

FILED
June 29, 2016
Data Center
Missouri Public
Service Commission

From: Jordan, Daniel
Sent: Wednesday, June 29, 2016 1:09 PM
To: 'Sean R. Muhammad'
Cc: rick.zucker@thelacledegroup.com; Johnson, Mark; Data Center
Subject: RE: Electronic Service for Case Number GC-2016-0010 - Order Cancelling July Hearing Date and Re-setting Hearing for August

Mr. Muhammad,

The law does not require or permit the Commission to serve a subpoena for you.

Daniel Jordan

Senior RLJ
Missouri Public Service Commission
Daniel.Jordan@psc.mo.gov
573-751-7485

From: Sean R. Muhammad [<mailto:smuhammadpd@aol.com>]
Sent: Wednesday, June 29, 2016 1:06 PM
To: Jordan, Daniel
Cc: rick.zucker@thelacledegroup.com; Johnson, Mark
Subject: Re: Electronic Service for Case Number GC-2016-0010 - Order Cancelling July Hearing Date and Re-setting Hearing for August

LOL! This is quite funny, but OK, Mr. Jordan.

I guess I could simply "serve" this subpoena, but of course there's really no name (as "judge") attached to a signature that may be viewed as "anything" anyone or any child for that matter could've scribbled on the document. I'm not trying to sound disrespectful so if I come off as such, please forgive me, but I'd be quite remiss if I did NOT mention that this looks quite questionable AND specious. Coupled w/the fact that "your process" suggests I, the complainant, deliver and serve the subpoena only adds to my concern.

I've NEVER known a system to operate this way and as such, and you, I and ALL of us KNOW that this is more effective, etc. when it's served by an officer. If I'm not mistaking, it's really not my duty to do such, so I'm requesting that YOU have this process conducted from your end, which I know you CAN do at your discretion.

I'll wait for you to tell me if you can (or will) honor my request or not, then I will take it from there.

SM

-----Original Message-----

From: Jordan, Daniel <daniel.jordan@psc.mo.gov>

To: 'Sean R. Muhammad' <smuhammadpd@aol.com>

Cc: rick.zucker <rick.zucker@thelacledegroupp.com>; Johnson, Mark <Mark.Johnson@psc.mo.gov>

Sent: Wed, Jun 29, 2016 12:51 pm

Subject: RE: Electronic Service for Case Number GC-2016-0010 - Order Cancelling July Hearing Date and Re-setting Hearing for August

Mr. Muhammad,

I think I'm starting to understand the confusion.

You've been following Judge Jones' practice, which—if I understand correctly—was:

- you to fill in a subpoena,
- you transmit the filled-in subpoena for the judge's signature,
- the judge signs the subpoena
- the judge transmits the signed subpoena to you,
- you effect service,
- the server fills in the return of service.

That practice is perfectly lawful and in use among some agencies, especially among lawyers located in Jefferson City.

But my practice, equally lawful, makes the subpoena process more accessible for you:

- the judge signs the subpoena
- the judge transmits the signed subpoena to you,
- you to fill in the subpoena,
- you effect service,
- the server fills in the return of service.

My practice requires only one transmittal, so it can save time--a few days if mail is the method of delivery.

As to service and return of a subpoena, the provisions already cited incorporate the Missouri Rules of Civil Procedure for circuit court, and describing those procedures would constitute legal advice that I cannot give anyone.

But, now that I have your filled-in subpoena, I have signed it and attached it to this email, so that you have it right now.

Daniel Jordan

Senior RLJ

Missouri Public Service Commission

Daniel.Jordan@psc.mo.gov

573-751-7485

From: Sean R. Muhammad [<mailto:smuhammadpd@aol.com>]
Sent: Wednesday, June 29, 2016 10:51 AM
To: Jordan, Daniel
Cc: rick.zucker@thelacledgroup.com; Johnson, Mark
Subject: Re: Electronic Service for Case Number GC-2016-0010 - Order Cancelling July Hearing Date and Re-setting Hearing for August

And for the record sir, there were NO subpoenas sent with your signature on them. The three that were sent ONLY had Leon Edmond's name on them, as evident in the RE-SENT email preceding this one.

Also, what is meant by me having to "serve" the subpoena??? How could I do so, especially without your signature as "judge"??? According to the documents sent to me, the subpoena is to be served by an officer, after it has been notarized.

If I have a misunderstanding, please correct me. But again, I'm only going by the information and process that was told and/or given to me by Kennard Jones, who was the last acting "judge".

-----Original Message-----

From: Sean R. Muhammad <smuhammadpd@aol.com>
To: daniel.jordan <daniel.jordan@psc.mo.gov>
Cc: rick.zucker <rick.zucker@thelacledgroup.com>; Mark.Johnson <Mark.Johnson@psc.mo.gov>
Sent: Wed, Jun 29, 2016 10:32 am
Subject: Re: Electronic Service for Case Number GC-2016-0010 - Order Cancelling July Hearing Date and Re-setting Hearing for August
Mr. Jordan, thank you for responding but with all due respect, sir, this is the same thing that happened to me before w/the other person who was assigned as "judge", and honestly I find this a bit disheartening!

I sent this subpoena to you on June 22nd, a week ago. Following this thread will be a RE-SEND of that request.

SM

-----Original Message-----

From: Jordan, Daniel <daniel.jordan@psc.mo.gov>
To: 'Sean R. Muhammad' <smuhammadpd@aol.com>
Cc: 'rick.zucker@thelacledgroup.com' <rick.zucker@thelacledgroup.com>; Johnson, Mark <Mark.Johnson@psc.mo.gov>
Sent: Wed, Jun 29, 2016 9:33 am
Subject: RE: Electronic Service for Case Number GC-2016-0010 - Order Cancelling July Hearing Date and Re-setting Hearing for August

Mr. Muhammad,

I'm responding to your inquiry attached to this email about the issuance of a subpoena.

On June 13, 2016, I mailed three subpoena forms, with my signature, for you to fill in, serve, and return as provided by Section 386.440, RSMo 2000; Section 536.077, RSMo Supp. 2013; and 4 CSR 240-2.100. The *Notice and Order Regarding Communications, Hearing Date, and Subpoena* refers to those signed subpoenas as follows:

The Commission is mailing this order to Mr. Muhammad with a subpoena, and extras if needed, issued under the RLJ's signature. Statutes and regulation prescribe how Mr. Muhammad shall fill in, serve, and return, a subpoena.

(EFIS No. 52; June 13, 2016; page 3, footnotes omitted).

If those signed subpoenas have gotten lost in the mail, notify me and I will send you more as soon as possible.

Daniel Jordan

Senior RLJ

Missouri Public Service Commission

Daniel.Jordan@psc.mo.gov

573-751-7485

From: Sean R. Muhammad [<mailto:smuhammadpd@aol.com>]

Sent: Wednesday, June 29, 2016 8:32 AM

To: datacenter.orders-ices; SCO/Chief Staff Counsel - Service; opcservice@ded.mo.gov; rick.zucker@thelacledegroupp.com; Johnson, Mark

Cc: Jordan, Daniel; Vaught, Dianna; Craig, Pamela; Luebbert, Jessica; Koenigsfeld, Christine; Prenger, Phyllis; Myers, Leslie; Kelly, Kevin; Quick, Deborah; Henderson, Wess; Dietrich, Natelle

Subject: Re: Electronic Service for Case Number GC-2016-0010 - Order Cancelling July Hearing Date and Re-setting Hearing for August

I'd like to receive notification on when this subpoena has been issued please. Thanks!

SM

-----Original Message-----

From: Sean R. Muhammad <smuhammadpd@aol.com>

To: datacenter.orders-ices <datacenter.orders¬ices@psc.mo.gov>; staffcounselservice <staffcounselservice@psc.mo.gov>; opcservice <opcservice@ded.mo.gov>; rick.zucker <rick.zucker@thelacledegroupp.com>; Mark.Johnson <Mark.Johnson@psc.mo.gov>

Cc: Daniel.Jordan <Daniel.Jordan@psc.mo.gov>; dianna.vaught <dianna.vaught@psc.mo.gov>; pamelacraig <pamelacraig@psc.mo.gov>; Jessica.Luebbert <Jessica.Luebbert@psc.mo.gov>; christine.koenigsfeld <christine.koenigsfeld@psc.mo.gov>; Phyllis.Prenger <Phyllis.Prenger@psc.mo.gov>; leslie.myers <leslie.myers@psc.mo.gov>; kevin.kelly <kevin.kelly@psc.mo.gov>; Deborah.Quick <Deborah.Quick@psc.mo.gov>; wess.henderson <wess.henderson@psc.mo.gov>; natelle.dietrich <natelle.dietrich@psc.mo.gov>

Sent: Wed, Jun 22, 2016 4:13 pm

Subject: Re: Electronic Service for Case Number GC-2016-0010 - Order Cancelling July Hearing Date and Re-setting Hearing for August

FYI - Subpoena

-----Original Message-----

From: datacenter orders-ices <datacenter.orders¬ices@psc.mo.gov>

To: SCO/Chief Staff Counsel - Service <staffcounsel@psc.mo.gov>;
'opcservice@ded.mo.gov' <opcservice@ded.mo.gov>; 'smuhammadpd@aol.com'
<smuhammadpd@aol.com>; 'rick.zucker@thelacledgroup.com'
<rick.zucker@thelacledgroup.com>; Johnson, Mark <Mark.Johnson@psc.mo.gov>

Cc: datacenter orders-ices <datacenter.orders¬ices@psc.mo.gov>; Vaught, Dianna
<dianna.vaught@psc.mo.gov>; Craig, Pamela <pamela.craig@psc.mo.gov>; Luebbert, Jessica
<Jessica.Luebbert@psc.mo.gov>; Koenigsfeld, Christine <christine.koenigsfeld@psc.mo.gov>;
Prenger, Phyllis <Phyllis.Prenger@psc.mo.gov>; Myers, Leslie <leslie.myers@psc.mo.gov>; Kelly,
Kevin <kevin.kelly@psc.mo.gov>; Quick, Deborah <Deborah.Quick@psc.mo.gov>; Henderson,
Wess <wess.henderson@psc.mo.gov>; Dietrich, Natelle <natelle.dietrich@psc.mo.gov>

Sent: Tue, Jun 21, 2016 11:26 am

Subject: Electronic Service for Case Number GC-2016-0010 - Order Cancelling July Hearing Date and Re-setting Hearing for August

The attached Order/Notice was issued by the Missouri Public Service Commission and is hereby being distributed to the above-listed recipients as directed by the Commission. The attached document shall serve as the official service copy from the Missouri Public Service Commission in accordance with 386.490 RSMo. A paper copy will only be provided to those members of the certified service list who do not have a valid e-mail address registered with the Commission.

Please contact the Missouri Public Service Commission Data Center at datacenter-psc@psc.mo.gov or at 573-751-7496 if you have questions regarding this transmission.