

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

|  |   |                       |
|--|---|-----------------------|
| The Staff of the Missouri Public Service Commission, | ) |                       |
|  | ) |                       |
|  | ) |                       |
| Complainant,   | ) |                       |
|  | ) | Case No. WC-2008-0331 |
| v.   | ) |                       |
|  | ) |                       |
| Universal Utilities, Inc., and Nancy Carol Croasdel, | ) |                       |
|  | ) |                       |
| Respondents.   | ) |                       |

**STAFF’S MOTION TO DISMISS**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff), through Counsel, and pursuant to 386.410 RSMo (2000) and 4 CSR 240-2.116, respectfully requests the Missouri Public Service Commission (Commission) to dismiss the above-caused action. For its Motion, Staff states the following:

1. On April 8, 2008, Staff filed its Complaint against Respondents for failure to produce books, accounts, papers or records of their Missouri operations for examination by Staff.
2. Section 386.450 allows the Commission to order any corporation, person, or public utility to produce documents of its jurisdictional operations for inspection by Commission staff.
3. Respondents and David Brown, Counsel for Respondents, have represented to Staff, and it is Staff’s best information, knowledge and belief that, as of August 22, 2008, Respondents ended operations within Missouri, therefore inspection of their documents is unnecessary at this time.
4. 4 CSR 240-2.116 allows a complainant to voluntarily dismiss an application without a Commission order “....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.”

5. Neither party has offered testimony, nor has oral evidence been taken in this matter.

**WHEREFORE**, the Staff, through Counsel, requests the above-caused action be dismissed.

Respectfully Submitted,

**/s/ Jennifer Hernandez**

Jennifer Hernandez

Legal Counsel

Missouri Bar No. 59814

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Missouri Public Service Commission

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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing was served upon all interested parties via US Mail, electronic mail, or facsimile on this 8<sup>th</sup> day of January, 2009.

**/s/ Jennifer Hernandez**