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CIVIL PROCEDURE FORM NO. 8-A(2)

IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

| | | |
|---|---|---|
| Judge or Division:<br>Missouri Public Service Commission | **Circuit Court Case Number:**<br>EC-2026-0156 | |
| Plaintiff/Petitioner:<br>City of Fulton, Hannibal Board of Public Works, Kirkwood Electric, City of Marceline, and City of New Madrid<br>vs. | Appellate Number: | ☐ Filing as an Indigent |
| | Date of Judgment/Decree/Order:<br>**(COPY ATTACHED) August 5, 2026 (effective September 4, 2026)** | Court Reporter: |
| | Date Post Trial Motion Filed:<br>September 1 and 12, 2026 (copies attached) | ☐ Sound Recording Equipment |
| Defendant/Respondent:<br>Union Electric Company d/b/a Ameren Missouri | Date Ruled Upon:<br>September 22 and 24, 2026 (copies attached) | The Record on Appeal will consist of:<br>____ Legal File only or<br>__x_ Legal File and Transcript |

(Date File Stamp)

# Notice of Appeal to Missouri Court of Appeals - Civil

District: ☒ Western ☐ Eastern ☐ Southern

Notice is given that Petitioners/Appellants appeals from the judgment/decree/order entered in this action on September 24, 2026.

| | |
|---|---|
| Appellant's Name<br>(See attached) | Respondent's Name<br>Union Electric Company d/b/a Ameren Missouri |
| Address<br>(See attached) | Address<br>One Ameren Plaza<br>1901 Chouteau Avenue<br>St. Louis, MO 63103 |
| Appellant's Attorney/Bar Number<br>Peggy A. Whipple/54758 Jacqueline M. Whipple/65270<br>Chandler Hiatt/75604 | Respondent's Attorney/Bar Number<br>James B. Lowery/40503 Wendy K. Tatro/60261 |
| Address<br>Healy Law Offices, LLC<br>3010 E. Battlefield, Ste A<br>Springfield, MO 65804<br>Dentons US, LLP<br>4520 Main St., Ste. 1100<br>Kansas City MO 64111-7700 | Address<br>JBL Law, LLC<br>9020 S. Barry Road<br>Columbia, MO 65201<br>Ameren Missouri<br>1901 Chouteau Ave, MC1310<br>St. Louis, MO 63103-6149 |
| E-mail Address<br>peggy@healylawoffices.com jacqueline.whipple@dentons.com<br>chandler.hiatt@dentons.com | E-mail Address<br>lowery@jbllawllc.com AmerenMOService@ameren.com |
| Telephone<br>(417) 864-7018 (816) 460-2432<br>(816) 460-2488 | Telephone<br>(573) 476-0050 (314) 861-1705 |

Brief Description of Case (May be completed on a separate page)

Petitioners/Appellants complained to the Commission that Ameren Missouri violated its Tariff and CCN by violating the federal law, as previously ruled by the United States District Court for the Eastern District of Missouri, that is incorporated into the Tariff and CCN, thus causing the early closure of the Rush Island Energy Center and the extraordinary prices in MISO Zone 5 that damaged Plaintiffs in the amount of $10,057,716.00.

Issues Expected To Be Raised On Appeal (May be completed on a separate page. Appellant is not bound by this list.)

The Commission erred by unlawfully and unreasonably dismissing Petitioners/Appellants' case on a motion not made by Ameren Missouri or the Commission, by advocating on behalf of Ameren Missouri, by rendering statutory Tariff language without effect and superfluous, by modifying Tariff language outside of the lawful process and to privilege some but not all persons under like circumstances, by nullifying an ordered paragraph of a multi-decade CCN to privilege Ameren Missouri over persons under like circumstances, by inserting chaos into the regulatory scheme for others governed by ordered paragraphs in Commission orders, by rendering an Order that is internally inconsistent

regarding the Commission's authority, and by abdicating the Commission's authority to have general supervision over Ameren Missouri.

**Docket Fee Information**

☐ The docket fee in the amount of $70.00 is being tendered with this notice of appeal.

☒ No docket fee is being tendered because:

- ☒ a docket fee is not required by law pursuant to RSMo Sec. 483.500.
- ☐ a motion to prosecute the appeal in forma pauperis has been or will be filed.
- ☐ a docket fee in the amount of $70.00 cannot be tendered at this time but will be submitted at a later date or this appeal will be subject to dismissal pursuant to Rule 84.08(a).

| Signature of Attorney or Appellant | Date |
|---|---|
| */s/ Jacqueline M. Whipple* | 10/21/2026 |

**Certificate of Service on Persons other than Registered Users of the Missouri eFiling System**

I certify that on October 21, 2026, a copy of the foregoing was sent to the following by facsimile, hand-delivery, electronic mail or U.S. mail postage prepaid to their last known addresses.

**PSC Staff**
Staff Counsel Department and Travis Pringle
staffcounselservice@psc.mo.gov
travis.pringle@psc.mo.gov

**Office of the Public Counsel**
opcservice@opc.mo.gov

**Ameren**
Jennifer Hernandez and Wendy Tatro
amerenmoservice@ameren.com
James Lowery
lowery@jbllawllc.com
Michael Tripp
tripp@jbllawllc.com

*/s/ Jacqueline M. Whipple*
Appellant or Attorney for Appellant

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**Directions to Clerk**

Transmit a copy of the notice of appeal and all attached documents to the clerk of the Court of Appeals and to any person other than registered users of the eFiling system in a manner prescribed by Rule 43.01. Clerk shall then fill in the memorandum below. See Rule 81.08(i). Forward the docket fee to the Department of Revenue as required by statute.

**Memorandum of the Clerk**

I have this day served a copy of this notice by ☐ regular mail ☐ registered mail ☐ certified mail ☐ facsimile transmission to each of the following persons at the address stated below. If served by facsimile, include the time and date of transmission and the telephone number to which the document was transmitted.

_____

_____

_____

_____

_____

I have transmitted a copy of the notice of appeal to the clerk of the Court of Appeals, _____ District.

☐ Docket fee in the amount of $70.00 was received by this clerk on _____ (date) which will be disbursed as required by statute.

☐ No docket fee was received.

_____ _____

Date Clerk

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## Additional Parties and Attorneys

List every party involved in the case not listed on page 1, indicate the position of the party in the circuit court (e.g. plaintiff, defendant, intervenor) and in the Court of Appeals (e.g. appellant or respondent) and the name of the attorney of record, if any, for each party. Attach additional pages to identify all parties and attorneys if necessary.

| Party Name | Attorney Name |
|---|---|
| City of Fulton, Complainant/Appellant | |
| Address | Address |
| 4th and Market Streets | |
| City, State, Zip Code | City, State, Zip Code |
| Fulton, MO 65251 | |
| | E-mail Address |
| | |
| | Telephone |
| | |
| Party Name | Attorney Name |
| City of Hannibal Board of Public Works, Complainant/Appellant | |
| Address | Address |
| #3 Industrial Loop Drive | |
| City, State, Zip Code | City, State, Zip Code |
| Hannibal, MO 63401 | |
| | E-mail Address |
| | |
| | Telephone |
| | |
| Party Name | Attorney Name |
| City of Kirkwood Electric, Complainant/Appellant | |
| Address | Address |
| 212 South Taylor Ave. | |
| City, State, Zip Code | City, State, Zip Code |
| Kirkwood, MO 63122 | |
| | E-mail Address |
| | |
| | Telephone |
| | |
| Party Name | Attorney Name |
| City of Marceline, Complainant/Appellant | |
| Address | Address |
| 116 N. Main Street | |
| City, State, Zip Code | City, State, Zip Code |
| Marceline, MO 64658 | |
| | E-mail Address |
| | |
| | Telephone |
| | |
| Party Name | Attorney Name |



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| City of New Madrid, Complainant/Appellant | |
|---|---|
| Address | Address |
| 560 Mott St | |
| City, State, Zip Code | City, State, Zip Code |
| New Madrid, MO 63869-1919 | |
| | E-mail Address |
| | |
| | Telephone |
| | |

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