

**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 DIRECTING FILING**

Issue Date: September 16, 2008

Effective Date: September 16, 2008

Jon Livingston has a pending complaint against Gene Smith concerning sewer service. Mr. Smith requested mediation, Mr. Livingston agreed, and a Mediator was appointed. The parties met with the Mediator on July 29, 2008. On August 7, 2008, the Mediator notified the Commission that Mr. Livingston had decided not to pursue the matter but was reluctant to dismiss his complaint until certain other factors had fallen into place. Mediation ended and the case returned to the Commission for action.

In light of Mr. Livingston's decision, the Commission did not require Mr. Smith to file an answer to the complaint at that time, but allowed Mr. Livingston 30 days to notify the Commission if he wished to pursue the complaint further. To date, Mr. Livingston has not responded. The Commission will direct Mr. Livingston to notify the Commission in writing whether he wishes to pursue this matter further or to dismiss the complaint. If Mr. Livingston does not respond, the Commission may presume that he does not wish to pursue the complaint and may dismiss it.

**IT IS ORDERED THAT:**

1. No later than October 6, 2008, Jon Livingston shall notify the Public Service Commission in writing whether he wishes to pursue his complaint further or to dismiss it.
2. This order shall become effective upon issuance.

**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 16th day of September, 2008.