

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 12th day
of December, 2012.

Ted Brown,)	
)	
Complainant,)	
v.)	<u>File No. EC-2012-0097</u>
)	
Union Electric Company, d/b/a)	
Ameren Missouri,)	
Respondent)	

ORDER DISMISSING COMPLAINT

Issue Date: December 12, 2012

Effective Date: January 11, 2013

On September 30, 2011, Ted Brown filed a complaint against Union Electric Company d/b/a Ameren Missouri. The Commission issued notice of the complaint and Ameren Missouri filed its answer. Subsequently, the Commission set the matter for a prehearing conference. Prior to the hearing, Complainant contacted the judge seeking to stay this matter. The Commission issued an order staying these proceedings on January 24, 2012.

On June 13, 2012, the Commission issued an order directing Complainant to file a statement of his intent to pursue this complaint. Upon Complainant's stated concerns, the Commission let this case sit in order to allow Complainant an opportunity to "clear his plate." The last action by Complainant was a motion to further stay these proceedings, filed on June 19, 2012. Thereafter, no action was taken on this case.

On November 5, 2012, the Commission issued an order directing Complainant to file a statement of his available dates for a prehearing conference to be held prior to the end of the year. In the order, Complainant was informed that if this complaint is dismissed he will be able to refile the complaint under a new case number when he is ready to proceed. Complainant was directed to file his statement no later than November 15, 2012. The Commission has received no response from Complainant.

Commission rule 4 CSR 240-2.116(1) states that a case may be dismissed for lack of prosecution if no action has occurred in the case for 90 days. Well over 90 days have expired since June 19, 2012, when Complainant filed his motion to grant a further stay. The Commission will therefore dismiss this matter for lack of prosecution. If Complainant still wishes to pursue his complaint against Ameren Missouri he may refile. His "new" complaint will be assigned a new case number and the process will start anew.

THE COMMISSION ORDERS THAT:

1. Ted Brown's complaint, filed against Union Electric Company d/b/a Ameren Missouri on September 30, 2011, is dismissed.
2. This order shall become effective on January 11, 2013.
3. This case shall be closed on January 12, 2013.

(S E A L)

BY THE COMMISSION



Steven C. Reed
Secretary

Gunn, Chm., Jarrett, Kenney,
and Stoll, CC., concur.

Jones, Senior Regulatory Law Judge