

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED
October 6, 2025
Data Center
Missouri Public
Service Commission

Brett Felber, Complainant

v.

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

Case No. EC-2026-0004

MOTION FOR CONSTITUTIONAL AND STATUTORY RELIEF FOR
DENIAL OF EQUAL ACCESS, DISCRIMINATORY ADMINISTRATIVE
HANDLING, AND DUE PROCESS VIOLATIONS

Comes now Complainant, Brett Felber, appearing pro se, and respectfully moves the Missouri Public Service Commission ("Commission") to enter an order directing that all of Complainant's filings be accepted, docketed, and served in the same manner as filings from any other party, without prior approval or discretionary gatekeeping by the presiding Regulatory Law Judge. This motion is brought under §§386.130, 386.240, 386.500-386.510, and 536.063 RSMo, and the U.S. and Missouri Constitutions.

I. FACTUAL BASIS

On October 6, 2025, the PSC Data Center Support Team advised Complainant that his filing in EC-2026-0004 was "sent to Judge Clark for approval." No Commission rule or statute authorizes such pre-approval of a party's filings. Other parties' filings are accepted and docketed immediately without such review. This practice deprives Complainant of equal access and timely participation in this proceeding.

II. LEGAL GROUNDS

A. Violation of Statutory Procedure

Under 20 CSR 4240-2.070(2), filings "shall be accepted by the secretary and entered upon the record" when properly submitted. §386.130 RSMo requires impartial administration of the Commission's procedures, and §536.063 RSMo guarantees equal procedural rights in contested cases. Conditioning docketing on judicial approval conflicts with these statutes.

B. Denial of Constitutional Rights

1. Due Process – U.S. Const. amend. XIV; Mo. Const. art. I, §10. Conditioning acceptance of filings on judicial approval deprives Complainant of procedural due process and the right to petition for redress.
2. Equal Protection – U.S. Const. amend. XIV; Mo. Const. art. I, §2. Selective treatment of Complainant’s filings constitutes discriminatory administration of procedural rights.
3. Right to Petition – U.S. Const. amend. I; Mo. Const. art. I, §8. Requiring prior approval of pleadings operates as an unconstitutional prior restraint on speech and petition.

C. Ultra Vires Administrative Practice

No provision in §§386.240 or 386.420 RSMo grants Regulatory Law Judges authority to censor or pre-approve filings. Any such practice exceeds delegated authority and is void.

III. REQUEST FOR RELIEF

Complainant respectfully requests that the Commission:

1. Order that all filings by Complainant be accepted, docketed, and served without requiring prior approval by Judge Clark or PSC staff;
2. Declare the pre-approval practice unlawful and unconstitutional as discriminatory and violative of due process and equal protection;
3. Direct the Commission’s Secretary and General Counsel to ensure compliance with 20 CSR 4240-2.070(2) and §§386.130 & 536.063 RSMo;
4. Grant such other and further relief as justice and constitutional principles require.

Respectfully submitted,

/s/ Brett Felber

Brett Felber, Complainant (pro se)

A large black rectangular redaction box covering the signature and any handwritten notes or dates that might have been present.

Certificate of Service

I certify that a true and correct copy of this Motion was served this 6th day of October 2025 by electronic mail to:

[REDACTED]