

**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 March, 2025.

Dominic Mikel,)	
)	
Complainant,)	
)	
v.)	<u>File No. EC-2025-0139</u>
)	
Union Electric Company d/b/a Ameren Missouri,)	
)	
Respondent.)	
)	

ORDER DISMISSING COMPLAINT

Issue Date: March 12, 2025

Effective Date: April 11, 2025

On October 16, 2024, Dominic Mikel (Complainant) filed a formal complaint with the Commission against Union Electric Company d/b/a Ameren Missouri. On December 2, 2024, Ameren Missouri filed its *Response to Complaint*. On January 23, 2025, the Staff of the Commission (Staff) filed its investigative *Staff Report and Recommendation*. Staff's investigation did not identify any violation by Ameren Missouri of applicable Commission orders, rules, regulations, Ameren Missouri's approved tariffs or statutes under the Commission's jurisdiction.

Also on January 23, 2025, the Commission issued an order setting a prehearing conference for February 11, 2025, to be conducted via WebEx video and teleconference. Complainant did not appear for the February 11, 2025 prehearing conference and did not

contact the Commission to request a continuance of the conference. That same day, the Commission ordered Complainant to file a pleading showing cause as to why his complaint should not be dismissed for failure to appear for the prehearing conference. The order noted that failure by a party to appear at a prehearing conference without securing a continuance constitutes grounds for dismissal of a party's complaint unless good cause for the failure to appear is shown. Complainant was ordered to respond by February 25, 2025. No response has been filed.

Three Commission rules address the failure of a party to appear for a prehearing conference. First, Commission Rule 20 CSR 4240-2.116(3) states:

A party may be dismissed from a case for failure to comply with any order issued by the commission, including failure to appear at any scheduled proceeding such as a public hearing, prehearing conference, hearing, or mediation session.

Second, Commission Rule 20 CSR 4240-2.090(5) states:

Failure to appear at a prehearing conference without previously having secured a continuance shall constitute grounds for dismissal of the party or the party's complaint, application or other action unless good cause for the failure to appear is shown.

Third, Commission Rule 20 CSR 4240-2.070(7) states:

The commission, on its own motion or on the motion of a party, may after notice dismiss a complaint for failure to state a claim on which relief may be granted or failure to comply with any provision of these rules or an order of the commission, or may strike irrelevant allegations.

Complainant failed to appear for the February 11, 2025 scheduled prehearing conference and failed to comply with a Commission order to show good cause for his failure to appear. Therefore, as provided by the Commission's rules, his complaint will be dismissed.

Under Commission Rule 20 CSR 4240-2.070(14), the regulatory law judge shall cause the parties to be notified that the Commission's decision will be final unless an application for rehearing is filed. The application for rehearing must be filed with the Commission before the effective date of this order, which is April 11, 2025.¹ If the Commission denies the application for rehearing, the parties then have 30 days after the denial is issued to file an appeal with the court of appeals.² If the Commission grants the application for rehearing, then the Commission will order appropriate actions at that time.

THE COMMISSION ORDERS THAT:

1. For all the reasons stated above, the complaint of Dominic Mikel against Ameren Missouri is dismissed without prejudice.
2. If any party wishes to request a rehearing by the Commission, such request must be filed no later than April 10, 2025.
3. This order shall become effective on April 11, 2025.
4. This file shall be closed on April 12, 2025.

BY THE COMMISSION



A handwritten signature in black ink that reads "Nancy Dippell".

Nancy Dippell
Secretary

Hahn, Ch., Coleman, Kolkmeier,
and Mitchell CC., concur.

Fewell, Regulatory Law Judge

¹ Section 386.500, RSMo 2016, and Section 386.515, RSMo (Supp. 2024).

² Section 386.510, RSMo (Supp. 2024).

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 12th day of March 2025.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

March 12, 2025

File/Case No. EC-2025-0139

MO PSC Staff

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

**Office of the Public Counsel
(OPC)**

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opc@opc.mo.gov

Dominic Mikel

Dominic Mikel
2617 Hampton Road
St. Charles, MO 63303
kayakd22@gmail.com

MO PSC Staff

Tracy Johnson
200 Madison Street
Jefferson City, MO 65101
tracy.johnson@psc.mo.gov

Union Electric Company

Carla Fields Johnson
300 E. 39th Street
Kansas City, MO 64111
cfields@fieldsandbrown.com

Union Electric Company

Jennifer Hernandez
1901 Chouteau Avenue
Saint Louis, MO 63103
jhernandez2@ameren.com

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Nancy Dippell
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.