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**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 12th
day of November, 1997.

In the matter of the Application of)	
MAXCO, Inc. for a Certificate of)	
Convenience and Necessity Authorizing)	
it to Construct, Install, Operate and)	<u>Case No. SA-97-145</u>
Maintain a Sewer System and to Supply)	
and Render Sewer Service to the Public)	
Located in and around an Unincorporated)	
Area in Taney County, Missouri.)	

**ORDER ACKNOWLEDGING DISMISSAL
AND CLOSING CASE**

On October 9, 1996, MAXCO, Inc. (Applicant) filed an application for a certificate of convenience and necessity authorizing it to construct and operate a sewer system in an unincorporated area in Taney County. On October 15 the Commission issued an Order and Notice and directed that requests to intervene be filed no later than November 15. No applications to intervene were filed.

On September 23, 1997, the Commission issued a notice to the parties stating that any recommended procedural schedule or stipulation and agreement should be filed no later than October 31, or the Commission would dismiss the application. On October 9 Applicant filed a Motion to Dismiss. Applicant requested that its application be voluntarily dismissed without prejudice because Taney County Sewer District is constructing collector sewer lines to the subject property to be completed by the spring of 1998.

An applicant may voluntarily dismiss an application or complaint without an order of the Commission at any time before prepared testimony has been filed or oral evidence has been offered by filing a

notice of dismissal with the Commission and serving a copy on all parties.¹ Therefore, this application has been dismissed pursuant to rule and the Commission determines that the case shall be closed.

IT IS THEREFORE ORDERED:

1. That case number SA-97-145 is closed.
2. That this order shall become effective on November 25, 1997.

BY THE COMMISSION



**Cecil I. Wright
Executive Secretary**

(S E A L)

Lumpe, Ch., Crumpton, Murray,
and Drainer, CC., concur.

George, Regulatory Law Judge

¹ 4 CSR 240-2.116(1).