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1/10/26

COMPANY EC-~~000~~

Case ^{the against}

FAX # 573-526-1500

From: Elizabeth Peterson

vs. Liberty/Empire Electric

Total pages, including cover sheet

Message:

Need to ask to put on Preliminary Conference
a few ways of Explaining a Motion
that I would like to add to
the ALJ Judge Clerks Agenda

Received Time Jan. 10. 2026 4:59PM No. 1950

GLOSSARY

Add Hoc Agenda Preliminary Conference

A Pg. 1 *** 3 MOTIONS***

#1 MOTION Request to add an emerging NEW CASE

#2 MOTION New case as Ammend of 0X-2026-0045 via timely petition

#3 MOTION integrational Method of ammend petition in lieu of separate Case

Per the exact MO statutes revolves in both Main case & Petition
Append and subsequently Amend MO statute 386.820

As a scientifically impaired definition of Traditional meter qualities,
Categorization impaired, impaired by concealment of scientific
Evidences of impaired scientific tables as just a few discrepancies

A Pg. 2. New Case integration as it requires amending the statute in correction in
Order to properly allow the court to construct the REMEDY of the Whole
Of the Main Case matter to bring resolve

A 3-4 Elaboration of Ammend as REMEDY by which to construct properly REMEDY

A 4-7 Scientific Corrections per to serve as append to subsequently Ammend merit

B 1 Why ALL Advanced Meters cannot be mandatory as action of compulsory

B 2. Ammend separate procedural case bypassed via court can satisfy the need
Is to construct a scientifically appropriate Ammend in order for court to
Make a constructive amend that is scientifically adequate for case Remedy

*****Motion for Ad Hoc Judge Clark's item for Preliminary Conference*****

#1 *MOTION to Request to *add a "NEW Case" within this current case

#2 **Motion for Reconsideration of Advance Meter Rule Making hearing OX-2026-0045 as this case's "NEW CASE" inclusive matter**

per the rule making Matter of the scientifically invalid description of a Traditional meter in the Mo statute 386.820 by thier exactness to this cases status of current statute 386.820.

The statute in this CASE's specificity is pertinent to need of apend and ammed so I am submitting now my petition on that OX-2026-0045 as the "NEW CASE" that does not require a seperate hearing but integration is necessary.

#3 *MOTION requesting that in leiu of a seperated Ammend case that the ammend Case's statutory procedural be viably satisfied by the Main Case's framework** of vetting my right to petition immediately and combining the petition as my point of contention with Empire cited basis for their claim derived from MO Statute 386.820. The improper definition of Traditional and the improper classification of ADVANCED meters as TRADITIONAL meters is what THE WHOLE OF MY MAIN CASE MATTER IS IN REGARDS TO. So, all of my case is about this statute and the inproperness of the current definition with regards to the word Traditional Meter and it's definition under that statute per scientific inapplicability due to scientific inaccuracies.**

So, if it please your Honor ALJ Judge Clark the public petition as the SOLVE for this Full Scope case matter as the remedy. Per an ammendment to

that definition would solve this Full Scope Case on it's FACE. As the only opt out meter will be Analog and the Vendors will be enforced to provide supply as they cannot mandate Advanced Meters that would be compulsion.

Any statute that defies individual's or the public to be compelled to consent to a Utility equipment as part of a mandatory regulation or RULE is of course unconstitutional. Forced contract is unlawful c-sheet provided.

This is exactly what Empire is trying to do to me. I'm not a Corporation Vendor and PSC is only a Regulator and state Utility laws limits authority. As the actual citizen under the Constitution the power of the person in this triangle has the supremecy.

My pre existing public petition was presented as well during the rule making but the need for full need of safety issues in this case has to be addressed additionally per these non Traditional meters as in "ALL" ADVANCED METERS as a categorical have safety issues.

I want to challenge to the validity of the science behind the current definition in that defintion of Traditional section via a rectification per petition to apend corrections and then ammend via the process of procedurals that satisfy the court's ability to combine them per an interwoven type of sub case aspect as the petition in regards to the outcome of OX-2026-0045.

That outcome last week was improper and it must be challenged now per the proper scientific definition I will present in this current MAIN case. Which I duly noted to have been commenting and present as the Public testimony that I and the other public presnt have provided. Everything from OX- are documented to have already invalidate and scientifically proved that the section of MO statute 386.820 is scientifically inappropriate and it is in fact an attempt of concealment to the true

scientific facts of why the Advanced meters cannot be classified as a type of Traditional meter that by scientific fact only an ANALOG can be an opt out meter.

I will gladly file an additional case of petition but I did not want to burden the court with extra cases unless that is the procedural decided upon by a decision of the ALJ Judge Clark designates if he prefers two cases and then conjoins them. But, generally I would think that the new CASE can be included into this current MAIN case per it's an emerging right of passage for petition of OX-2026-0045 as it is the same exact definition that I am challenging. So, this MAIN CASES outcome would circumvent the need for the Courts time as there is not a need for a seperate need of remand of this emerging petition case.

Elaboration below

Due to the current Case Regulatory as per revolving around the exact same statute from OX-2026-0045 which has now been voted upon

386.820 to both apend and ammend those particulars referenced by Empire's claim to my counter claim in regards to the precise citation of Empire's claim that they can mandate an Advanced non RF Meter upon our account per thier quote discretionary of alternate acceptable safe meter opt out substitute vs. an actual safe meter Tradtional; ANALOG.

My plan is to circumvent current rules by petitioning the new rules that are going into effect in August. My hope is actually not to ask Judge to remand this case to a seperate CASE of petition per the vote outcome, but rather to integrate to this as it is pinpointing to the same exact statute 386.820

Before the court is my further explanations of what scientifically is

inadequate descriptions and actually concealment of the matter of the scientific evidence associated with non RF advance meters as well as cellular clipped Advanced meters and how those are in a position currently of non disclosure to the public under the terminologies of the current Scientific definition of statute 386.820.

Below are just some of my NOTES which I will organize better later and present at the preliminary Conference in a light approach manner. However, I must submit them into evidence now as my time constraints are to get some notes into the EFIS system and let it be known that I do have scientific ability first hand to provide what is concealed in the current definition of Traditional per statute 386.820

RF is a sub group of EMF

Communicating can be EMF transient whether we are talking about hard wire or wireless but both are communicating EMF both the standard and the non standard

So what happened to the false dogma of the "signal description" element as it stands currently under the current definition of Traditional -

is improper and scientifically inappropriate to utilize under the definition of traditional the only Traditional meter that passes standards of non EMF and non communicating is Analog mechanical meter as it meets the scientifically appropriate description under the terms of non standard due to its qualifiers of non communication and non EMF both types RF and ELF.

The term of non standard according to the fine descriptions of the sub category of which type of EMF so per the sub categorized notion that non RF as just a sub category means nothing ZERO zelch as the sub category is mis information in that it is misleading to the original qualities of the category of EMF so by omission as concealment that 1/2 truth is misleading per by omitting the other variable of the sub category that is actually present I.E. the ELF that it is actually ELF form of radlation electromagnetic frequency so by omission this must be appended within the description to correction to make the descripton be scientifically appropriate

The standard to non standard table itself was to determine the factoring of the main category known as EMF the

Standard model by EMF cellular or wireless EMF per sub category RF

And the non standard model as non wireless spectrum frequency EMF or EMR

Second table to figure was if RF existed non wirelessly

**So question does the non wireless signal of RF transmit non wirelessly?
Answer YES via hardwire per transcient**

Now that testing was never field tested by UL industry as part of their claim to call it non RF simply put did not require that UL Industry do the required field testing and NEPA HIA but it should have been required for use with the public as a hazard of emission HIA harm impact assessment

So then return to the original categorical Table and not the sub category table

Does the non standard meet scientifically appropriate claims that it is not emitting in a non wireless fashion I.E. but in rather are hardwire fashion EMF? Can it even be called non RF as the public would be concealed to that presentation as some kind of EMF clearance which is again concealment by ommission

So, for this product the standard table would be to render the proper term of the type EMF that this product does emit non wirelessly and that sub category is ELF and label those elements of EMF as present as they are in FACT just as carcenogenic as RF

Mis Information per concealment of categorical of EMF or EMR as omitted

The regulatory definition is insufficient and lacks proper EMF category it fails to recognize a two part sub category and only presents one type of EMF 1/2 truths concealment from the public

On its face the word Traditional meant Analog and I presented a case citation that proved Analog as Traditional and also won that Title befitting to a belief system known as Traditional belief system

The scientific Advanced meters cannot be described under the Term Traditional regardless if the state of MO has been able to make a secondary terminology known as standard and non standard that analogy cannot be superimposed upon the wording by such supposition that ANY "Advanced" type of meter could be rendered as qualified to the category of Traditional.

Get into all the terms like

The other properties of current regulation that must be addressed is fire safer standards of both the standard and the non standard meter

Lastly if tribunal refuses to amend and amend the mis information in the definition the outcome of that it exestentially co occurring in pursuit of a Legislative regulatory oversight hearing so the unfavorable tribunal outcome will be viably transferred to Legislative hearing against the Commission per the current faulty regulatory

There is fundamental scientific educating that needs implemented into current regulatory that at this point proves the currently regulatory is an illusory of more of a fictional approach to scientifically appropriate farce rather than scientific facts in this current statutes definition 386.820 deceptive definition public concealment fraud non disclosure uninformed consent of the public

Utility Vendors charging fee's for equipment that was just as dangerous and fraudulantly calling it an opt out meter a the reason why especially in STL MO the one main Electric Vendor had to have an armed guard was due to overwhelming concern of citizens to have the wireless meters and the sad part is when they paid to opt out they still are getting radiated this is totally a misinterpretation of the wording Traditional on it's face

E 1of2



Frank Campbell
1h ·

HS

ILLEGAL to Force ...
Advanced Meters

Why smart meters cannot be made a mandatory legal requirement

1. No constitutional authority

The U.S. Constitution grants no enumerated power to the federal government to mandate surveillance-capable utility equipment inside private dwellings. Under the 10th Amendment, any power not delegated is reserved to the States or the People.

2. Fourth Amendment – unreasonable search

Smart meters collect granular usage data that reveals occupancy, behavior patterns, and appliance use. Courts and regulators acknowledge this is private data. Compulsory collection without consent constitutes a continuous, warrantless search, which the Fourth Amendment prohibits.

3. Due Process – forced contract is unlawful

Utilities operate by contract, not by police power. Forcing a customer to accept new equipment or new terms without voluntary consent violates procedural due process under the 5th and 14th Amendments. Silence or continued service does not equal lawful consent.

4. State utility law limits authority

In New York, utilities are regulated monopolies, not sovereign entities. The NY Public Service Law allows service regulation, not forced modification of private property or mandatory acceptance of unproven technology. Opt-out provisions exist because compulsion would be unlawful.

5. Health & safety cannot be overridden

Federal law (including FCC rules) sets exposure limits, but does not authorize forced exposure. Where credible health, fire, or malfunction risks exist, mandatory installation fails the reasonable safety standard required under state utility law.

6. Takings Clause problem

Installing utility-owned surveillance equipment on private property without consent or compensation raises a Fifth Amendment Takings issue, especially when the device benefits the utility, not the homeowner.

7. Malfunction liability

When smart meters malfunction and cause excessive billing, utilities rely on estimated data and algorithms, not verified mechanical measurement. This violates basic evidentiary standards and shifts the burden of proof unlawfully onto the customer.



order or a reconsideration of a procedural or interlocutory order of the commission and the disposition of that request.

(1) Applications for rehearing may be filed pursuant to statute.

(2) Motions for reconsideration of procedural and interlocutory orders may be filed within ten (10) days of the date the order is issued, unless otherwise ordered by the commission. Motions for reconsideration shall set forth specifically the ground(s) on which the applicant considers the order to be unlawful, unjust, or unreasonable. At any time before a final order is issued, the commission may, on its own motion, reconsider, correct, or otherwise amend any order or notice issued in the case.

(3) The filing of a motion for reconsideration shall not excuse any party from complying with any order of the commission, nor operate in any manner to stay or postpone the enforcement of any order, unless otherwise ordered by the commission.

(4) The commission may correct its own orders *nunc pro tunc*.

AUTHORITY: section 386.410, RSMo 2000. * This rule originally filed as 4 CSR 240-2.160. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. Amended: Filed Nov. 7, 1984, effective June 15, 1985. Rescinded and readopted: Filed March 10, 1995, effective Nov. 30, 1995. Rescinded and readopted: Filed Aug. 24, 1999, effective April 30, 2000. Amended: Filed March 2, 2011, effective Oct. 30, 2011. Moved to 20 CSR 4240-2.160, effective Aug. 28, 2019.

*Original authority: 386.410, RSMo 1939, amended 1947, 1977, 1996.

20 CSR 4240-2.180 Rulemaking

PURPOSE: This rule provides a procedure for rulemaking, and petitioning for rulemaking, pursuant to Chapter 536, RSMo.

(1) Promulgation, amendment, or rescission of rules may be initiated by the commission through an internally-generated rulemaking case, or pursuant to a rulemaking petition filed with the commission.

(2) Petitions for promulgation, amendment, or rescission of rules shall be filed with the secretary of the commission in writing and shall include:

(A) The name, street address, and mailing address of the petitioner;

(B) One (1) of the following:

1. The full text of the rule sought to be promulgated;

2. The full text of any rule sought to be amended, including the suggested amendments clearly marked; or

3. The full number of any rule sought to be rescinded;

(C) A statement of petitioner's reasons in support of the promulgation, amendment, or rescission of the rule, including a statement of all facts pertinent to petitioner's interest in the matter;

(D) Citations of legal authority which authorize, support, or require the rulemaking action requested by the petition;

(E) An estimation of the effect of the rulemaking on private persons or entities with respect to required expenditures of money or reductions in income, sufficient to form the basis of a fiscal note as required under Chapter 536, RSMo; and

(F) A verification of the petition by the petitioner by oath.

(3) The commission shall either deny the petition in writing, stating the reasons for its decision, or shall initiate rulemaking in accordance with Chapter 536, RSMo.

(4) The commission shall comply with the notice provisions of section 536.041, RSMo, upon the disposal of any rulemaking petition.

(5) When the commission decides to promulgate, amend, or rescind a rule, it shall comply with the requirements for rulemaking in Chapter 536, RSMo.

(6) Persons filing written comments or testifying or commenting at the hearing need not be represented by counsel, but may be represented if they choose.

(7) Hearings on rulemakings may be for commissioner questions or for the taking of initial or reply comments.

(8) Hearings for the taking of initial or reply comments on rulemakings shall proceed as follows:

(A) A commissioner or presiding officer shall conduct the hearing, which shall be transcribed by a reporter;

(B) Neither written nor oral comments need to be sworn, but testimony shall be taken under oath or affirmation;

(C) Persons testifying or commenting at a hearing may give a statement in support of or in opposition to a proposed rulemaking. The

commissioners or the presiding officer may question those persons testifying or commenting;

(D) Statements shall first be taken from those supporting a proposed rule, followed by statements from those opposing the rule, unless otherwise directed by the presiding officer;

(E) Persons testifying or commenting may offer exhibits in support of their positions; and

(F) The commission may, at the hearing, hold the hearing open for a specified period if it determines extension is reasonably necessary to elicit material information.

(9) In compliance with the requirements of Chapter 536, RSMo, the commission shall either—

(A) Adopt the proposed rule or proposed amendment as set forth in the notice of proposed rulemaking without further change;

(B) Adopt the proposed rule or proposed amendment with further changes;

(C) Adopt the proposed rescission of the existing rule; or

(D) Withdraw the proposed rule.

AUTHORITY: sections 386.040, 386.250, 386.310, 386.410, 392.210, 392.240, 392.280, 392.290, 392.330, 393.140(3), (4), (6), (9), (11), and (12), 393.160, 393.220, 393.240, 393.290, and 394.160, RSMo 2000 and sections 392.200, 392.220, and 393.110, RSMo Supp. 2010. * This rule originally filed as 4 CSR 240-2.180. Original rule filed April 26, 1976, effective Sept. 11, 1976. Amended: Filed Nov. 7, 1984, effective June 15, 1985. Rescinded and readopted: Filed March 10, 1995, effective Nov. 30, 1995. Rescinded and readopted: Filed Aug. 24, 1999, effective April 30, 2000. Amended: Filed March 2, 2011, effective Oct. 30, 2011. Moved to 20 CSR 4240-2.180, effective Aug. 28, 2019.

*Original authority: 386.040, RSMo 1939; 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; 386.310, RSMo 1939, amended 1979, 1989, 1996; 386.410, RSMo 1939, amended 1947, 1977, 1996; 392.200, RSMo 1939, amended 1987, 1988, 1996; 392.210, RSMo 1939, amended 1984, 1987, 2008; 392.220, RSMo 1939, amended 1987, 1988, 1991, 1993, 1996, 2008; 392.240, RSMo 1939, amended 1987; 392.280, RSMo 1939, amended 1987, 1993; 392.290, RSMo 1939, amended 1986, 1987; 392.330, RSMo 1939, amended 1980, 1987, 1993; 393.110, RSMo 1939, amended 1967, 2003; 393.140, RSMo 1939, amended 1949, 1967; 393.160, RSMo 1939, amended 1949, 1984; 393.220, RSMo 1939, amended 1967, 1980; 393.240, RSMo 1939, amended 1967; 393.290, RSMo 1939, amended 1967; 394.160, RSMo 1939, amended 1979.

State ex rel. Southwestern Bell Telephone Co. v. PSC, 592 SW2d 184 (Mo. App. 1979). A declaratory judgment action under section 536.050, RSMo is not available to challenge