

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

In the Matter of the Application of Old)
National Bank for the Authority to Seize) File No. WM-2012-0314
the Assets of Tri States Utility, Inc.)

**OLD NATIONAL BANK’S NOTICE OF DISMISSAL
AND REQUEST FOR WITHDRAWAL OF COMMISSION ORDER**

COMES NOW the applicant herein, Old National Bank (“Old National”), and withdraws its Application filed herein on the 21st day of March, 2012, and requests an Order of this Commission withdrawing its Order Dismissing Application and Initiating Investigation issued herein on the 18th day of October, 2012, to be effective on the 31st day of January, 2013.

1. Due to an agreement between Old National and Tri-States Utility, Inc., Old National withdraws its Application filed herein on the 21st day of March, 2012, and moves to dismiss this action without prejudice.

2. Commission Rule 4 CSR 240-2.116 provides that an applicant may voluntarily dismiss an application 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. No testimony has been filed herein and no hearing has been held.

3. In light of Old National’s withdrawal of its Application and voluntary dismissal of this action, Old National requests that the Commission withdraw its Order issued herein on the 18th day of October, 2012, and not allow said order to take effect on the 31st day of January, 2013.

4. This Request for Withdrawal of Commission Order is supported by Tri-States Utility, Inc. The Office of the Public Counsel and the Staff of the Commission do not oppose the request.

WHEREFORE, Old National Bank respectfully withdraws its Application and dismisses its action without prejudice and requests that the Commission withdraw its Order issued herein on October 18, 2012, prior to the effective date of said Order. Old National requests such other and further relief as the Commission deems just and proper under the circumstances.

BRYDON, SWEARENGEN & ENGLAND P.C.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent via electronic mail on this 28th day of January, 2013, to all parties of record.

/s/ Diana C. Carter