

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Janet Parks,

Complainant,

v.

Missouri Gas Energy,
3420 Broadway
Kansas City MO 64111
CERTIFIED MAIL,

Respondent.

File No. GC-2011-0232

NOTICE OF CONTESTED CASE AND ORDER DIRECTING FILING

Issue Date: January 10, 2011

Effective Date: January 10, 2011

The Commission is giving notice that a contested case has begun and directing filings. On January 10, 2011, the complainant filed the complaint, a copy of which accompanies this notice. Such filing vested the right to a pre-decision evidentiary hearing in the respondent,¹ so that filing instituted a contested case.²

A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities and a decision without a hearing,³ including by stipulation and agreement.⁴ As an alternative to the formal evidentiary hearing procedure, the Commission offers mediation. Mediation is a voluntary process in which a neutral person assists the parties in exploring opportunities for settlement. Upon a request for mediation, the Commission may suspend the filing date set forth in this order.

¹ Section 386.390.5, RSMo 2000; *Jamison v. Dept. of Soc. Servs.*, 218 S.W.3d 399, 408-09 (Mo. banc 2007); *Mathews v. Eldridge*, 424 U.S. 319, 332 (1976).

² Sections 536.063(1), RSMo 2000; Section 536.010(4), RSMo Supp. 2009.

³ Sections 536.060, RSMo 2000.

⁴ *Id.* and 4 CSR 240-2.115.

Provisions governing discovery are at the Commission's regulation 4 CSR 240-2.090. The Commission's regulations⁵ require the filing of an answer not later than February 9, 2011.

The Commission will also set a filing date for Staff's report on the complaint.

THE COMMISSION ORDERS THAT:

1. The answer shall be filed no later than February 9, 2011.
2. The Commission's staff shall file its report no later than February 16, 2011.
3. This order shall be effective immediately on issuance.

(S E A L)

BY THE COMMISSION



Steven C. Reed
Secretary

Daniel Jordan, Regulatory Law Judge,
by delegation of authority under
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 10th day of January 2011.

⁵ 4 CSR 240-2.070(7) and (8).