

Elizabeth Peterson

PSC

Commissioner's Determination

As the Public Party

"peitition"

as the Regulator of

Final Order

Public Party

Regulation Commission Party

20-CSR 4240-2.160

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CSR 4240-10.035

20-CSR 4240-2.180

The Public Petiton Case is motioned to be transferred to NEW case as a Rule Making Case that will provide a Public oversight of the NEW RULE via Comprehensive Ammend and restrural of all Consumer protections in a correction manner. This is an overhaul and gutting of the NEW Rule 20-CSR 4240-10.035 in petitionally procedural substintutive based notice of demand of Emergency Regulatory AMMEND. The facts heretofore are primarily a form of Reprimand and disciplinary oversight to the NEW RULE stated as currently voted upon as final rule. However, the procedural allows for petitional corrections and as such rather than remand on this current docket the Petition of the Public was told by ALJ Judge Clark in my current case to open a seperate case and not combine to my private case. Therefore, the petition should proceed to be transferred to Rulemaking Docket #OX-2026-0180 and all partys

involved would need to be re established unless the Judge decides to remand this Case back to it's original docket #OX-2026-0045 and proceed with a re hearing and reopen as a remanded CASE to the original Case.

The New Rule cannot be promulgated regardless of the Vote it is invalid due to Regulatory has been permissible by the Commissioner's vote to proceed which is a violation of Consumer Protections laws of Fraud and Swindle along with that compromise effectively infiltrating every aspect of the Regulatory the Statutory and the Tariffs in the Regulatory. The pre-existing conditions of the statutory are unlawful fraud in the Entirety of Tariff and statutory as Regulatory. Also, the amended changes permissively ushered in by PSC Staff for the Vendors added more fraud violations to the Consumer that were not pre existing.

The Rule Making Hearing OX-2026-0045 as a Public hearing completely obliterated any Consumer protections and in fact only added more fraud. The PSC Tribunal process as correction on this matter via this Petition is the best course available for remedy.

The Code citations of Fraud and Swindle by Regulatory CSR-4240-10.035 as it stands now as voted and decided are not in accordance with Consumer protections and as such the supremacy Clause of Consumer's as the exclusive Public party with these protections assert and claim their Public Petition of said Regulatory NEW RULE in that no unlawful Regulation that is compromised via Consumer Fraud per stated Regulatory containing fraudulent Statutory and Tariffs and Regulatory will be permissible to promulgate regardless of the procedural of the final rule making VOTE it is declared by this petition as invalid.

The Petition as the Public Party is asserting that Consumer Fraud and Swindle has been pre-existing and is currently occurring in the stated NEW RULE Regulatory. The precise code of law citations per the violations of fraud included in the stated Regulatory is due to the use of the terms and Gimmicks of the illusory that Consumer's were actually provided a true opt out at all as the ANALOG became the ellusional conealment of a Vendor plan to phase them out. That phase out by Vendors hold no Authority of law in the state or Federal level. So, as this illusory of concealment began it propagadated that the Grandfathered Analogs could remain in circulation without ever stating the Vendor's had a stronger ploy to phase them out despite Consumer DEMAND. This abiility to phase out the only True Traditional Meter which as the undergirding concealment of the Vendor's by basically rearranging language of statutory to reflect the Word Traditional by definition was evolving in some method that by standards of Science are fixed by elements of scientifically appropriate language that properly disqualifies all Advanced meters as they have a mother board are smart and so never can even the Advanced non RF in name only meter been qualified as a Traditional meter.

The Consumer CHOICE as a circumvented through fraudulent statutory placed undue restraints through a contingency clause regarding new language that has subsequently as a result of this particular rule making hearing stated- Actully added additional fraud to the offer called opt out which now prevents ANALOG as it is never going to be commercially available because Vendors are breaking the deman to supply chain by the fraud in the statutory which was based off the intentional false propigation to get PSC Staff to recongize this as a FACT rather than a deceptive fradulant manuver by the Vendors to make a

bigger excuse not to force the supply chain as their role is the access gate to the Consumer demand. By contrast the Vendors are now going to gate keep that supply chain and block the Consumer demand as the conclusive that the Vendor's successfully hoaxed the staff into including thier position as the Vendor is to dictate to the Consumer that they do not have to look or demand supply from Manufacturer's but rather consider the Analog as some kind of obsolete Traditional Meter. When it is actually the solely exclusively scientifically proven FIXED definition of Traditional.

So, by removal of Consumer Free choice the Vendors are proving that the realities are the Consumer's do not dictate Choice as the edict of statutory can by compulsory means gate keep the Consumer Choice in order to eliminate Consumer choice and simultaneously unlawfully override Consumer consent in a gimmick that provide and illusory as the Consumer was not offered Choice at all as the choices were by process of elimination leading to a phase out by Vendors on purpose to effectively eliminate Consumer Free choice as the Vendors are not really offereing any real Free choice in this gimmick of opt out opt in with clauses basis of availability notions that are contrite and emphasize that Vendor's dictate to Consumer's by fraudulent Regulatory via concealment of Fraud definitions and Fraud Tariff's that remove due process and consent of the Consumer. Which again is unlawful and violates Consumer protections Act.

The new language was fradulent to exlcude Analog meters as mechanical meters based on the supposition of the fraud in the statutory that prescribes an illusory that Vendors do not have to provide Consumer's thier choice at all based on the fraudulent language that precludes the laws of supply and demand as the rule of

Consumer's goods by contrast the language persuades that Vendors do not have to allow Consumer choice if the goods are not Commercially available. That vantage point as fraud has nothing to do with supply and demand which is Consumer's protections rights as Consumer's demand the supply is produced of goods. So, the Vendors are by fraudulent false dichotomy's interrupting and intervening in the rule of Consumer's rights to perpetuate that demand of Consumer's as to the right that Consumer's demands generates Supply of manufacturers. As the language stands the Vendor is trying to intervene as it is not in their role which is not to intervene as gate keepers of Free Choice which again is in the Consumer's rights and protections which is part of Fair Competition and Fair Trade of goods provisions designated to the Consumer so that the supply will begin to be triggered. The party of the Vendor cannot interrupt that Consumer right nor can the Vendor dictate to the Supply industry that they do not have to also adhere to the Consumer's right of Free Choice and adhere to Consumer demand in the framework the Vendor is the access gate not the gatekeeper.

The primary focus of the Fraud citations are based around the illusory opt out gimmick that Vendor's cooked up to raise their anty of profit the Consumer however does not benefit at all from the gimmick of a notion that we opted out when we never opted in. The language is such a false illusory gimmick that is stands to wonder why the Regulatory ever got so corrupted.

The code violations of the opt out goes like this. The meter you have offered the Public as an "opt out" is not an opt-out meter because your opt out meter carries and imposes most of the same hazards and harm as your standard electronic utilility meter knowns as non RF Advanced meter. Your use of the term "opt out" represents Intentional deception

(Crimminal Frauds and is therefore violations of 18 U.S. Code, 1341, Frauds and Swindles calling for fines and 20 years imprisonment and, separately, represents Extortion prohibited by Hobbs Act, 18 U.S. Code 1951 (b)(2) also calling for fines and 20 years imprisonment. Those violations also cause automatic obligations of major civil pnalites and liabilities against the Utility Vendors and the Regulator's if aware of the Fraudulent Regulatory and in the favor of anyone who is offered an "Opt out" program or contract for that person of the Public under Constitutional Laws will add 4th Am. BOR,U.S. Constitution.

The harshness of the codes as crimminal remain in ref�action of the manner in which many Vendors chose to hire armed guards to execute their fraud upon civilians as the Public Consumer's many were told the Vendors meant business and had arrived to compulsorily put on their opt out meter or shut their service off which in MO as the Vendors as Monopolies as perpetrators as a forulary of trespassing and fraud both. All of these violations are very disconsertive as Consumers were paying thier Bill and had no reason to be offered through fraud to accept the Gimmick of the illusory opt in/opt out which is a series of breach of contract from the Consumer's standpoint they never changed their service from Analog and they never consented to opt out or opt in. What is the violtion on this type of compulsory against the will of our human rights violations to request that we be left alone and not given harmful health and fire hazard equipment by our Public Utility Servies which include the watchdog role of The Utility Commission to protect the Consumer from the gimmicks of the Utility Vendors. Unfortunately, the fraud penetrated the Regulatory and the PSC Commissioner's just voted to continuance of Fraud

The technical specificities of the above Legal Consumer Protections go

on to include based on a current SCOTUS case that is applicable to the "OPT OUT" fraud is more distinct in that it clearly expresses that the urgent question on Consumer rights and protections derives from the paramount role of the Consumer CHOICE that virtue is a protected right and then also crucial role of privacy and due process.

At its core the SCOTUS case which I will cite later as its core challenges whether state Utility Commissions may override Federal and state statutes requiring Consumer CONSENT! per in specific Customer request as the means for Advanced metering equipment. The opt out parlays that by substituting "opt out" clauses in Regulatory somehow the "opt Out" holds any substantive of any current state or federal law's that effectively by offering a gimmick like opt out can somehow through a type of gimmick can even plausibly eliminate the requirement of Consumer consent.

The Code Violations of the legal argument of the SCOTUS Case are grounded on Federal law (PURPA, EPAct, EISA and Electricity Generation Consumer Choice and Competition ACT, a.k.a. Act 129 ss 2801 and s 2807 (f)(1), (2)(i) and (3).

Recap This Public Consumer Petition that is basically invalidating the Vote by Commissioners as the Public ENTRY of a valid access for petition whom in this docket motioned as the need to be the petitional process of the now emerging intervening party as the proper party to intervene as the Public Party Elizabeth Peterson is representing on behalf of the Public to proceed to invalidate the VOTE's cast by Commissioner'. This is a procedurally based formulary to an amend of the Entirety of the vote as extinguished by the need to readdress all aspects of the Regulatory Rule Making under reconsideration and or rehearing of the Rule making Public Hearing. It was a requirement of Law that all facets of the

Rule itself contain lawful not fraudulent Regulatory based on lawful not fraudulent Tariff and statutory. The OX-2026-0045 item #19 provide interventional Public Party entry and this subject has already been prefaced fraudulent Regulator cannot become an order of Final Rule Making per items of Conclusive right to proceed to finalize illegal Regulatory as fraud per a vote does not make the Rule lawful or legal # OX-2026-0045 item #17, #18.

The Regulatory is comprised of 3 segments of party's involved in the Rule Making Process as in the hearing was compromised by two of the party's it cannot stand as procedurally proper.

The Party's are segments of a triangle #1 The Regulator as PSC and that includes PSC staff and OPC staff and the Commissioners #2 The Corporate Body as the Utility Vendors which are public Business arena of services operated by private owned Monopolies #3 The Public as the Consumer

In order of operations to put Framework of the Constructs of this Petition of Reconsider as a separate CASE of RE ADDRESS Case # of the #3 Public party

A #1 The ramifications of any fraudulent #2 party Vendor Gimmicks that were pre-existing in the conditions of the NEW RULE began with further compromising by party #2 Vendors introduced their need for recognition of a supply clause that was an intention of change to the statutory definition. That statutory change request was recognized improperly by PSC Staff as valid where it was not a valid adjustment append to statutory of the Regulatory of the NEW RULE.

The preexisting NEW RULE statutory was already compromised and the #2 Party Vendor was inadvertently inadvertently to their vantage point creating a fraudulent permanent append to statutory.

The precision of the fraud tactics by #2 Vendor party are the pre existing condition of the NEW RULE and after the hearing the PSC Staff compounded the Fraud of the statutory per that recognizing of the quote fact that Analog mechanical meters "may not always be available and that furthermore Vendors concurred that only commercially available Analog meters would become the append that was transpired during this initial rule making which was an unlawful change to the

Statutory that was already corrupted by the pre existing fraud.

Before I go I need to also mention the OPT OUT gimmick caused rate hikes for the Consumer and I believe the intial purpose of the good intent of this New Rule was vai continunace of Fraud the Rule would offset the tariff's that are fraud by giving the Consumer the right to read thier own meter for FREE and that prior to the Opt out Gimmick the Vendors did not need a tariff rule in the Regulatory it was added as means to compulsory charge consumers to now pay for something that prior to the opt out was provided in their original Contract of the ANALOG Mechanical meter servie lines. So, this New rule was a remedy of that rate hike for the Consumers. I also have a very newly provided Attorney written COST ANALYSIS of the rate hikes that occur by the use of Advanced and smart meters as their life cycle is short and that is a way for Vendors to add rate hikes through the means of elusively weeding out the ANALOG's and then stating they are not commerically available which is not their role to stipend Consumer demand it is their role to fetch the manufacturers to provde the supply as in new production. This may require an Executive order by the Governor to assure the manufatururs begin production in our State as the role of Consumer protections against the Gimmicks of Vendor's who utilize Regulators as some kind of vantage point of construct to stand against the Consumer's protection laws.

This concludes for this request to transfer this Petition to the Case of Emergency level Rule making Rule making Case # OX-2026-0180.