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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 20th  
day of May, 1999.

In the Matter of the Application of West     )  
Elm Place Corporation for Permission to     )  
Sell Certain Assets Used and Useful by it     )  
in the Provision of Sewer Services to the     ) Case No. SM-99-193  
Public to Rock Creek Public Sewer District     )  
and to Cancel its Certificates of Public     )  
Convenience and Necessity.     )

ORDER CANCELING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY  
AND ORDER CANCELING TARIFFS

On April 22, 1999, the Commission authorized the sale of assets from West Elm Place Corporation (West Elm) to Rock Creek Public Sewer District (Rock Creek). The Commission also required West Elm to file notice informing the Commission of the closing of the sale of assets and required the Staff of the Commission (Staff) to file a status report regarding the balance of the Public Service Commission assessment owed to the Commission by West Elm.

On April 23, Staff filed a status report informing the Commission that West Elm had made timely quarterly payments of its original assessment totaling \$59,575. As a result of actions taken by the Commission in Case No. 00-99-44, West Elm's assessment was recently recalculated and reduced. On April 16, West Elm had submitted its final quarterly payment on its original assessment which would have been an

overpayment due to the recalculations. The payment received was returned to West Elm with directions to submit a new payment for the recalculated assessment amount.

On May 6, West Elm filed its Notice of Closing informing the Commission that the sale of the assets previously approved by the Commission had closed on Wednesday, May 5, 1999. In addition, West Elm indicated that a check for the current assessment in the amount of \$6,319.75 was mailed to the Commission on May 5.

On May 11, Staff filed its Motion to Close Case and Cancel Tariffs and Certificates of Public Convenience and Necessity with the Commission. Staff stated that a check was received from West Elm satisfying all current assessments on May 10. Staff requested that the Commission cancel West Elm's certificate of public convenience and necessity, cancel West Elm's tariffs and close this case.

The Commission finds that the parties are in compliance with its Order Approving Sale of Assets issued April 22 and that the certificates of public convenience and necessity and the accompanying tariffs of West Elm shall be canceled.

**IT IS THEREFORE ORDERED:**

1. That all certificates of public convenience and necessity previously granted to West Elm Place Corporation, along with its accompanying tariffs, are canceled.
2. That this order shall become effective June 2, 1999.

3. That this case may be closed after June 3, 1999.

**BY THE COMMISSION**

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive style with a large, stylized "D" and "R".

**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

Lumpe, Ch., Crumpton, Murray,  
Schemenauer, and Drainer, CC., concur

Register, Regulatory Law Judge

RECEIVED

MAY 20 1999

COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION