

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Office of the Public Counsel,)	
)	
Complainant,)	
)	
v.)	<u>Case No. WC-2007-0038</u>
)	
Central Jefferson County Utilities, Inc.,)	
)	
Respondent.)	

ORDER DISMISSING COMPLAINT

Issue Date: June 21, 2007

Effective Date: July 2, 2007

On July 26, 2006, the Office of the Public Counsel filed an “overearnings” complaint against Central Jefferson County Utilities, Inc.¹ Central Jefferson answered on August 30, denying OPC’s allegations.

On February 8, 2007, in Case No. SO-2007-0071, the Commission approved Central Jefferson’s request to sell certain water and sewer assets to Jefferson County Public Sewer District. In response to a Commission order, both Central Jefferson and Staff suggested that this case could become moot, depending upon when Central Jefferson finally closes the above-referenced sale to Jefferson County Public Sewer District.

On June 7, 2007, Central Jefferson filed a Status Report and Motion to Dismiss. Central Jefferson claims that the transactions authorized in Case No. SO-2007-0071 were completed on June 1, 2007. Further, Central Jefferson states that its assets were

¹ By separate order, the Commission consolidated a similar complaint that OPC had against Central Jefferson’s sewer operations into this case.

transferred, and that because it no longer operates water or sewer properties, OPC's overearnings complaint is moot, and should be dismissed.

On June 19, both Staff and OPC stated that on June 18, the Commission canceled Central Jefferson's certificate and tariffs in Case No. SO-2007-0071, and that Central Jefferson no longer provides water or sewer service. Therefore, they do not oppose Central Jefferson's motion.

Commission Rule 4 CSR 240-2.116(1) governs dismissal of complaints. That rule states that once prepared testimony has been filed, which has been done in this case, a complainant may be dismissed only by leave of the Commission or by written consent of the adverse parties. Here, all of the parties have given written consent to the dismissal. Therefore, the Commission will dismiss the complaint.

IT IS ORDERED THAT:

1. The complaint filed by the Office of the Public Counsel is dismissed.
2. This order shall become effective on July 2, 2007.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Ronald D. Pridgin, Senior Regulatory Law
Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 21st day of June, 2007.