

**FILED<sup>3</sup>****APR 24 2012**

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

**Missouri Public  
Service Commission**

Andrew G. Smith,

Complainant,

v.

Missouri-American Water Company,

Respondent.

File/Case No. WC-2012-0189

**MOTION TO DISMISS**

COMES NOW, Andrew G. Smith, Complainant, and moves that the above-captioned case number be dismissed from the docket of the Missouri Public Service Commission ("Commission"), as the parties to the Complaint have reached an agreement resolving the matter. In support of his Motion, Complainant states the following:

1. On December 14, 2011 Complainant filed a complaint with the Commission against the Missouri-American Water Company ("Respondent").
2. On March 8, 2012 the parties and Staff of the Commission participated in a procedural conference. Thereafter, the parties privately discussed settlement of the matter and have reached an agreement that resolves all issues related to this Complaint.
3. The parties have executed a Release and have preformed the mutual promises contained therein.
4. The parties are satisfied with the voluntary settlement of this matter.
5. Pursuant to the terms of the executed Release, Complainant has agreed to dismiss his Complaint and it is not his intention to reinstate the Complaint so long as the Respondent acts and continues to act in a manner consistent with the terms and intent of the Release. The parties shall bear their own costs.
6. The Staff, Complainant and Respondent are all in agreement that this matter has been resolved and may be dismissed.

WHEREFORE, Complainant respectfully requests that the Commission dismiss this formal Complaint and close this matter, as the Complaint has been resolved to the satisfaction of all parties and all parties have agree to request the matter be dismissed.

Respectfully submitted,



Andrew G. Smith, Complainant

**Certificate of Service**

The Complainant certifies that a true and correct copy of the foregoing was faxed and/or mailed postage prepaid the 23rd day of April, 2012 to:

Secretary of the Missouri  
Public Service Commission  
Attn: Data Center  
P.O. Box 360  
Jefferson City, MO 65102-0360

Mr. Frank Kartmann, President  
Missouri American Water Company  
727 Craig Road  
St. Louis, MO 63141