The Commission will extend the time for Felber to cure this deficiency. Thus, if the deficiency is not cured by October 22, 2025, the motion will be dismissed.



BY THE COMMISSION

A handwritten signature in black ink that reads "Nancy Dippell". The signature is written in a cursive, flowing style.

Nancy Dippell
Secretary

Dated at Jefferson City, Missouri,
On this 3rd day of October, 2025.

Dippell, Chief Regulatory Law Judge

¹ *Hinton v. Proctor & Schwartz, Inc.*, 99 S.W.3d 454, 458 (Mo. Ct. App. 2003).

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 3rd day of October 2025.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

October 3, 2025

File/Case No. EC-2026-0004

**MO PSC Staff
Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov**

**Office of the Public Counsel
(OPC)
Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opc@psc.mo.gov**

**Brett Felber
Brett Felber
3911 Cleaveland Ave.
33748 SM #95460
San Diego, CA 92103
bfe14@gmail.com**

**MO PSC Staff
Carolyn Kerr
200 Madison Street
Jefferson City, MO 65101
carolyn.kerr@psc.mo.gov**

**Union Electric Company
Jennifer Hernandez
1901 Chouteau Avenue
Saint Louis, MO 63103
jhernandez2@ameren.com**

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.