

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

The Staff of the Missouri Public Service Commission,	)	
	)	
	)	
	)	
v.	)	Case No. WC-2008-0126
	)	
Delmic, Inc., Delbert C. Jacobs, and	)	
Michelle Fanning-Jacobs,	)	
	)	
Respondents.	)	

NOTICE OF VOLUNTARY DISMISSAL

COME NOW the Staff of the Missouri Public Service Commission ("Staff") and for its Notice of Voluntary Dismissal states to the Missouri Public Service Commission ("Commission") as follows:

1. On April 6, 2009, the City of Columbia, Missouri passed an ordinance, with no. 020226, "authorizing the owner of Blue Acres Mobile Home Park, to resell water service to tenants...." See Attachment A. Specifically, this ordinance requires the owner to "charge all tenants at the same rate for water services"; not charge for common water usage; and only charge tenants the fractional part of the city's charges to the owner, among other conditions.

2. Therefore, Staff voluntarily dismisses its Complaint filed against Delmic, Inc.; Delbert C. Jacobs, and Michelle Fanning-Jacobs, pursuant to Commission Rule 4 CSR 240-2.116(1) as no testimony has been filed or oral evidence offered in this case.

WHEREFORE, the Staff respectfully submits this Notice of Voluntary Dismissal to the Commission.

Respectfully Submitted,

/s/ Shelley Syler Brueggemann
Shelley Syler Brueggemann
Missouri Bar No. 52173

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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 8th day of April 2009, to:

Christina Baker
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Governor's Office Building
200 Madison Street
P.O. Box 7800
Jefferson City, Missouri 65102

Brian T. McCartney
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Attorneys for Delmic, Inc., and
Delbert C. Jacobs, and Michelle Fanning-Jacobs
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Jefferson City, MO 65102-0456

/s/ Shelley Syler Brueggemann

020226

Permanent Record
Filed in Clerk's Office

Introduced by Hirdman

First Reading 3-16-09

Second Reading 4-6-09

Ordinance No. 020226

Council Bill No. B 68-09

AN ORDINANCE

authorizing the owner of Blue Acres Mobile Home Park, to resell water service to tenants; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Delmic, Inc., the owner of Blue Acres Mobile Home Park (hereinafter "Owner"), is hereby authorized to resell water service to tenants at Blue Acres Mobile Home Park subject to the following conditions:

- A. Owner shall, at its sole expense, submeter the water distribution line of each tenant.
- B. Owner shall charge all tenants at the same rate for water services.
- C. Owner shall not charge tenants for common water usage. "Common water usage" is the difference between the amount of water metered by the City to Blue Acres Mobile Home Park and the total amount of water submetered by Owner to Blue Acres Mobile Home Park.
- D. The amount charged each tenant for water service shall be a fractional part of the City's charges to Owner for water used by Blue Acres Mobile Home Park tenants, including payment in lieu of tax and applicable sales tax. The numerator of the fraction shall be the tenants' water usage measured in cubic feet, and the denominator shall be the total of all tenants' water usage measured in cubic feet.
- E. Owner shall maintain within the City of Columbia adequate records for the purpose of determining compliance with this ordinance and all other ordinances and regulations of the City of Columbia pertaining to resale of utility services.
- F. Owner shall advise the City Manager of the location of its records pertaining to the resale of Columbia water services and shall make such records available to the City Manager or his designee at any time during normal City business hours.

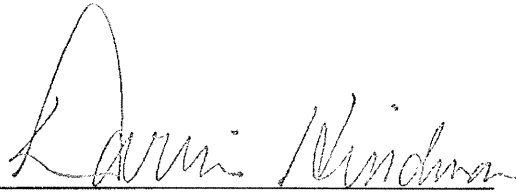
SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this 6th day of April, 2009.

ATTEST:



City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor