

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

LATRELL S. GERMANY,)

)

Complainant,)

)

v.) Case No. GC-2026-0278

) (Consolidated with EC-2026-0279

SPIRE MISSOURI INC.,) and WC-2026-0287)

UNION ELECTRIC COMPANY (AMEREN),)

MISSOURI AMERICAN WATER CO.,)

)

Respondents.)

COMPLAINANT'S DEFINITIVE STATEMENT OF FACTS IN RESPONSE TO ORDER

COMES NOW Latrell S. Germany, appearing strictly as a natural person, consumer, and residential customer of record, for her More Definitive Statement of Facts in response to the Commission's Order of April 30, 2026. Complainant asserts that the following facts and authorities are specific to each Respondent and fall squarely within the Commission's jurisdiction to ensure safe, adequate, and just utility service.

I. JURISDICTIONAL STATEMENT AND COMMON FACTS

1. Commission Jurisdiction: Under RSMo § 393.130 and RSMo § 393.140, the Commission has the statutory authority to regulate the safety, adequacy, and reasonableness of utility services.

2. The Household Safety Mandate: There is currently a one-month-old infant residing in the home. The denial of water, gas, or electric services creates an immediate life-safety hazard for both the infant and the Complainant.

3. Medical Emergency Rule: Under 20 CSR 4240-13.050(10), disconnections must be postponed if they aggravate a medical emergency. All Respondents have prior actual knowledge of Complainant's Chronic Asthma, having previously received doctor-authorized forms for energy assistance and medical reconnection.

II. SPECIFIC STATEMENT AGAINST SPIRE MISSOURI (Case No. GC-2026-0278)

1. Missouri Safety Standards: Spire is in violation of RSMo § 393.140 and 20 CSR 4240-13.050(10). Spire was provided medical documentation verifying Complainant's asthma. Stable indoor temperature regulation is a medical necessity, as extreme fluctuation directly triggers life threatening asthma attacks and impede the efficacy of inhaler-based rescue medications. Furthermore, gas service is a required necessity for cooking and food preparation; without it, the Complainant cannot provide the essential nutrition and warm sustenance required

to maintain health and manage "safe and adequate" services under RSMo § 393.130. Denying gas service prevents necessary climate control, aggravating respiratory distress.

2. Federal Health-Energy Compliance: Under 45 CFR § 96.84, utilities are required to provide accommodations for health-related energy crises. This is mirrored by Missouri's commitment to providing "safe and adequate" service under RSMo § 393.130.

3. Refusal of Tender: Complainant tendered a Bill of Exchange for the alleged debt. Under UCC § 3-603(b) and its Missouri equivalent RSMo § 400.3-603(b), the refusal of this tender discharges the obligation. Spire's retention of the instrument without applying credit or returning it constitutes conversion under RSMo § 400.3-420.

III. SPECIFIC STATEMENT AGAINST AMEREN MISSOURI (Case No. EC-2026-0279)

1. Adequacy of Service: Ameren has failed to provide service as mandated by RSMo § 393.130. Electricity is a mechanical necessity for the climate control required to manage a Complainant's asthma and prevent rescue-inhaler dependence, as well as essential infant care.

2. Federal Billing Protections: Under 15 U.S.C. § 1601 (TILA), Complainant is entitled to accurate billing. Missouri law under RSMo § 407.020 further prohibits unfair practices in connection with the sale of merchandise/services. Ameren's refusal to provide a "Life of Account Ledger" is an unfair practice that prevents verification of the debt.

3. Refusal of Tender: Just as with other Respondents, Ameren's refusal of a lawful tender while retaining the instrument discharges the debt under UCC § 3-603 and RSMo § 400.3-603(b).

IV. SPECIFIC STATEMENT AGAINST MO AMERICAN WATER (Case No. WC-2026-0287)

1. Missouri Statutory Duty: Water is essential for sanitation under RSMo § 393.130. Depriving a home with an infant and a medically fragile adult of water- thereby creating an immediate risk of life-threatening dehydration and inability to maintain hygiene- is inherently "unjust and unreasonable."

2. Human Rights & State Policy: While UN Resolution 64/292 establishes water as a human right, Missouri law codifies this necessity through the Public Service Commission's mandate to ensure essential services are never withheld in a manner that creates a public health crisis.

3. Administrative Integrity: Complainant requested the account be updated to the Germany Family Trust. The Respondent's failure to perform this update is an administrative error that violates the consumer's right to accurate record-keeping under RSMo § 407.020.

4, Property Rights: Respondent's refusal of tender and failure to return the original instrument violates RSMo § 400.3-603(b) (Tender of Payment) and RSMo § 400.3-420 (Conversion of Instrument).

V. SUMMARY OF LEGAL FACTS

- Prior Knowledge: Respondents had actual notice of the chronic medical condition via the Doctor's Authorization Forms previously submitted.
- Validation Requirements: Under 15 U.S.C. § 1692g and RSMo § 407.020, Respondents failed to provide a certified ledger to validate the alleged debt.
- Discharge of Debt: Under UCC § 3-603(b) and RSMo § 400.3-603(b), the refusal of a tender of payment discharges the obligation to the extent of the tender.
- Conversion of Property: Under RSMo § 400.3-420, the retention of a payment instrument without negotiation or return is a conversion of the Complainant's property.

WHEREFORE, Complainant moves the Commission to acknowledge these definitive facts, recognize the life-safety emergency involving the resident infant and Complainant's medical condition, and issue a Permanent Stay of Disconnection.

Respectfully submitted,

/s/ Latrell S. Germany

Latrell S. Germany, Natural Person/Consumer

[REDACTED]

[REDACTED]

CERTIFICATE OF SERVICE

I certify that a copy of this document was sent via electronic mail on this 30th day of April,
2026, to:

Spire Missouri: [REDACTED]

Ameren Missouri: [REDACTED]

MO American Water: [REDACTED]