

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

Elizabeth Peterson,	)	
	)	
Complainant	)	<b><u>File No. EC-2026-0150</u></b>
	)	
v.	)	
	)	
Empire District Electric Company	)	
d/b/a Liberty,	)	
	)	
Respondent	)	

**NOTICE OF EX PARTE COMMUNICATION**

Issue Date: December 19, 2025

On December 19, 2025, Nancy Dippell, Chief Regulatory Law Judge, and Douglas Anderson, Advisor to Commissioner John Mitchell, received an email from Elizabeth Peterson. The email, along with attachments, are attached to this notice and are *ex parte* communications outside of the case process as defined by Commission Rule 20 CSR 4240-4.015. This notice is given pursuant to Commission Rule 20 CSR 4240-4.020(3) on behalf of Judge Dippell and Mr. Anderson.



**BY THE COMMISSION**

*Nancy Dippell*

Nancy Dippell  
Secretary

Nancy Dippell, Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 19<sup>th</sup> day of December, 2025.

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** FW: Tribunal Recuse request for improper Jurisdiction of Judge 3rd party Fair State Hearing implementation Elizabeth Peterson vs. MO PSC  
**Date:** Friday, December 19, 2025 9:25:54 AM  
**Attachments:** [REDACTED]

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Would you please find an ex parte contact example (we probably should make a form if we don't have one already. The Commissioners DPAs may have a form that they use.) and draft one for this so we (Doug and I) can file this in EC-2026-0150?

Thanks,

Nancy

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**From:** Buffy Peterson [REDACTED]  
**Sent:** Friday, December 19, 2025 8:34 AM  
**To:** Anderson, Douglas [REDACTED]; Geoff Marke [REDACTED]  
**Cc:** Dippell, Nancy [REDACTED]  
**Subject:** Tribunal Recuse request for improper Jurisdiction of Judge 3rd party Fair State Hearing implementation Elizabeth Peterson vs. MO PSC

Dear MO PSC; Attorney and Ast. To Commission Team; Doug Anderson,

Please do not refrain from reviewing out of fear that you would need to recuse yourself from my Tribunal as you would already need to be recused due to your prior position as Liaison whereby your involvement was first hand in the ADA violation complaint I originally asked you to get to your a director in 2023 thru 2024. As I worked diligently to provide a template from CA public Service Commission so that your Director could bring the Commission into ADA compliant status so that would be ample your Commission would manage the Vendors directly.

Let me invite you to again become a party to that unresolved predicament that is the obligation of the Commissioners Oversight of any sub contracts you hold with Vendors. I do not appreciate being the party claimant holding the Commission accountable. The informal process of due process conducted by Jay Eastlick was responded to by Jay Eastlick inappropriately. I more than defined that the Vendor was inaccurately inducing directive to Jay that was not applicable to my household as I told the Vendor that we would only accept a Analog replacement or repair. Instead, of conducting and retort to insist the Vendor had inappropriately quoted the Tariff sub contract between MO PSC and Vendors. That sub contract is not applicable to my household as we are not a party in that contract.

Those defined as ADA accommodation in any industry including the Utility Vendors are exempt from these type of tariff arrangements. I told the vendor as much in a very short text. Which is attached. The informal request was placed for an Analog. Since, PSC has not defined that it has any ADA policy then in turn it would double that in fact PSC can uphold a Tariff excuse from a Vendor as just cause for a requirement upon the Consumer to go to Tribunal. If the PSC was equipped to hold to something in the Tariff that addressed ADA clause then maybe the Tariff would be applicable for the Vendor to deny Jay's request.

If MO PSC a current time has not an ADA accommodation written into the Tariff it therefore cannot be utilized in an informal response. Well since it was this is a matter between the Vendor who has the complaint and the PSC.

I do not wish to be continually dragged into the lack of ADA accommodation that MO PSC has provided. As a remedy using more years of my time and energy to continually provide them that they as a Commission are out of compliance is getting to the point of exhaustion for me. If I bother to do a Tribunal which has been the only remedy provided by MO PSC that is because the ultimate need for a timely stipend to stop the Vendor from terrorizing my household threatening 3 times with harassment to come and take out Analog meter. So, that is the only reason why I filed the Tribunal as due to the way that PSC is navigating me that their informal division was ill equipped to handle the response given about the Tariff obliging that PSC stop protecting me and my household under ADA accommodation.

The current Tariff is for Consumers of MO PSC that are bound to pay the fee by that rule those are standard Consumers who did not request ADA accommodation to thereby be exempt from that Tariff.

The fact that [REDACTED] has presumed that the Tariff response to the informal complaint renders wasting my time in a Tribunal is inappropriate. The only hearing I need at this point is directly with MO PSC as they need to either recognize that I am exempt from that Tariff sub contract and therefore it is inapplicable to my account for Vendor's to be utilizing it against me.

Or PSC can amend the Tariff to include ADA clause that was omitted.

In the meantime, Jay upon re address from myself as to the response with in this Tribunal arrangement that I would not need to be forced into a Tribunal as the navigation remedy. The force place is upon the Committee to manage your Vendors on these matters it is now an action phase of taking noticing that MO PSC is in lack of any ADA policy.

Doug I believe this is the requirement of action that you and the other MO PSC attorney Shelly were looking for when we spoke at length for nearly an hour on speakerphone in regards to the misconception that ADA was currently omit from any standards of policy in specific with regards to my case at that time with Spire for Fee charges that are illegal.

Is this the older action that I never raised immediately through formal complaint I did however raise it to informal complaint at which point I was advised by Jay as well as by Spire to obtain a Tribunal.

Instead I knew your Tribunal was not Federally in jurisdiction to make an ADA ruling full scope. This was actually advised to me by several attorneys.

When I reported everything to Senator Carter's staff Zeke at the time said he would try and look into a Fair state hearing that I asked for. In the meantime Carters staff initiated a Bill SB1167 which we felt would remedy the need for a fair state hearing.

So, at this point we finally hit a different Bill passed 20 CSR 4240-10.035 which as an Analog requirement Bill will remedy my concerns with all 3 of my Vendors.

In the midst of all this one Vendor is aggressively in pursuit of removal of my Analog meter and that is an ADA violation if Commission allows this flagrant disregard to your own lack of ADA policy requirement under Federal wavier that PSC has failed to currently have it in place that I and of itself is become the root complaint for my right to a fair state hearing against PSC. Your Commissioner needs to tell your Director that needs staff needs to finally to an internal address of getting into alignment with ADA compliance either with or without that Tariff as a general policy would uphold an override to that Tariff as implied ADA policy.

Your Commissioner simply needs to have the Vendors notified that I am exempt as the Tariff does not include an ADA clause so the Tariff itself is voided to my accounts as an ADA household therefore in conclusion the Tariff is not an applicable means to be utilized against me. Which is what is occurring according to Jay Eastlick ascertaining to dictate to me to get a Tribunal as my recourse as he would not resend as I instructed that the Vendor fulfill my request to either repair or replace my Analog as my household is ADA accommodation specific to Analog.

Liberty is stating that due to the Tariffs applicability upon my account that somehow, I am inclusive to that Tariff and therefore must accept the ample replacements mentioned in that Tariff for those paying opt out FEE. Those equipment options that are in that Tariff include the non RF Advanced meter. However, this referenced Tariff is not inclusive to my household and by Federal ADA law my household is exempt from under ADA compliance as an understood Federal accommodation.

The Tribunal requirement obligation on my part is that is not proper protocol as PSC cannot subject an ADA household as a party to that Tariff contract. My household quality's make my household ineligible from being a party to that dub contract per as an ADA exemption to that Tariff which illegal for PSC to impose upon my household. Therefore, the expectation of the informal outcome to require further proof directly to the Vendor via a Tribunal is absurd.

The major flaw in this Tribunal even as a non party to the Tariff sub contract is the Judge's Federal jurisdiction is lacking to ensure ADA as it is a Federal matter that the Commission

omitted in their own policy as in there was never a need for such policy until the Vendors took advantage of the Tariff.

This is something that Jay Eastlick and I had numerous conversations regarding and he concurred in those hours of time I spent trying to make headway with the fact that your informal process itself lacked that ADA authority due to there being no ADA policy at the PSC which is why now the same goes for the Tribunal who also holds no Federal Jurisdiction so I really presume if it comes into play that the Judge is going to question that the PSC in MO must decide whether or not to comply with ADA that is also absurd to take up that type of lack of commissions ADA policy in the first place during a tribunal with a vendor. I find this ridiculous.

Of course our Commission has to comply with ADA and it is there job to manage the Vendors to also comply.

All I'm saying is this matter needs to be given a Fair State Hearing which if it is not provided will bring back in the Senators with their determination of providing one and asking your Director to attend.

If that does not resolve then it could be done by a Full oversight committee with more of a Formal phase at that juncture.

The initialization of ADA compliance takes the Commission to put into place and it does not require me to go up against the Vendor directly in your Tribunal. Especially, because to actually rule on whether the Vendor is out of compliance or whether the Tariff is out of compliance is the job of the Commission not the Consumer to put into place.

How can we proceed. We are months away from a new regulation for ANALOG traditional meters to be the new requirement through final promulgation of MO PSC. When that occurs there is really no need to go into ADA compliance as the Analog is the only ADA approved by EHT; Environmental Health Trust. Also, unless the Commission just wants to make this more complex by adding in ADA policy that will require that Commission is the one to handle the Doctors note forms as Doctors will already easily approve the ANALOG.

It is my opinion that even though the new law is still in promulgation that Vendors need to be considerate of the law as it would circumvent any concerns now or in the future for MO PSC to have to contend with how to implement in ADA accommodation. As that accommodation is literally remedied by the new law as it prescribes that Consumers get Traditional Meters I.E. Analog.

If there is still pending confusion to the supply of Analogs, that is why Regulatory is the strong arm of production. The Vendors will have to exercise with their Commercial manufacturers that they as Vendors can no longer install anything but Analog meters. That is unless the

Consumer wants the options that were in that Tariff. But it will certainly remedy that those who need Analogs will have the right to demand one without squabbles from Vendors being told to informal complaint department for Jay Eastlick's behalf this has been a headache. HE told Liberty to get me an Analog and then they did their song and dance about they **don't have any.**

My point is not to go into a quick metaphor for no good reason. But Federal law just informed the manufacturers that they could no longer "install" the LED headlights on their new cars in the assembly lines. This wording is important informed that law is changed and that the production will begin due to the dilemma is obvious of course standard headlights will be back into production. That they **don't have any.... line is not an excuse**

**P.S. If there is any confusion that Traditional is exclusive to Consumer right to ANALOG then actually since that vote is out still I must inform that I have acquired numerous Senators to begin scrutiny of the intention of the NEW LAW for TRADITIONAL AS BEING UNDERSTOOD BY PSC AS ANALOG.**

Lets try to keep our Consumers protected from aggressive Vendors and lets all lighten the load from my back of trying to contend with Tribunal as it was my only choice does not mean it was appropriate to not already provide a Fair State Hearing on my situation with 3 vendors whilst we wait on the new law for ANALOGS.

I can't tell you how to vote on this new law Doug but I can say that it would be a good idea to consider that it dissolves the concern for ADA additional policy that MO PSC would need to get into place effective immediately. There would be no concern on FEE's as we can read the Analogs ourselves. The law just needs to confirm on ANALOG and this can all go away.

In the meantime since your Tribunal cannot fulfill the full scope of this ADA multiple lined up case matters for my Vendors. It would be best to understand your Tribunal's capacity to serve this full scope is inadequate. The Federal jurisdiction requires first to get that Tariff clause in place for ADA and then maybe if that was done it would also dissolve the Tribunal. I really don't care however is fastest.

Thank you for always taking time to address Consumer concerns in regards to the Commission as I know you are no longer the liaison if you feel it appropriate simply reply that you have forwarded this to Ethan however I think this is over his head and it actually a matter for one of the Commissioners staff that is you as your paygrade ranks you. The only other party on staff that would maybe have an answer is Nancy Dippell or your Director. It's your choice where should this e-mail go to get proper attention escalation.

Sincerely,

Elizabeth Peterson

Energy Advisory Senator [REDACTED]

[REDACTED]



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**ADA issue per MO Public Service Commission noncompliance Complaint Tribunal process inappropriate remedy**

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From Buffy Peterson [REDACTED]  
Date Thu 12/18/2025 4:21 PM  
To Dennis Rhodes [REDACTED]; [REDACTED] <[REDACTED]>; Leslie Linnenbrink <[REDACTED]>; [REDACTED] <[REDACTED]>; Charles Thomas [REDACTED]; [REDACTED] <[REDACTED]>; Cowing, Shawn (Hawley) <[REDACTED]>  
Cc Wolfe, Alexis [REDACTED]  
Bcc Reggie Powers [REDACTED]; Blake Thompson [REDACTED]; Lane Roberts <[REDACTED]>; Geoff Marke <[REDACTED]>

 3 attachments (1 MB)

Request of MO PSC to provide me a complaint process with thier Committe Directly ADA violation.pdf; RESPONCE from Governors Council Disabled and Elderly.PNG; Senator Hawley on report of Environmental concerns.PNG;

Dear Senator [REDACTED] Staff; [REDACTED]

The suggestion that was made would be inappropriate for a systemic level issue to be handled by that Human Rights Commission. But, the overriding matter is the one that Governors Disabled Council mentioned which is you need filled in on that it was over a ½ hour conversation it only took 2 seconds to explain that no and in fact in this situation the complaint I have is with as I relayed in this phone voice mail it with a Government Agency I.E. the Public Service Commission

To be able to relay communication in phone conversation is vital. It would be preferred that you perhaps could call me. The fact is the voice mails today that Reggie stated he relayed to you were approx. 2 min's times 4 which is 8 minutes of time. If you would be able to listen to those, it should clarify that I do not have a single incident report. I have 3 incident reports that the MO PSC has due to their own subcontract with the Tariff agreement which is not exactly regulatory but the PSC is treating it as such and so are the Vendors. The point is that piece in the sub contract had not properly addressed per omission that there is no ADA accommodation which would be required in order to justify force placing a FEE upon constituents.

So, let me take this moment to catch you up on that Tariff which is currently in non-compliance as it does not recognize the ADA constituents are not to be charged a FEE. That is illegal.

I have pointed this out to [REDACTED] at MO PSC in Fall of 2023 and he said he did not think that the Vendors would take advantage of us out here by using the lack of an essential ADA clause in that contract as a means of vantage point with the Constituents.

In 2023 I requested Senator [REDACTED] staff [REDACTED] to give me a Fair State hearing with MO PSC but instead he worked the entire weekend of Thanksgiving put a Bill together for another Senator. That exact Bill never even got heard session of 2024. However, subsequently a separate Bill went in during Session 2025. That is what we had our rule making hearing on in Nov. 13<sup>th</sup> last month.

I believe it is now time to re address Senators that after all this time since the Vendors are not willing to be told there is moratorium on the taking our Analogs in the meantime until the Bill gets to it's full promulgation in July. It would seem to me that in the meantime the scrutiny of the Tariff that was not inclusive for ADA provisioning and was permissively allowing Vendors to charge an illegal FEE all this time. I would at this point need this particular Tariff put into the directives I am demanding now once again.

So, this is to re address again like I did in 2024 that the Tariff as I guess some kind of regulatory that is currently not provisioning in an ADA accommodation for the disabled to keep their Analogs and not be charged for them. It is beyond need for oversight.

I need one of two ways achieved by Legislators I need a Fair State hearing with myself the Director of MO PSC and the Senators on my list Senator [REDACTED] Senator [REDACTED] Senator [REDACTED] and Senator [REDACTED]. They could actually be able to act as the referred committee and they could be referred by Senator [REDACTED] to appoint this Committee to act in an obligation of oversight of the Tariff agreements oversight as it is currently in continuance of ADA violation.

The other method could be to refer it out to [REDACTED] Committee on Regulatory Oversight and that would be fine as well.

Or you can take it to Fair State Hearing with just myself the Director of MO PSC and Senator [REDACTED] can invite the mentioned Senators to be in attendance as most informal preliminary step to see whether it is necessary to proceed to a Formal oversight name Committee.

I know of what I speak and Senator [REDACTED] had put it into practice when applicable to call upon Agency Directors with an informal approach during session on behalf of similar matters that came up where state Agencies were out of Federal compliance.

I have the right to due process however the Senators are mandatory to be approached by myself to proclaim my avenues are exhausted with the Agency or in this case the Commission specifically MO PSC.

The ridiculous attempt to require myself to take on each Vendor who is currently in non-compliance one by one with 3 separate Vendors all because of the quoted subcontract between the Commission and the Vendors. The Tariff is currently not applicable to be used against me by Vendors as the Tariff itself holds not ADA compliance. Therein the Tariff that MO PSC approved is not ADA compliant/

It is the Legislators responsibility to prohibit such a Tariff, but unfortunately like [REDACTED] said we never thought here at PSC that the Vendors would use it to their vantage point. Since, that is what is occurring for over 2 years and is now in continuum the way in which MO PSC is placing a responsibility to have myself alone stand up to 3 different Vendors via separate Tribunals as their solution is inappropriate.

My complaint is with the MO PSC lack of correcting the vulnerability of their Tariff that is inadequate and therefore look what happened when these Vendors looked for a loop hole. The Tariff is therefore in violation of my Constitutional rights to protect a disabled household as well as Constituents in MO. None of which should be treated by PSC in a single incidence as if somehow their Tariffs inadequacy is going to continue to be with out OVERSIGHT by Legislators.

Please expedite my original request in Fall of 2023 to Senator [REDACTED] staff [REDACTED] who said he would be glad to help with a State Fair Hearing he just needed time to acquire that knowledge. I in the meantime pursued his suggestion to do a Bill to remedy things.

Unfortunately, even with our new Bill in place the Vendors are pushing the envelope to remove my Analog meter that is ADA approved by the PCP for Environmental Health concerns/they have not such right to do so. The proper Entity to handle direction of informing these Vendors as such is for the Agency assigned to use only ADA compliant Tariff agreements/

MO PSC. It is with great dismay that I have again today been redirected in a wild goose chase by haphazard mis communications of numerous input from improper time to really consult with what I informed my Senators staff that is advisable as we proceed. The efforts made by Senator Carter's willingness exceed most unfortunately time is no longer on my side as the MO PSC is not protecting the Consumers and therefore your disabled Constituents are being placed unduly in harms way. The Vendors are very aggressively trying to remove my Analog. There informing me when they should up the day before our Rule making hearing that they were phasing out Analogs. When ironically that is what the new Bill is to enforce that we will be able to get and keep Analogs specifically.

This is such a travesty it appears to me a moratorium needs to be placed upon these Aggressive Utility Vendors right up until the Law promulgates.

Thank you  
Elizabeth Peterson  
POA of Disabled person in my household  
Senator [REDACTED] Energy Advisory  
[REDACTED]

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**From:** Dennis Rhodes [REDACTED]  
**Sent:** Monday, December 15, 2025 10:59:23 AM  
**To:** [REDACTED]; Reggie Powers [REDACTED]  
**Subject:** ADA issue

Ms. Peterson,

Reggie relayed to me that you felt that you have had your rights violated regarding the American with Disabilities Act. I'm sorry to hear that's the case. I'd recommend filing a complaint with the Missouri Human Rights commission. Here is a link to their page. I believe they are a division of the missouri department of labor.

<https://labor.mo.gov/mohumanrights/file-complaint>

Respectfully,

[REDACTED]  
Office of Senator [REDACTED]

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Dear Nate,


Sorry to bother you on a Sunday. But I do not want Adam or his team showing up tomorrow with no warning.

I have past clearances on the ADA accommodation Federal jurisdiction as breach of contract also that my patients service line was originally established.

My position with your legal staff per their trying to impose upon our service contract that a exterior state tariff contract? (as that a subcontract between Vendor and PSC is only applicable to non ADA consumers in that participational service of opt out agreement). That sub contract clause is an external provision so it cannot be utilized to purport by Liberty as grounds to swap out for that harmful digital advanced per that type is not ADA approved ADA is a specialized equipment category and it is always medically

approved first by PCP. Disabled persons are a protected class of persons with disabilities as there category must qualify as medically approved equipment.

The specificity of the Traditional meter I.E. mechanical meter known as Analog. The patients PCP has it on the patients approved environmental non toxic list. The medical  specific per patient conditions and plan of care plan medical approved equipment only.

But just to be clear removing the Analog is not only a Federal regulatory violation but the variation model advanced non RF Digital will be construed as intention to do environmental impact as health harm injury which is a separate issue altogether. Do you need the restraining order approved by the current judge  I have notified her and also notified KC DOJ for the record as environmental enforcement

to keep my patient's rights of protection under ADA accommodation notification that I emailed to you already.

Is this matter still cascaded or do you need the Judge to order restraining order?

Thank you

Elizabeth

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## Spire Vendor ADA denial per MO PSC Federal misalignment

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From Buffy Peterson <[REDACTED]>

Date Wed 12/17/2025 12:53 PM

To Jay Eastlick <[REDACTED]>; Dippell, Nancy <[REDACTED]>; Charles Thomas <[REDACTED]>

Cc Blake Thompson <[REDACTED]>

 2 attachments (1 MB)

state fair hearing when rights are denied by a Commission or an Agency.jpeg; ADA Spire denial Elizabeth Peterson.PNG;

Dear MO PSC Regulatory Manager; [REDACTED]

CC: MO PSC; Judge [REDACTED]

BCC: KC DOJ; [REDACTED]

This was my formal response from Spire in Nov 2023. Do I need to do anything informal on this with your first? What is the pre-established policy of MO PSC for Vendors what is MO PSC Policy Division or is MO PSC expecting at this point that the Consumer continue to take these matters up ONE BY ONE. Like what I am doing with the current case with Vendor Liberty/DBA Empire?

My point is what do I do if my complaint is actually against MO PSC as the ones who are not requiring to address Full Spectrum of this current ADA violation of ALL VENDORS not just each one, one at a time.

When in the past I have dealt with a complaint against the Agency like for example DOL Department of Labor. I was told that they needed to put into place on that situation a missing policy that is under Federal Regulations that was omitted. Which could not remain to be omitted. So, in that situation the DOL Director had to appear at a Hearing Conducted by an oversight Committee with Chair Representative Taylor. As a result, the Agency found the wavier that was omitted and became Federally Compliant.

Generally, too with complaints with State Agencies themselves there is a Tribunal process that is held outside of the Agency. For DOL it was on another matter conducted by myself upon the Agency as the outcome was quite favorable. The 3<sup>rd</sup> party Tribunal was provided by the DOL Agency.

Since, I now have TWO separate complaints on the same problem of the equipment Vendors are offering and since my tribunal is based on ADA accommodations ACT. Which is Federal Law how can I simply exercise my right to re address the Commission itself on this matter. Would you like Senator [REDACTED] to refer it in?

I need an investigation conducted that would be fair to myself and the systemic level of individuals currently unable to advocate for themselves in regards to ADA violations that are currently occurring with multiple Vendors.

What is that Complaint process called and how to begin.

I feel that if Commission would set policy the vendors would respond.

Here is a sample of how it works in CA the people who are wanting to use ADA go through some simple steps I have seen this mainframed by the Public Service Commission in California for a number of years. That way the Vendors themselves simply cooperate with the Commission on these ADA matters. Rather than the Consumers dealing with the Vendors directly.

<https://www.facebook.com/groups/415152209128721/permalink/1750016248975637/?mibextid=rS40aB7S9Ucbxw6v>

Be sure to click the interior post, their CA Public Service Commission recognizes ADA accommodation it is very STREAMLINE.

I do not want to be uncooperative with MO PSC, but many can vouche for how much I tried with your Liaison at the time for the year after Spire denied my ADA request. I tried to utilize what Senator Carter's Liaison Doug Anderson did to try to help. I was given a full hour on the phone with himself and Sherry I think the attorney. I had several long e-mails that included the template of how to get the same type of plan from the CA non profit who introduced this plan to the CA Public Service Commission numerous years ago. So, that the disabled would not be discriminated against. The point is I made sure after calling the Governors office if necessary that your Director received my e-mail in regard to the need to have some assist by myself as the one who could help bring our state into proper ADA compliance.

It is just that if I cannot at this juncture show just cause for a hearing what is called a Fair State Hearing then my initial way to deal with the Vendors one at a time is all the access that MO PSC is granting me that is why I'm

Thank you,  
Elizabeth Peterson





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## 20 CSR 4240-10.035 Advanced meter Final rule making

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From Buffy Peterson <[REDACTED]>

Date Sat 12/13/2025 11:01 PM

To [REDACTED]

Dear Liberty Utility; [REDACTED]

This is the hearing where the Building Biologist and EMR Expert provided extensive comprehensive explanation as to the particulars of the Advanced meter that was suggested in the informal outcome.


The Non RF Digital Meter is not without its environmental toxicity which with harm impact is described in terminology in environmental per association as the causation of injury harm impact.

Often things that are difficult to medically comprehend are described as the invisible disabilities.

Giving this video cued up right to the exact part where the expert explains how dirty electricity is communicative and so the misnomer of the title or name of a UL listed product is fiction even though it is not wirelessly communicating therein could be misleading in the semantics of the UL products labeling standards. The other misnomer that is misleading is the wording non RF actually when this advanced meter peaks which is often after its prolonged use and so any bench testing standards are clearly suspect to these UL listing industry standards which are far removed from anything more than turning it on for a short window and then using that calculation. I have spoken by phone on this matter with the President of the National non profit for EHT; Environmental Health Trust. He laughed when I told him these are called Non RF and he explained that UL standard is very lenient and he said I should ask your Engineers to test it with kilohertz device or something and wait for the spikes he said as soon as it spikes over their recommended standard which it will that is an RF emission it is frequently going to spike. So, anyway he commented to in court require the proof of any of this labeling to be demonstrated on the burden of proof that your company is claiming it is safe and that it somehow qualifies as safe like a mechanical meter Analog. The Analogy is burden is on the ones who can prove there is no RF beyond the UL labeling which I did mention this on the phone with [REDACTED].

The furtherment of the communicative properties are explained by the Expert and of course the environmental toxicity that is bleed off of the switch mode functions of a digital meter as an advanced phase meter which does power supply mode switching constantly that creates that dirty electricity to bleed off into the homes literal wiring and that presents environmental hazard ☢️ these lines are now creating up to 5 feet out of the homes walls. That emission is going to by association to biological life forms like humans and a pet become a harm impact of what is considered injury.

I have no words 😞 explicit enough to explain how the job of our public service Commission is to help make sure there is cooperative between Utility Vendors and Utility Consumers. The words of harm and injury are the medical field governance and yet these meters are clearly

according to electrical IEEE official with double credentials as a Building Biologist now there is the difference between your Engineer and this expert but let's not stop  there this expert is actually credentials that match exactly to the specialists who work at the EPA. This specialist is an EMR expertise. Rob has the ability to access biological effects of the environment in depth. The assessment of the non RF is not just his opinion. I actually have a 20 min recorded call with another Expert out of Michigan with the same credentials who literally stated that if there was one of these placed on my home I would literally feel it and it will also cause harm injury. Eventually within 6 months due to the phase cycle power switching going on my very sturdy older 1970's refrigerator that Lasts forever will be fried and will break. There is only one chance for me to make a lasting impression of how difficult it is on human health when Vendors insist they medically do not have authority to prove these are not harmful and yet they insist they are safe to install these Advanced meters.

Video of final rule making Nov. 13, 2025. Cued up to the Expert

<https://www.youtube.com/live/4va5grbxrJl?si=1coMzg7dBYyAxUod&t=2395>

Maybe legal should consider liability insurance for health harm injury or maybe it's just time to recognize Analogs are the exclusive right of the Consumer equation in this cooperation with MO PSC.

Elizabeth Peterson,



Spire Missouri Inc.  
700 Market Street  
St. Louis, MO 63101

CONFIDENTIAL

October 31, 2023

**VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED**

Elizabeth Peterson  


**RE: Mike Avery - Request for Waiver of Automated Meter Reading Opt-Out Fee**

Dear Ms. Peterson,

Spire Missouri Inc. ("Spire" or "Company") is in receipt of your September 3, 2023 letter in regard to the Automated Meter Reading Opt-Out fee that is currently being assessed to Mr. Mike Avery. We know that you have also taken the time to speak with Spire representatives about this matter and appreciate you allowing us the opportunity to review and respond to your concerns.

As Mr. Avery has an analog meter at his address, he is currently being assessed a \$30 opt-out fee in accordance with Spire's Rules and Regulations Tariff Sheet No. R-7, which was approved by the Missouri Public Service Commission and effective on December 23, 2021. Spire's tariffs, approved by the Commission, carry the force and effect of law. This specific tariff sheet, No. R-7, allows Spire to install non-standard metering equipment for customers that want a manually read ("analog") meter, but it also mandates that Spire charge a monthly manual meter read fee. The purpose of this fee is to recover the costs incurred by the Company to accommodate requests for analog meters, specifically the costs of sending an employee to read these meters, so the Company's other customers are not burdened with such costs. As Mr. Avery had an analog meter prior to the tariff sheet being approved, once our billing system was updated to account for this new fee, he started seeing this fee on his bill.

We understand that you are requesting that Mr. Avery not be charged the Automated Meter Reading Opt-Out fee as you have stated he has a disability that would be impacted by our standard meter. The Americans with Disabilities Act requires reasonable accommodations for disabled individuals and requires such individuals to specifically identify the disability and resulting limitations from such disability. *Windham v. Harris County, Texas*, 875 F.3d 229 (5<sup>th</sup> Cir. 2017). Therefore, in order to ensure Spire is providing Mr. Avery with the appropriate reasonable accommodation, which, in this situation, would be the continued use of the analog meter without being charged the Automated Meter Reading Opt-Out fee, Spire requires that Mr. Avery provide documented, medical proof of his disability and how Spire's standard meter impacts his disability.

Spire would also note that in *Friedman v. Central Maine Power Company*, , while the court dismissed the utility's motion to dismiss the discrimination lawsuit over smart meter opt-out fees, the court explained that in order to prevail, the customer bringing the lawsuit would have to prove that the smart meter actually risks worsening his medical condition, specifically his cancer progression or symptoms. *Friedman v. Central Maine Power Company*, No. 2:20-CV-00237-JDL, 2021 WL 1234638 (D. Maine Mar. 31, 2021); *See also Richardson v. Cardinal Ritter Residential Servs.*, No. 4:23-CV-151 RLW, 2023 WL 2139318, at \*2 (E.D. Mo. Feb. 21, 2023) (dismissing disability discrimination claim because the plaintiff failed to plead sufficient facts to state a claim under Title III of the ADA because she did "not identify her disability, assert that defendant is a place of public accommodation, or explain the factual circumstances which caused her to be denied a full and equal opportunity to enjoy the housing that defendant provides.").

Please advise of whether you or Mr. Avery will be providing the requested information to Spire, and we will determine the appropriate method of your transmittal of the documentation for our review. Spire will ensure that this documentation is not shared with any third-party and it will only be disclosed to Spire's legal team and those on a need-to-know basis. Please also let us know if you have any further questions.

Sincerely,



Matthew Aplington  
General Counsel



J. Antonio Arias  
Counsel, Regulatory





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