

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a session of the Public Service  
Commission held at its office  
in Jefferson City on the 13th  
day of January, 1993.

Juanita D. Carter,	)	
	)	
Complainant,	)	
	)	
v.	)	<u>Case No. WC-93-213</u>
	)	
St. Louis County Water Company,	)	
	)	
Respondent.	)	
	)	

ORDER OF DISMISSAL

On December 31, 1992, Juanita Carter (Complainant) filed a complaint against St. Louis County Water Company (SLCWC) alleging that SLCWC had wrongfully billed Che' Dora's Boutique, Inc. in the amount of \$31.38 for the period from April 22, 1992 to June 15, 1992. On January 8, 1993, SLCWC answered the complaint by filing an Answer And Motion To Dismiss stating therein, *inter alia*, that Che' Dora's Boutique, Inc. is a corporation and that the complaint is signed by an individual who has not alleged that she is an officer of Che' Dora's Boutique, Inc., or that she is an attorney.

4 CSR 240-2.070 states in subsection (5)(E): "The complaint shall contain the following information: ... If one (1) person asserts authority to speak or act on behalf of others, the source of that authority shall be stated."  
4 CSR 240-2.080 states in section (5): "All pleadings shall be signed by one of the following methods: ... if a firm, partnership, corporation or public utility, by the attorney representing same...."

Also, by letter of December 14, 1989 from SLCWC, due to a history of complaints, SLCWC informed Complainant:

In short, for one last time, I will satisfy your contention by instructing our billing department to begin your billing

on October 13, 1989 which you now contend should be the beginning of your billing period, but only on one condition. This condition is that henceforth no oral instructions will be accepted from you until verified by you in writing. Regardless of whether you accept or reject this offer, in the future no further accommodations will be made to satisfy your complaints unless the Company has not acted properly or legally.

The Commission determines, based upon the pleadings, that the Complainant has only alleged some harm to a corporation, Che' Dora's Boutique, Inc., and has not alleged any personal authority to act in behalf of said corporation. Furthermore, Complainant has not attached any proof of written instruction to discontinue service as was requested of Complainant by SLCWC in its letter dated December 14, 1989. This is not controlling at this point but could constitute proper action by SLCWC pursuant to 4 CSR 240-13.050, Discontinuance of Service, for a violation of subsection (1)(D) therein for "[f]ailure to comply with the terms and conditions of a settlement agreement".

**IT IS THEREFORE ORDERED:**

1. That this complaint is hereby dismissed.
2. That this order shall become effective on the 26th day of January, 1993.

BY THE COMMISSION

*Brent Stewart*

Brent Stewart  
Executive Secretary

(S E A L)

McClure, Chm., Mueller, Rauch,  
Perkins and Kincheloe, CC., concur.