

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 19th  
day of March, 1991.

In the matter of Merriam Woods Water Company for )  
authority to file a tariff increasing the ) CASE NO. WR-91-258  
connection charge for new water service lines. )

ORDER GRANTING MOTION TO DISMISS

By an order issued January 18, 1991, the Commission suspended the tariffs involved herein and set a prehearing conference for February 28, 1991. The order also directed the parties to file a proposed procedural schedule on or before March 1, 1991. Although no one representing the Company appeared at the prehearing conference, the Commission Staff filed a timely recommended procedural schedule suggesting a hearing between the dates of March 28 and April 5, 1991.

On March 5, 1991, the Office of the Public Counsel (Public Counsel) filed its Motion To Dismiss. There has been no response by the Company to either the Staff's recommended procedural schedule or the Public Counsel's Motion To Dismiss.

The Public Counsel's motion states that the absence of any Company representative at the scheduled prehearing conference indicates an unwillingness to proceed further with this tariff proposal. In the alternative, Public Counsel requests a hearing be set consistent with the Staff's proposed procedural schedule.

In the Commission's opinion the Motion To Dismiss should be granted. The Commission is of the opinion that there is no reason to assume that the Company will respond to future orders in this matter anymore than it has responded to past orders.

IT IS THEREFORE ORDERED:

1. That the Motion To Dismiss filed herein by the Office of the Public Counsel on March 5, 1991, be granted; the tariffs filed herein on January 18, 1991, be disallowed; and no further proceedings shall be held herein.

2. That this Order shall become effective on the date hereof.

BY THE COMMISSION

*Brent Stewart*

Brent Stewart  
Executive Secretary

(S E A L)

Steinmeier, Chm., Mueller, Rauch,  
McClure and Letsch-Roderique, CC.,  
Concur.