

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

FILED
October 8, 2025
Data Center
Missouri Public
Service Commission

Case No. EC-2026-0004

BRETT FELBER, Complainant,

v.

AMEREN MISSOURI, Respondent.

**COMPLAINANT’S MEMORANDUM AND MOTION FOR FULL COMMISSION
REVIEW, MOTION TO QUASH INTERLOCUTORY ORDERS, AND REQUEST
FOR STAY**

Complainant Brett Felber respectfully moves the Full Commission — the Commissioners themselves (Chair Kayla Hahn, Commissioners Maida Coleman, Glen Kolkmeier, and John P. Mitchell) — for review and reconsideration of Regulatory Law Judge John Clark’s interlocutory orders, which are non-final and subject to review under Commission Rules and Missouri Statutes.

It appears Judge Clark has confused the terminology “before the Full Commission,” as the Full Commission refers to the Commissioners themselves, not an individual regulatory judge. His orders, by their nature, are interlocutory and cannot constitute final agency decisions under Missouri law.

I. Judge Clark’s Orders Are Interlocutory and Non-Final

Under 20 CSR 4240-2.160(1) & (4), interlocutory orders are non-final procedural rulings and may be reconsidered by the Full Commission. Final orders, by contrast, are subject to rehearing under §386.500, RSMo.

II. The Missouri Public Service Commission Is an Administrative Agency, Not a Court

The Missouri Public Service Commission (“MPSC”) is a state agency, created under §386.020, RSMo, and lacks judicial power. It cannot issue or enforce subpoenas for private financial records without circuit court intervention. Per §386.440, RSMo and §536.077, RSMo, PSC subpoenas must be enforced through a circuit court, not self-executing by agency order.

III. Subpoenas for Financial Records Require Customer Service and Judicial Oversight

Under the Missouri Right to Financial Privacy Act (MRFPA), §§408.675 et seq., RSMo, and the California Right to Financial Privacy Act (CRFPA), Gov. Code §§7460 et seq., financial institutions cannot release customer records unless proper notice and judicial authorization are met. The bank account in question is jointly held by Brett Felber and his wife in California, and both must be served notice under both state statutes.

IV. Ameren Missouri, as a Private Corporation, Has No Subpoena Authority

Ameren Missouri is a private corporation, not a governmental entity. Corporations cannot issue subpoenas; they may only request the Commission to issue one. Any subpoena that appears to issue on behalf of Ameren Missouri without judicial signature is defective and void.

V. The Subpoena Is Defective on Its Face

It was issued by an agency without judicial signature, directed outside Missouri jurisdiction, targets

joint accounts in another state, and violates MRFPA and CRFPA provisions.

VI. Due Process and Constitutional Rights Violated

Judge Clark's actions deprive the Complainant of due process under Article I, §10 of the Missouri Constitution and the Fourteenth Amendment to the U.S. Constitution. A regulatory judge cannot supersede the Commission's authority or deny a party's statutory right to Full Commission review.

Conclusion

Judge Clark's interlocutory orders are null, void, and quashed, as they exceed his delegated powers and violate statutory financial-privacy protections. Complainant respectfully requests that the Full Commission grant review, quash the subpoenas, stay enforcement, and reaffirm that only the Full Commission possesses final authority.

Respectfully submitted,

/s/ Brett Felber

BRETT FELBER, Complainant

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[REDACTED]
[REDACTED]
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Memorandum and Motion for Full Commission Review, Motion to Quash Interlocutory Orders, and Request for Stay has been served via electronic filing through EFIS and by email on all parties of record, including counsel for Ameren Missouri, Jennifer Hernandez, this 8th day of October, 2025.

/s/ Brett Felber

Complainant