

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

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**Brett Felber and Lisa Lambert,**  
Complainants,

Case No. EC-2026-0218

v.

**Union Electric Company d/b/a Ameren Missouri,**  
Respondent.

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**COMPLAINANTS' MOTION FOR DEFAULT SUMMARY DETERMINATION  
AND FOR ENTRY OF ORDER GRANTING RELIEF REQUESTED IN PRIOR MOTIONS**

COMES NOW Complainants Brett Felber and Lisa Lambert, appearing *pro se*, and pursuant to Commission Rule 20 CSR 4240-2.117 (Summary Disposition), 20 CSR 4240-2.080, and all other applicable rules, statutes, and authority of the Missouri Public Service Commission, respectfully move the Commission for a Default Summary Determination in their favor on all pending motions filed by Complainants in this matter, and for entry of an Order granting the relief requested therein. In support of this Motion, Complainants state as follows:

**I. PROCEDURAL BACKGROUND AND FAILURE TO RESPOND**

1. Complainants filed their formal Complaint against Respondent Union Electric Company d/b/a Ameren Missouri alleging, among other things, violations of Respondent's tariffs, Commission rules, and applicable law concerning billing, payments, service disconnection, and customer rights.
2. Throughout this proceeding, Complainants have filed numerous substantive motions seeking various forms of relief. Key motions include, but are not limited to, the following (with filing dates):
  - (a) Motion for Summary Determination (filed May 13, 2026);
  - (b) Motion to Compel and Motion for Order Directing Compliance (filed May 15, 2026);
  - (c) Motion to Strike Respondent's Affidavit (filed April 20, 2026);
  - (d) Motion to Strike & Forensic Analysis Report Regarding Ameren Document (filed April 20, 2026);
  - (e) Motion to Compel (filed April 17, 2026);
  - (f) Motion for Sanctions, Findings of Violation, and Other Relief (filed April 10, 2026);
  - (g) Motion for Immediate Restoration of Utility Services and Expedited Hearing (filed April 8, 2026);
  - (h) Motion to Restore Service (filed April 8, 2026);
  - (i) Multiple additional motions, memoranda, and supporting filings from March and April 2026 detailing tariff violations and requesting specific relief.

3. Pursuant to Commission rules, including 20 CSR 4240-2.117(1)(C) (requiring responses to motions for summary determination within thirty (30) days) and general pleading response timelines under 20 CSR 4240-2.080 and related rules, Respondent was required to file timely written responses to these motions.

4. Despite having been properly served with all filings via the Commission's EFIS system, Respondent has failed to file any responses, answers, or oppositions to the majority of Complainants' pending motions, including the recent Motion for Summary Determination and Motion to Compel.

5. Under Commission Rule 20 CSR 4240-2.117(1)(C), Respondent had thirty (30) days from service to respond to Complainants' Motion for Summary Determination filed on May 13, 2026. As of the date of this Motion (May 18, 2026), that 30-day period has not yet expired. Nevertheless, Respondent has filed no response to date. For earlier motions filed in April 2026 (including the April 8, April 10, April 17, and April 20 motions), far more than thirty days have elapsed with no response whatsoever from Respondent.

6. Respondent's complete and ongoing failure to respond — even to the most recent motions — constitutes a waiver of any opposition, an admission of the facts asserted in Complainants' motions, and a concession that Complainants are entitled to the relief requested as a matter of law.

## **II. LEGAL STANDARD FOR DEFAULT SUMMARY DETERMINATION**

6. Commission Rule 20 CSR 4240-2.117 governs Summary Disposition. Subsection (1)(A) authorizes any party to request summary determination by motion. Subsection (1)(E) provides that the Commission may grant a motion for summary determination "if the pleadings, testimony, discovery, affidavits, and memoranda on file show that there is no genuine issue as to any material fact and that any party is entitled to relief as a matter of law."

7. When a responding party fails to file a timely response to a properly supported motion, the Commission may treat the motion as unopposed. The facts set forth in the motion and supporting materials are deemed admitted for purposes of the motion. This is consistent with the purpose of the summary disposition rule, which is to provide for efficient disposition of matters where no genuine factual dispute exists.

9. Respondent's failure to respond to Complainants' motions — particularly the Motion for Summary Determination filed on May 13, 2026, and the Motion to Compel filed on May 15, 2026 — means there is no genuine issue of material fact in dispute with respect to the issues raised therein. Complainants are therefore entitled to summary determination as a matter of law.

9. Additionally, the Commission's general authority over its proceedings and the interest in orderly and efficient administration of justice support entry of default relief where a party has wholly failed to engage with pending motions.

## **III. COMPLAINANTS' MOTIONS ARE SUPPORTED BY RESPONDENT'S TARIFFS AND APPLICABLE LAW**

10. Complainants' prior motions and supporting documentation are grounded in Respondent's approved tariffs, Commission rules and regulations, and Missouri statutes governing electric utility service. These include, without limitation:

- (a) Provisions of Respondent's tariffs governing billing accuracy, payment application, billing dispute procedures, and customer notification requirements;
- (b) Tariff rules and Commission regulations concerning disconnection of service for non-payment, including notice requirements, payment arrangement options, and protections against improper disconnection;
- (c) Rules regarding restoration of service once payment or arrangements are made, including any applicable cold weather or other customer protection provisions;
- (d) General obligations of public utilities to provide safe, adequate, and reliable service without unjust discrimination or unreasonable practices.

**11.** Complainants have submitted extensive documentation, exhibits, communications logs, and forensic analysis supporting their allegations of tariff violations and improper conduct by Respondent. These materials remain unrebutted due to Respondent's failure to respond.

**12.** Because Respondent has not contested any of the factual or legal assertions in Complainants' motions, and because those assertions are supported by the tariffs and governing law, Complainants are entitled to the relief requested therein by default summary determination.

**IV. REQUEST FOR RELIEF**

**WHEREFORE, Complainants Brett Felber and Lisa Lambert respectfully request that the Commission:**

**A.** Enter a Default Summary Determination in favor of Complainants on all pending motions filed by Complainants in this matter, including but not limited to the Motion for Summary Determination (May 13, 2026) and Motion to Compel and for Order Directing Compliance (May 15, 2026);

**B.** Grant the relief requested in Complainants' prior motions, including without limitation: findings of tariff violations by Respondent; sanctions or other appropriate relief; compelled production of documents and information; restoration of utility services if still at issue; and such other orders as the Commission deems just and proper;

**C.** Award Complainants such other and further relief as the Commission deems appropriate, including but not limited to costs, fees, or other remedies authorized by law or tariff;

**D.** Set this matter for such further proceedings, if any, as the Commission may deem necessary to implement the relief granted herein.

Respectfully submitted this 18th day of May, 2026.

/s/ Brett Felber

**Brett Felber, Pro Se**

Complainant

[Redacted signature block]

/s/ Lisa Lambert  
**Lisa Lambert, Pro Se**  
Complainant

**CERTIFICATE OF SERVICE**

I hereby certify that on this 18th day of May, 2026, a true and correct copy of the foregoing *Complainants' Motion for Default Summary Determination and for Entry of Order Granting Relief Requested in Prior Motions* was served upon all parties of record in Case No. EC-2026-0218, including Respondent Union Electric Company d/b/a Ameren Missouri and the Office of the Public Counsel, via the Commission's Electronic Filing and Information System (EFIS) or by other authorized means.

/s/ Brett Felber  
Brett Felber