



necessary..." Doe Run fails to cite the Missouri Rule of Civil Procedure, which would support its position. Moreover, Doe Run fails to recognize that it is not practicing in a circuit court but, rather, it is practicing before the Missouri Public Service Commission. Attorneys who practice before the PSC are bound by the regulations of the state of Missouri as codified at 4 CSR 240-2.010 et seq.

Doe Run went on in paragraph six and eight to state that it decided not to file a response in the interest of judicial economy. The parties are advised that prior to determining, on their own authority, what shall and shall not be filed, leave of the Commission should be requested in a timely manner and such request should cite with specificity the facts and/or controlling law in support of such request.

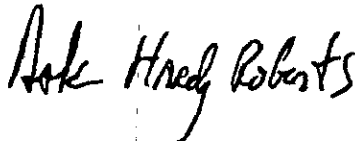
As of November 13, Doe Run has complied with the Commission's order, albeit 13 days late, and Doe Run's request shall be granted.

**IT IS THEREFORE ORDERED:**

1. That the Motion For Leave To File Responsive Pleadings Out of Time filed by Doe Run Company is granted.
2. That this order shall become effective on November 19, 2001.

**BY THE COMMISSION**

(SEAL)



**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

Dale Hardy Roberts, Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 19th day of November, 2001.

Staff of the Missouri Public  
Service Commission,

**Complainant,**

**VS.**

Union Electric Company,  
d/b/a AmerenUE.

Respondent.

**CASE NO. EC-2002-1**

**ORDER GRANTING LEAVE TO FILE**  
**RESPONSIVE PLEADING OUT OF TIME**

This order will grant Doe Run's request for leave to file its responsive pleading out of time as filed on November 13, 2001.

On October 1, 2001, Doe Run was granted intervention by the Commission and ordered to file its responsive pleading not later than October 31. On November 8, during the prehearing conference, Doe Run's counsel was advised by the presiding judge that it was eight days out of time to file its responsive pleading, and that it had also failed to file for leave to file out of time.

On November 13, Doe Run filed its Motion For Leave To File Responsive Pleadings Out Of Time and attached to that motion the required responsive pleading. Doe Run offered as an excuse for its failure to file the fact that Doe Run’s counsel...”determined that Doe Run agreed with all of the allegations contained therein, and therefore determined in accordance with the Missouri Rules of Civil Procedure that no answer or response was

necessary..." Doe Run fails to cite the Missouri Rule of Civil Procedure, which would support its position. Moreover, Doe Run fails to recognize that it is not practicing in a circuit court but, rather, it is practicing before the Missouri Public Service Commission. Attorneys who practice before the PSC are bound by the regulations of the state of Missouri as codified at 4 CSR 240-2.010 et seq.

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