

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

Director of the Manufactured Housing and)
Modular Units Program of the Missouri)
Public Service Commission,)

Complainant,)

v.)

Brookside Homes, Inc.,)

and)

Steven D. Warren, an individual,)

Respondents.)

Case No. MC-2009-0127

NOTICE OF DISMISSAL OF CASE

COMES NOW the Director of the Manufactured Housing and Modular Units Program of Missouri Public Service Commission (Director), by and through counsel, and for his Notice of Dismissal of Case states as follows:

1. On October 7, 2008, the Director filed with the Missouri Public Service Commission (the Commission) a Complaint against Brookside Homes, Inc. (Brookside) and the individual Steven D. Warren¹ (Warren). On January 20, 2009, the Director filed his Second Amended Complaint, again naming both Brookside and Warren as respondents.

2. On October 5, 2009, the Director filed his Notice of Dismissal of Counts II and III, and of Respondent Steven D. Warren, voluntarily dismissing Count II and Count III of the Director's Second Amended Complaint and voluntarily dismissing the Respondent Steven D. Warren, and from Count I.

¹ The Director's Complaint incorrectly named Steven "G." Warren as a respondent to this action. This error was the subject of, and corrected by, an Amended Complaint, filed on October 27, 2008.

3. Commission Rule 4 CSR 240-2.116 provides in relevant part 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.

4. No testimony has been filed and no oral evidence has been offered in this matter.

Therefore, pursuant to Commission Rule 4 CSR 240-2.116 and based upon information and belief that the Respondent Brookside Homes, Inc. is no longer engaged in the sale or distribution of new manufactured homes, the Director now voluntarily dismisses Case No. MC-2009-0127 in its entirety.

WHEREFORE, pursuant to Commission Rule 4 CSR 240-2.116, the Director submits this Notice of Dismissal of Case for the Commission's information and requests that the Commission issue an order closing Case No. MC-2009-0127.

Respectfully submitted,

/s/ Eric Dearmont

Eric Dearmont

Assistant General Counsel

Missouri Bar No. 60892

Attorney for the Staff of the
Missouri Public Service Commission

P. O. Box 360

Jefferson City, MO 65102

(573) 751-5472 (Telephone)

(573) 751-9285 (Fax)

eric.dearmont@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 9th day of March, 2010.

/s/ Eric Dearmont