

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

Kathleen Jones )  
 )  
 Complainant )  
 )  
 v. ) Case No. GC-2004-0248  
 )  
 Missouri Gas Energy, )  
 )  
 Respondent. )

**MOTION TO DISMISS COMPLAINT AND CLOSE CASE**

COMES NOW Missouri Gas Energy ("MGE"), a division of Southern Union Company, and for its Motion to Dismiss Complaint and Close Case, states to the Missouri Public Service Commission ("Commission") as follows:

**I. MOTION TO DISMISS COMPLAINT**

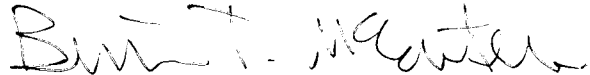
1. On March 5, 2004, the Commission issued its *Order Setting Prehearing Conference* in this matter and scheduled a prehearing conference for March 30, 2004.
2. Complainant failed to appear at the March 30, 2004 Prehearing Conference. Therefore, this case may be dismissed pursuant to 4 CSR 240-2.090 and 240-2.116.

**II. MOTION TO CLOSE CASE**

3. During the prehearing conference, counsel for Staff indicated that Staff had contacted Complainant and been told that the prior indebtedness has been paid.
4. MGE has confirmed that the prior indebtedness has been paid. Thus, there is no longer any controversy for the Commission to resolve, and this case should be closed.

WHEREFORE, MGE respectfully requests that the Commission issue an order dismissing the complaint and closing this case.

Respectfully submitted,



Dean L. Cooper                      Mo. Bar 36592  
Brian T. McCartney                Mo. Bar 47788  
Brydon, Swearingen & England P.C.  
312 East Capitol Avenue  
P.O. Box 456  
Jefferson City, MO 65102-0456  
573/635-7166  
Email: [bmccartney@brydonlaw.com](mailto:bmccartney@brydonlaw.com)

Attorneys for Missouri Gas Energy

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, hand-delivered, or sent via electronic mail on this 5<sup>th</sup> day of April, 2004, to all parties of record in this case.



Brian McCartney