STATE OF MISSOURI PUBLIC SERVICE COMMISSION

At a Session of the Public Service Commission held at its office in Jefferson City on the 21st day of September, 1993.

In the matter of the application of Cuivre River

Electric Service Company for permission, approval

and a certificate of convenience and necessity

authorizing it to construct, install, own, acquire,

operate, control, manage and maintain an electric

distribution system for the public located in

certain tracks of land annexed into the City of

Lake Saint Louis in St. Charles County, Missouri.

CASE NO. EA-89-117

ORDER OF DISMISSAL

On December 22, 1988, Cuivre River Electric Service Company (CRESCO) filed an application seeking a certificate of convenience and necessity authorizing it to construct, install, own, acquire, operate, control, manage and maintain an electric distribution system for the public located in certain tracts of land annexed into the City of Lake Saint Louis in St. Charles County, Missouri. On March 2, 1990, the Commission, upon CRESCO's motion, suspended this docket. On February 6, 1991, upon CRESCO's request to do so, the Commission reactivated this case and set a procedural schedule. On March 14, 1991, upon the motion of intervenor Union Electric Company, the Commission again suspended the proceedings in this case.

On June 11, 1993, in Case No. EM-93-167, the Commission approved the sale of CRESCO's assets and franchise to Cuivre River Electric Cooperative, Inc. and canceled CRESCO's certificate of convenience and necessity. On August 25, 1993, the Hearing Examiner for this case sent a letter to CRESCO's attorney informing him that CRESCO's application would be dismissed unless a response outlining good cause for not taking action was filed within ten days. No response from CRESCO or its attorney has been filed.

The Commission finds that CRESCO has failed to prosecute its application and has therefore abandoned it. The Commission also finds that CRESCO no longer exists as an electric utility in Missouri. Thus, the Commission determines that CRESCO's application should be dismissed.

IT IS THEREFORE ORDERED:

- 1. That the application filed in this case by Cuivre River Electric Service Company is hereby dismissed.
 - 2. That this Order shall become effective on October 1, 1993.

BY THE COMMISSION

David L. Rauch

Executive Secretary

(SEAL)

Mueller, Chm., McClure, Perkins, and Kincheloe, CC., Concur. Crumpton, C., Absent.