

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

Darleen A. Hall,)	
Complainant,)	
)	
vs.)	Case No: EC-2015-0123
)	
Union Electric Company, d/b/a)	
Ameren Missouri,)	
Respondent.)	

ANSWER AND MOTION TO DISMISS

COMES NOW, Union Electric Company, d/b/a Ameren Missouri (“Ameren Missouri” or “Company”), and for its Answer to the Complaint filed in this proceeding, states as follows:

1. On November 17, 2014, Ms. Darleen A. Hall (“Complainant”), with a service address of 5357 Patton Ave., St. Louis, MO 63112 (“Patton Ave.”), initiated this proceeding by filing a complaint (the “Complaint”) with the Commission.
2. Any allegation of the Complaint not specifically admitted herein by the Company should be considered denied.
3. References to numbered paragraphs hereinafter refer to the numbered paragraphs of Complainant’s Complaint.
4. The Company admits the allegations of paragraph 1 of the Complaint.
5. In response to paragraph 2, the Company states as follows:
 - a. The Company is without sufficient knowledge to admit or deny that Complainant moved to Patton Ave. on August 3, 2014 and that the electric was not on and therefore denies the same.
 - b. The Company admits that Complainant contacted the Company to place service in her name.
 - c. The Company admits that Complainant told a Company representative that her brother, James E. Hall, had been living at Patton Ave. and had moved out.
 - d. The Company is without sufficient information to admit or deny that Complainant’s brother stayed at the Patton Ave. address from February 4, 2014 to August 3, 2014 and therefore denies the same.



- e. The Company admits that Complainant's mother died on February 4, 2014.
 - f. The Company admits that Complainant told a Company representative she was purchasing the property at Patton Ave. from Financial Freedom.
 - g. The Company is without sufficient knowledge to admit or deny that Complainant previously lived at 4486 San Francisco Ave. or 4868 Lee Ave. and therefore denies the same.
 - h. The Company admits that on August 6, 2014, Complainant told a representative that she had been living at 5927 Wabada.
 - i. The Company admits that Complainant attached a copy of a lease agreement for 4868 Lee Ave., St. Louis, MO and a notarized statement from Willie Brown, to the Complaint.
 - j. The Company denies the remaining allegations of paragraph 2.
6. In further answer the Company offers the following chronology of events:
- a. On January 10, 1985, service at Patton Ave. was placed in the name of Augusta Hall, and assigned account #xxxxx-xxxxx.
 - b. On February 18, 2014, a person identifying herself as Marilyn Hall contacted the Company to discuss a payment agreement for account #xxxxx-xxxxx. The caller did not mention that Augusta Hall had died on February 4, 2014.
 - c. On March 10, 2014, the Company received a pending pledge of \$xxx.xx from the Urban League for account #xxxxx-xxxxx. On March 21, 2014, the Company received a payment in the pledge amount.
 - d. Between February 26, 2014 and May 16, 2014, the Company received three telephone calls from an individual identifying herself as Augusta Hall.
 - e. In May 2014, the Company received a call from the Missouri Department of Social Services advising that Ms. Augusta Hall was deceased as of February 4, 2014. On May 29, 2014, the prior pledge payment of \$xxx.xx was debited from account #xxxxx-xxxxx and refunded to the State of Missouri.

- f. On May 28, 2014, service at Patton Ave. was disconnected for non-payment.
- g. On June 6, 2014, a final bill in the amount of \$x,xxx.xx was issued for account #xxxxx-xxxxx.
- h. On August 5, 2014, Complainant called to have service placed in her name at Patton Ave.
- i. On August 6, 2014, field personnel went to the Patton Ave. address and discovered electric utility service on via diversion at the meter. Personnel removed the meter and cut service at the pole to prevent the diversion from recurring.
- j. Later on August 6, 2014, Complainant called the Company and told a representative that her brother had been living at Patton Ave., but had moved out. A representative asked her to provide proof of ownership for review.
- k. On August 7, 2014, a revised final bill was issued in the amount of \$x,xxx.xx for account #xxxxx-xxxxx. This amount included the prior balance of \$x,xxx.xx and diversion charges totaling \$xxx.xx (\$xxx.xx tampering fee, \$xxx.xx meter charge, and \$xxx.xx estimated usage from May 28, 2014 through August 6, 2014, at \$xx a day for 40 days).
- l. On August 8, 2014, the Company advised Complainant that due to the diversion, the bill would need to be paid before service was reconnected.
- m. On August 11, 2014, Complainant filed an informal complaint with the Commission.
- n. In late August, Commission Staff contacted the Company on Complainant's behalf and advised that Complainant xxx xxxxxxxxx xx xx xxxxxxxx xxxx xxx xxxxxxxx and needed electricity for x xxxxx xxxxxx.
- o. On September 2, 2014, service was connected in Complainant's name under account #xxxxx-xxxxx ("Complainant's Account").
- p. On September 9, 2014, a bill in the amount of \$x,xxx.xx for Complainant's Account was issued to Complainant. This included a transferred balance from account #xxxxx-xxxxx in the amount of

\$x,xxx.xx (\$x,xxx.xx prior balance and \$xxx.xx diversion charge), electric lighting charge of \$x.xx, and an electric service charge of \$xx.xx.

- q. On October 6, 2014, the prior balance of \$x,xxx.xx from account #xxxxx-xxxxx was transferred from Complainant's Account back to account #xxxxx-xxxxx, reducing the balance of Complainant's Account to \$xxx.xx.
- r. On October 8, 2014, a bill in the amount of \$xxx.xx was issued for Complainant's Account. This bill included the \$xxx.xx for diversion charges, a past due amount of \$xx.xx, a late payment charge of \$xx.xx, electric lighting charge of \$xx.xx, and an electric service charge of \$xx.xx.
- s. On November 6, 2014, a bill in the amount of \$x,xxx.xx was issued for Complainant's Account. This included the diversion charge of \$xxx.xx, a past due amount of \$xxx.xx, late payment charge of \$xx.xx, electric lighting charge of \$xx.xx, and electric service charge of \$xxx.xx.
- t. On November 7, 2014, a payment of \$xx.xx was made on Complainant's Account, leaving a balance due of \$x,xxx.xx.

Motion to Dismiss

7. As noted above, on October 6, 2014, \$x,xxx.xx, the delinquent balance on account# xxxxx-xxxxx, was removed from Complainant's Account. On December 22, 2014, the Company chose to remove the diversion charge in the amount of \$xxx.xx from Complainant's Account, leaving a current balance of \$xxx.xx, which includes the previous balance of \$xxx.xx, a late payment charge of \$xx.xx, current electric lighting charge of \$xx.xx, and current electric service charge of \$xxx.xx.

8. In her prayer for relief, Complainant asks that the Company stop billing her for charges she did not use or receive service for and to bill her for the service that she is using. Both the delinquent balance in the amount of \$x,xxx.xx for account # xxxxx-xxxxx and the diversion charges of \$xxx.xx have now been removed from Complainant's Account such that the charges due for Complainant's Account (\$xxx.xx) reflect only those charges incurred by Complainant.

9. The Commission may dismiss a complaint for good cause. 4 CSR 240-2.116(4). Since Complainant's complaint regarding the prior balance and diversion charges billed to her has been resolved, the complaint is moot and good cause exists to dismiss it.

10. The following attorneys should be served with all pleadings in this case:

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WHEREFORE, Ameren Missouri respectfully requests that the Commission issue an order dismissing Complaint's Complaint as moot.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Answer was served on the following parties via electronic mail (e-mail) on this 22nd day of December, 2014.

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