

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

The Staff of the Missouri Public Service  
Commission,

Complainant,

v.

Central Jefferson County Utilities, Inc.,  
Raintree Plantation, Inc.,  
Jeremiah Nixon, Kenneth McClain,  
Norville McClain, and the  
Norville McClain Trust,

Respondents.

**Case No. WC-2007-0394, et al.**

**NOTICE ACKNOWLEDGING DISMISSAL OF COMPLAINT AND  
CLOSING CASE**

Issue Date: September 11, 2008

On April 13, 2007, the Commission's Staff filed the instant complaint action. The matter has undergone a very complex procedural history, and on September 8, 2008, prior to the filing of any testimony or the admission of any evidence, Staff filed a Notice of Voluntary Dismissal pursuant to Commission Rule 4 CSR 240-2.116(1). Staff notes that insufficient time now exists pursuant to the applicable statute of limitations to prosecute the complaint and seek penalties with the Circuit Court. Staff served a copy of its voluntary dismissal on all parties to this matter.

Commission Rule 4 CSR 240-2.116(1) provides as follows:

(1) An applicant or complainant may voluntarily dismiss an application or

complaint without an order of the commission at 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. Once evidence has been offered or prepared testimony filed, an applicant or complainant may dismiss an action only by leave of the commission, or by written consent of the adverse parties.

No prepared testimony or oral evidence has been offered in this case, and Staff has served a copy of this notice on all parties of record. Therefore, the Commission acknowledges that Staff has voluntarily dismissed its complaint. Nothing remains for decision by the Commission and this case may be closed.

**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)

Dated at Jefferson City, Missouri,  
on this 11<sup>th</sup> day of September, 2008.

Stearley, Senior Regulatory Law Judge