

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

Jon Livingston,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>Case No. SC-2008-0357</u></b>
	)	
Gene Smith,	)	
	)	
Respondent.	)	

**ORDER APPOINTING MEDIATOR**

Issue Date: June 11, 2008

Effective Date: June 11, 2008

Jon Livingston has filed a complaint against Gene Smith. On May 13, 2008, Mr. Smith requested mediation, to which Mr. Livingston agreed on June 4. As permitted by Commission Rule 4 CSR 240-2.125, the time for Mr. Smith to file an answer shall be postponed until after the mediation.

Pursuant to Commission Rule 4 CSR 240-2.125(2), the Commission hereby appoints Kennard L. Jones, Senior Regulatory Law Judge, as Mediator. The assigned Mediator will contact the parties in order to set up an initial mediation conference. Each party should be prepared to state his position informally to the Mediator at the initial conference. To aid the Mediator in scheduling, the parties shall call 573-751-8518, send an e-mail to [kennard.jones@psc.mo.gov](mailto:kennard.jones@psc.mo.gov), or write a letter providing a telephone number or e-mail address at which the party can be contacted. **No information or documents used for mediation shall be filed under this case number to ensure the impartiality of the Presiding Officer and the Commission should mediation fail to resolve the dispute.**

**IT IS ORDERED THAT:**

1. This case is stayed pending the outcome of mediation, which shall be conducted by Kennard L. Jones, Senior Regulatory Law Judge.
2. No later than June 23, 2008, Mr. Livingston and Mr. Smith shall provide a telephone number and e-mail address by calling, e-mailing, or sending a letter to the Mediator as set out above.
3. This order shall become effective on June 11, 2008.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo, 2000.

Dated at Jefferson City, Missouri,  
on this 11th day of June, 2008.