

Before the Missouri Public Service Commission

FILED
October 1, 2025
Missouri Public
Service Commission

Case No.: EC-2026-0004

Complainant: Brett Felber

Respondent: Ameren Missouri

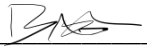
MOTION TO DISQUALIFY ADMINISTRATIVE LAW JUDGE

NOTICE OF FILING

Please take notice that Complainant, Brett Felber, hereby files the attached Motion to Disqualify the Presiding Administrative Law Judge in the above-captioned proceeding.

Respectfully submitted,

Date: 10-1-2025

Signature: 

Name: Brett Felber, Complainant

MOTION TO DISQUALIFY ADMINISTRATIVE LAW JUDGE

COMES NOW Complainant, Brett Felber, pursuant to the Missouri Public Service Commission's procedural rules, the Missouri Rules of Civil Procedure, and applicable constitutional and statutory protections, and respectfully moves this Commission to disqualify the presiding Administrative Law Judge ("ALJ") from further participation in this proceeding.

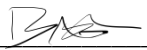
As set forth more fully in the accompanying Affidavit of Sworn Facts and Memorandum of Law, the presiding ALJ has demonstrated bias, misapplied governing law, failed to protect due process rights, and created an appearance of partiality, thereby disqualifying him from presiding further.

WHEREFORE, Complainant respectfully prays that the Commission enter an order:

1. Disqualifying the presiding ALJ from this case;
2. Reassigning the matter to a neutral and unbiased Administrative Law Judge;
3. Granting such other and further relief as the Commission deems just and proper.

Respectfully submitted,

Date: 10-1-2025

Signature: 

Name: Brett Felber, Complainant

MEMORANDUM OF LAW IN SUPPORT

I. Legal Standard for Disqualification

Missouri law recognizes that judges must not only be impartial in fact but must also avoid any appearance of impropriety or bias. See *State v. Nunley*, 923 S.W.2d 911 (Mo. 1996); Rule 2-2.11, Missouri Code of Judicial Conduct. This principle extends to Administrative Law Judges presiding over contested cases before the Missouri Public Service Commission.

II. Grounds for Disqualification in This Case

The accompanying Affidavit of Sworn Facts establishes the following grounds for disqualification:

1. The ALJ has repeatedly misapplied the Missouri Right to Financial Privacy Act (MRFPA) and California's CRFPA, disregarding statutory protections.
2. The ALJ has allowed Ameren Missouri, a private entity, to benefit from subpoenas that cannot lawfully be issued without proper judicial authority.
3. The ALJ has ignored Complainant's objections to defective subpoenas directed at out-of-state banks, in violation of Missouri and California discovery statutes.
4. The ALJ has permitted questionable, unauthenticated, and potentially counterfeit evidence to be admitted despite forensic objections.
5. The ALJ's rulings have deprived Complainant of due process and created a strong appearance of partiality.

III. Conclusion

Given these facts, disqualification is necessary to preserve the integrity of these proceedings and ensure that justice is carried out in accordance with law.

EXHIBIT A – AFFIDAVIT OF SWORN FACTS

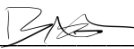
I, Brett Felber, being duly sworn (by declaration under penalty of perjury), state as follows:

1. Conflict of Interest and Appearance of Bias – The presiding ALJ has demonstrated clear bias in favor of Respondent by disregarding statutory protections under MRFPA, CRFPA, and civil discovery statutes.
2. Misapplication of Law – The ALJ has selectively cited statutes, omitting controlling provisions that protect non-parties and financial customers.
3. Improper Endorsement of Defective Subpoenas – The ALJ validated subpoenas issued to out-of-state financial institutions without requiring compliance with Missouri and California discovery rules.
4. Failure to Protect Due Process Rights – Despite objections, the ALJ failed to ensure notice was provided prior to serving subpoenas on banks, contrary to MRFPA and CRFPA.
5. Admission of Irrelevant or Counterfeit Evidence – The ALJ permitted unauthenticated and potentially counterfeit documents despite forensic objections.
6. Failure to Remain Neutral Arbiter – The ALJ aligned with Respondent's litigation strategy rather than serving as an impartial judge.
7. Erosion of Public Confidence – The ALJ's conduct undermines the neutrality of these proceedings, requiring disqualification under Missouri law.

DECLARATION

I, Brett Felber, declare under penalty of perjury under the laws of the State of Missouri that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on this 1st day of October, 2025, at 10:25 pm.

Signature: 

Name: Brett Felber, Complainant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion Packet, including Notice of Filing, Motion to Disqualify, Memorandum of Law, and Affidavit of Sworn Facts, has been served on Ameren Missouri, Commission Staff Counsel, and the Commission Secretary, on this 1st day of October, 2025, via electronic mail and U.S. Mail.

Signature: 

Name: Brett Felber, Complainant