

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

In the Matter of the Request by EMC of St.)	
Charles County, LLC for an Increase in)	
Operating Revenue)	<u>Case No. SR-2011-0183</u>

**NOTICE OF COMPANY’S WITHDRAWAL OF RATE INCREASE REQUEST AND
STAFF’S VERIFIED STATEMENT OF COMPANY’S WITHDRAWAL**

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and for its *Notice of Company’s Withdrawal of Rate Increase Request and Staff’s Verified Statement of Company’s Withdrawal*, states the following to the Missouri Public Service Commission (Commission):

1. On December 29, 2010, EMC of St. Charles County, LLC (EMC or Company) filed with the Commission a Rate Increase Request Letter, initiating the Small Utility Rate Case Procedure. *See* 4 CSR 240-3.050.

2. Commission Rule 4 CSR 240-3.050(23) states that “[i]f at any time after a case is opened . . . the utility advises the staff that it no longer wishes to pursue an increase, the staff shall file a verified statement to that effect in the case file, whereupon the regulatory law judge shall issue a notice closing the case.”

3. On March 12, 2011, Staff received notification that EMC no longer wishes to pursue a revenue increase in this matter. *See* Exhibit A.

4. Attached hereto is a verified statement in the form of an Affidavit of James M. Russo, Rate and Tariff Examination Supervisor, in Staff’s Water and Sewer Department, affirming that Staff has been advised that the Company no longer wishes to pursue an increase in the matter. *See* Exhibit B.

WHEREFORE, the Staff respectfully request that, pursuant to 4 CSR 240-3.050(23), the regulatory law judge issue a notice closing this case.

Respectfully submitted,

/s/ Samuel D. Ritchie

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been provided, either by first-class mail, by electronic mail, by facsimile transmission or by hand-delivery, to each attorney and/or party of record for this case on this 17th day of March, 2011.

/s/ Samuel D. Ritchie