

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Case No. EC-2026-0004

**MOTION TO VACATE VOID NOTICE THAT PLEADING WAS
REJECTED**

COMES NOW Complainant Brett Felber, pro se, and for his Motion to Vacate the Commission's December 30, 2025 "Notice That Pleading Was Rejected," states as follows:

1. On December 30, 2025, the Commission issued a Notice That Pleading Was Rejected, signed by the Secretary and attributed to the Senior Regulatory Law Judge by delegation. The Notice summarily rejected Complainant's Application for Rehearing as untimely.
2. The Notice fails to cite any Missouri statute, Commission rule, regulation, or tariff authorizing rejection of a rehearing application, in violation of §536.090, RSMo.
3. Section 386.500, RSMo governs applications for rehearing and does not authorize summary rejection by the Secretary or delegation of such determinations as ministerial acts.
4. Reliance on §386.240, RSMo is improper, as rehearing determinations are substantive adjudications and not ministerial or procedural actions subject to delegation.
5. The Notice contains no findings of fact or conclusions of law as required by §536.090, RSMo, and therefore constitutes an ultra vires act and is void ab initio.
6. Issuance of the Notice without cited authority or due process violates Article I, §10 of the Missouri Constitution and the Fourteenth Amendment to the United States Constitution.

WHEREFORE, Complainant respectfully requests that the Commission VACATE the December 30, 2025 Notice That Pleading Was Rejected, acknowledge its legal nullity, and grant such other and further relief as justice requires.

Respectfully submitted,

Brett Felber, Pro Se

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[REDACTED]
[REDACTED]
[REDACTED]

Dated: December 30, 2025