

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

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

NOTICE REGARDING MEDIATION

Issue Date: August 7, 2008

On July 29, 2008, the parties to this matter attended mediation. At the conclusion of the mediation, Jon Livingston decided not to pursue this matter. He was, however, reluctant to dismiss his complaint until certain other factors have fallen into place. In light of Mr. Livingston's decision, the Commission will not require Gene Smith to file an answer. Rather, the Commission will, in no less than 30 days, allow Mr. Livingston an opportunity to file a pleading moving the Commission to require Mr. Smith to file an answer.

If Mr. Livingston has not done so, then the Commission will issue an order directing Mr. Livingston to file a pleading informing the Commission of whether he wishes to pursue the matter. If Mr. Livingston does not respond to the Commission's order directing filing,

the Commission may presume that he does not wish to pursue the complaint and may dismiss this complaint.

BY:

Kennard Jones
Mediator
Senior Regulatory Law Judge

Dated at Jefferson City, Missouri,
on this 7th day of August, 2008.