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

| In the Matter of Summit Natural Gas of | ) |                         |
|--|---|-------------------------|
| Missouri, Inc.'s Proposed Conversion   | ) | File No. GO-2013-0360   |
| Program Extension.                     | ) | Tariff No. JG-2013-0300 |

## SNG NOTICE OF WITHDRAWAL OF TARIFF SHEET AND MOTION FOR LEAVE TO DISMISS APPLICATION

**COMES NOW** Summit Natural Gas of Missouri, Inc. (SNG or Company) and, as its Notice of Withdrawal of Tariff Sheet and Motion for Leave to Dismiss Application, states as follows to the Missouri Public Service Commission (Commission):

- 1. On December 28, 2012, SNG submitted a proposed tariff sheet that was assigned Tariff No. JG-2013-0300. The Commission suspended the tariff sheet until March 30, 2012, and then, further suspended it for an additional period of 60 days beyond March 30, 2013, to May 30, 2013.
- 2. SNG hereby notifies the parties that it will withdraw the subject tariff sheet identified as Tariff No. JG-2013-0300.
- 3. SNG previously filed direct testimony on February 7, 2013, and an Application/Motion for Variance in this case on February 14, 2013.
  - 4. Commission Rule 4 CSR 240-2.116(1) states as follows:

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. 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 all the parties.

5. As a result of further review of the subject of this matter during the discovery process, SNG now believes that the subject matter would be better addressed within the context of the Company's next rate case.

6. Accordingly, SNG requests the Commission's leave to dismiss this matter. A grant of such leave will allow for a more economic use of resources for the Company, Staff and the Office of the Public Counsel.

**WHEREFORE**, SNG respectfully requests that the Commission acknowledge the withdrawal of the tariff sheets identified by Tariff No. JG-2013-0300, and grant SNG leave to dismiss its application in this case.

Respectfully submitted,

Dean L. Cooper

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ATTORNEYS FOR SUMMIT NATURAL GAS OF MISSOURI, INC.

## **CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail or by U.S. Mail, postage prepaid, on March 20, 2013, to the following:

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