STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service Commission held at its office in Jefferson City on the 5th day of October, 1984.

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| The Staff of the Missouri Public Service Commission, Complainant, vs. Rich Hill-Hume Gas Co., Inc., Respondent. | ) | Case No. GC-83-250 |

ORDER AND NOTICE OF VOLUNTARY DISMISSAL

On February 2, 1983, the Staff of the Missouri Public Service Commission (Staff) filed a complaint against Rich Hill-Hume Gas Company, Inc. (Respondent), alleging that Respondent was violating the Commission's Report and Order in Case Nos. GR-81-331 and GR-81-332 by failing to comply with the stipulated terms and conditions under which the Company had been granted a $3.13 monthly surcharge in those cases. Staff requested in its complaint that the Commission issue an order to Respondent that Respondent must abide by the conditions put forth in Case Nos. GR-81-331 and GR-81-332, and authorizing the Office of the General Counsel to file a penalty action against the Respondent for up to $45,800.

After filing an answer generally denying Staff's allegations, Respondent requested a prehearing conference in this matter which the Commission ordered set for February 24, 1984. On June 7, 1984, the Commission ordered Staff to file a report on the outcome of the February prehearing conference and ordered Staff either to request a hearing in the instant case or to request a dismissal, all by July 6, 1984. On July 6, 1984, the parties filed a joint

report of the outcome of the said prehearing conference. Staff also filed on July 6, 1984, a request for a hearing in the instant case. The Commission set the matter for hearing on October 9, 1984.

On October 3, 1984, Staff filed herein a Motion to Dismiss in which Staff stated its belief that a hearing in this matter no longer would serve any useful purpose. It is Staff's belief that specific actions and express commitments of Respondent, made subsequent to the order setting hearing, adequately address the items of concern underlying Staff's complaint.

The Commission has considered the Staff's motion and concludes that it is reasonable and should be granted.

It is, therefore,

ORDERED: 1. That Case No. GC-83-250 be, and is hereby, dismissed.

ORDERED: 2. That this Order shall become effective on the date hereof.

BY THE COMMISSION

Harvey D. Hubbs

Harvey G. Hubbs
Secretary

(S E A L)

Steinmeier, Chm., Musgrave, Mueller,
Hendren and Fischer, CC., Concur.