

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

John T. Clark, Senior Regulatory Law Judge

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

Petition for Writ of Mandamus

Case No.: EC-2026-0004

Complainant: Brett Felber

Respondents: Ameren Missouri and the Missouri Public Service Commission

I. Introduction and Nature of Petition

Complainant **Brett Felber**, pursuant to the authority vested in the Missouri Public Service Commission under **§386.500 RSMo**, **§536.010 et seq. RSMo**, and **20 CSR 4240-2.150**, respectfully petitions this Commission for the issuance of a **Writ of Mandamus** directing the presiding **Regulatory Law Judge (Judge John Clark)** and the **Secretary of the Commission (Nancy Dippell)** to comply with Missouri law and Commission procedure by recognizing and docketing Complainant's la...

This petition seeks extraordinary relief because the presiding officer has **unlawfully denied Complainant's statutory right to review before the Full Commission**, thereby exceeding the scope of delegated administrative authority and violating Complainant's procedural and substantive due process rights under Missouri and federal law.

II. Jurisdiction

1. The Missouri Public Service Commission is an administrative agency created under **Chapter 386 RSMo**.
2. Pursuant to **§386.500 RSMo**, the Commission has the power to "rescind, alter, amend or rehear any order made by it," and to consider applications for rehearing or review filed by any aggrieved party.
3. Under **20 CSR 4240-2.150(1)**, "Any party may file exceptions to a recommended report and order or to any order or ruling by the presiding officer and may request review by the Commission."
4. Therefore, this Commission maintains exclusive jurisdiction to ensure that its own procedural rules are followed and that no presiding officer impedes statutory rights afforded to parties before it.

III. Factual Background

1. On or about **October 8, 2025**, the presiding **Regulatory Law Judge** informed Complainant that he "could not request a Full Commission Review."
2. Such statement directly contravenes both **20 CSR 4240-2.150** and **§386.500 RSMo**, which expressly authorize every party aggrieved by a ruling of the presiding officer to seek Commission review.
3. The Missouri Public Service Commission operates under the **Missouri Administrative Procedure Act (§536.010 et seq.)**, which requires agencies to provide internal review before judicial recourse.
4. Denying such review deprives the Complainant of procedural due process, constituting an administrative irregularity and an abuse of discretion.
5. The Commission's delegation of authority to its regulatory judges does not include the power to restrict rights of review or alter the Commission's own procedural framework.
6. The Full Commission (Chairwoman **Kayla Hahn**, Commissioners **Maida Coleman**, **Glen**

Kolkmeier, and **John Mitchell**) retains the sole and ultimate authority to decide whether a filing merits review or rehearing.

IV. Applicable Statutes and Legal Authorities

§386.500 RSMo – Applications for Rehearing: “After an order or decision has been made by the commission, any corporation or person affected thereby may apply for a rehearing... The commission shall grant and hold such rehearing if in its judgment sufficient reason therefor appears.”

§386.510 RSMo – Judicial Review: “No cause shall accrue in any court to review, reverse, correct or annul any order or decision of the commission unless the applicant has first applied to the commission for a rehearing.”

§536.090 RSMo – Findings and Decisions: Requires that all agency decisions include findings of fact and conclusions of law.

20 CSR 4240-2.150(1): “Any party may file exceptions to a recommended report and order or to any order or ruling by the presiding officer, and may request review by the commission.”

20 CSR 4240-2.160: “The commission retains continuing jurisdiction over its orders and decisions and may on its own motion or upon application amend or rescind them.”

U.S. Const. Amend. XIV – Due Process Clause guarantees fair procedure in administrative adjudication.

Goldberg v. Kelly, 397 U.S. 254 (1970).

Mathews v. Eldridge, 424 U.S. 319 (1976).

V. Grounds for Mandamus

A Writ of Mandamus is warranted where a public officer or agency fails to perform a ministerial duty required by law. The presiding Regulatory Law Judge has a ministerial duty to permit parties to file for review pursuant to **20 CSR 4240-2.150**. The refusal to allow such filing constitutes a clear abuse of discretion and a failure to perform a non-discretionary legal duty. Only the Full Commission can decide whether to deny, accept, or modify a request for review—not the presiding officer.

VI. Relief Requested

Complainant respectfully petitions that the Missouri Public Service Commission:

1. Issue a **Writ of Mandamus** compelling the presiding Regulatory Law Judge and the Secretary of the Commission to accept and docket the Complainant’s Request for Full Commission Review.
2. Declare that the presiding officer’s refusal to acknowledge the right to Full Commission review was beyond the scope of lawful authority.
3. Refer this matter to the **Missouri Attorney General’s Office** and the **U.S. Attorney’s Office** for review.
4. Grant such further relief as is necessary to ensure compliance with Missouri statutes, Commission rules, and due process.

VII. Certificate of Service

I hereby certify that a true and correct copy of the foregoing Petition for Writ of Mandamus was served this **18th day of October, 2025**, upon:

- **Nancy Dippell**, Commission Secretary, Missouri Public Service Commission
- **Judge John Clark**, Regulatory Law Judge, Missouri Public Service Commission
- **Travis Pringle**, Counsel for Ameren Missouri
- **Jennifer Hernandez**, Counsel for Ameren Missouri

By electronic mail and/or certified mail.

Respectfully submitted,

Brett Felber

Complainant, Pro Se

3911 Cleveland Ave. #33748, SMB 95415

San Diego, CA 92103

[REDACTED]

bfelber14@gmail.com

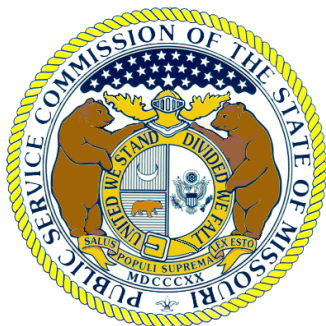
nocoicecream@gmail.com

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 17th day of October 2025.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

October 17, 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@opc.mo.gov

Brett Felber

Brett Felber
3911 Cleaveland Ave.
33748 SM #95460
San Diego, CA 92103
bfelber14@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.