

**MISSOURI PUBLIC SERVICE COMMISSION**

**FILED**

**SEP 17 2013**

**PETER B. HOWARD**

**Complainant,**

)

**File No. EC-2013-0524**

)

)

**v.**

)

)

**Ameren UE**

)

**Respondent.**

)

**Hearing Date: 08-16-2013?**

**&**

)

**Kennard L. Jones, Sr. Regulatory Law**

)

**Judge.**

)

**Missouri Public  
Service Commission**

**COMPLAINANT'S ANSWER TO HIS DELINQUENCY**

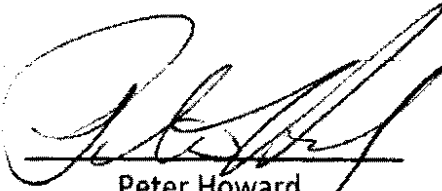
1. Complainant was unaware the meeting was scheduled for August 16<sup>th</sup>, 2013, but was under the impression that the same was scheduled for August 19<sup>th</sup>, at 10:00 a.m.
2. Complainant appeared on August 19<sup>th</sup>, at the Wainwright Building (1<sup>st</sup> flr.) and was told that no prehearing conference was scheduled on that date.
3. Complainant inquired about any prehearing conferences scheduled on August 16<sup>th</sup>, and was told that no one appeared (to the best of her recollection) on that date either.
4. Complainant would hope that an Administrative Judge's discretion to issue sanctions should be premised on a party's failure to show good cause for the conduct at issue, and that the opposing party was "substantially prejudice" as a result of that conduct.
5. Complainant would hope that any Order to Show Cause would direct Complainant to explain why a potential sanction should not be imposed. In the event (as here) that a party did not receive sufficient notice that its conduct could be sanctioned and what potential sanctions may be imposed, and did not have an opportunity to explain its - over

conduct, Complainant would hope that an Administrative Judge must view the totality of the circumstances before imposing the sanction.

6. Complainant furthermore believes that any representatives from AmerenUE are within five minutes of the prehearing site (Downtown St. Louis) and therefore were not "severely prejudiced" as a result of this miscommunication.

Wherefore, Complainant implores the Court to reschedule the prehearing and send both parties electronic communications concerning the same. Your cooperation is greatly appreciated.

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Peter Howard