

BEFORE THE PUBLIC SERVICE COMMISSION

FILED  
April 9, 2026  
Missouri Public  
Service Commission

OF THE STATE OF MISSOURI

Brett Felber and Lisa Lambert,

Complainants,

v.

Union Electric Company d/b/a Ameren Missouri,

Respondent.

File No. EC-2026-0218

## COMPLAINANTS' RESPONSE IN OPPOSITION TO RESPONDENT'S MOTION TO DISMISS

### I. INTRODUCTION

Complainants respectfully submit this Response in Opposition to Respondent's Motion to Dismiss. Respondent's filing is procedurally deficient, factually inconsistent, and fails to meet the legal standard required for dismissal. The issues presented remain active, disputed, and within the authority of the Commission.

### II. CONTROVERSY REMAINS ACTIVE

This matter involves ongoing disputes regarding billing accuracy, disconnection procedures, notice requirements, and the handling of payment arrangements. These issues have not been resolved and remain properly before the Commission for review.

### III. FAILURE TO MEET DISMISSAL STANDARD

Respondent has not established any valid legal basis for dismissal, including lack of jurisdiction, mootness, or failure to state a claim. The burden remains on Respondent, and it has failed to meet that burden.

#### IV. DEFECTIVE NOTICE DUE TO ADDRESS ERROR

Complainants updated their mailing address to an address in Australia prior to March 30, 2026. Internal records reflect that the address change was completed on March 18, 2026. Respondent had sufficient time to update its records. Any disconnection notice sent to an outdated or incorrect address constitutes defective notice and noncompliance with Commission requirements.

#### V. MATERIAL FACTUAL DISPUTES

Material disputes remain regarding the billing amounts of \$ [REDACTED] and \$ [REDACTED], the handling and cancellation of the payment agreement, and whether Respondent complied with required disconnection notice procedures.

#### VI. AUDIO EVIDENCE DEMONSTRATES INCONSISTENCY

Audio evidence submitted by Complainant Felber demonstrates that Respondent's representative provided inconsistent statements regarding the date a disconnection notice was allegedly mailed, including March 22, March 23, and March 24, 2026. These inconsistencies raise serious concerns regarding the reliability of Respondent's records and compliance.

#### VII. SEPARATE ALLEGATIONS – DECEPTIVE PRACTICES

Respondent characterized the account as 'cash only.' However, Complainants were still able to make payments using debit and credit card methods. This terminology is misleading and appears intended to pressure payment. Such conduct may constitute deceptive or unfair utility practices subject to Commission oversight.

#### VIII. FAILURE TO ADDRESS CORE ISSUES

Rather than taking responsibility for the issues raised in the Complaint, Respondent has failed to meaningfully address the central dispute, including the \$ [REDACTED] balance at issue. Respondent

relies on general denials and procedural arguments instead of providing clear explanations or supporting documentation. This reflects a pattern of deflection rather than accountability and further supports denial of the Motion to Dismiss.

#### IX. CONCLUSION

Respondent's Motion to Dismiss should be denied. The Complaint presents valid, disputed issues requiring full review and adjudication by the Commission.

#### WHEREFORE

Complainants respectfully request that the Commission deny Respondent's Motion to Dismiss, allow this matter to proceed, and grant such other and further relief as the Commission deems just and proper.

Respectfully submitted,

Brett Felber

Lisa Lambert

Phone: [REDACTED]

Dated: April 8, 2026

#### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon all parties of record via electronic mail on this 8th day of April, 2026.

/s/ Brett Felber