

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

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

ORDER DENYING MOTIONS FOR SUMMARY DETERMINATION

Issue Date: October 17, 2025

Effective Date: October 17, 2025

This order denies Complainant, Brett Felber's, motions for summary determination against Respondent, Union Electric Company d/b/a Ameren Missouri.

On July 27, 2025, Complainant filed his *Motion for Summary Determination*. On July 28, 2025, Complainant filed an additional pleading in support of his motion.

Complainant's motion alleges that Ameren Missouri disconnected Complainant's electric services for a brief period on July 1, 2025, in violation of Commission Rule 20 CSR 4240-13.030(4)(D)¹ by not giving Complainant 10 days to pay after resolution or withdrawal of dispute.

Ameren Missouri asked for an extension of time to file a response to Complainant's motion, which the Commission found good cause to grant.

Ameren Missouri filed a response to Complainant's motion on September 30, 2025. Ameren Missouri denied almost every paragraph of Complainant's motion. Further, Ameren Missouri asserts that whether Complainant's payment was

¹ This was incorrectly cited as "20 CSR 4240-13.030 paragraph (D)".

returned for insufficient funds is a material fact in dispute. The Commission agrees that whether the payment was returned is an essential material fact in this complaint case.

The procedures regarding summary determination before the Commission are established by Commission Rule 20 CSR 4240-2.117.1. Subsection (E) of that rule provides that the Commission:

may grant the motion for summary determination if the pleadings, testimony, discovery, affidavits, and memoranda on file show that there is no genuine issue as to any material fact, that any party is entitled to relief as a matter of law as to all or any part of the case, and the commission determines that it is in the public interest.

Complainant, as the party requesting summary determination, has the burden of establishing a right to judgment as a matter of law.² Facts contained in affidavits or otherwise in support of a party's motion are to be accepted as true unless they are contradicted by the response to the motion for summary determination.³ Only genuine disputes as to material facts preclude summary determination.⁴

After reviewing the pleadings of the parties, the Commission concludes that Complainant's motion for summary determination should not be granted. Complainant failed to show that there are no material facts in dispute and that he is entitled to relief as a matter of law. The Commission will deny Complainant's *Motion for Summary Determination*.

On October 1, 2025, Complainant filed his *Memorandum and Motion for Immediate Summary Determination/Judgment Against Ameren Missouri*. This pleading meets very few of the requirements for a motion for summary determination, argues

² *Wilmes v. Consumers Oil Co. of Maryville*, 473 S.W. 3d 705, 714 (Mo. App. W.D. 2015).

³ *Allen v. Continental Western Ins. Co.* 436 S.W.3d 548, 551 (Mo. banc 2014).

⁴ *Id.*

points irrelevant to a motion for summary determination, and misstates the applicable law. The Commission will similarly deny this motion.

THE COMMISSION ORDERS THAT:

1. Complainant's July 27, 2025, *Motion for Summary Determination* is denied.
2. Complainant's October 1, 2025, *Motion for Immediate Summary Determination/Judgment Against Ameren Missouri* is denied.
3. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Nancy Dippell".

Nancy Dippell
Secretary

John T. Clark, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 17th day of October, 2025.

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

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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.