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February 22, 2006

FILED<sup>2</sup>

FEB 22 2006

Missouri Public  
Service Commission

Ms. Colleen M. Dale  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

Re: Application of SPB Holdings, LLC, d/b/a State Park Village Wastewater Treatment System, a Certificate of Convenience and Necessity Authorizing it to Construct, Install, Own, Operate, Control, Manage and Maintain Sewer System for the public, located on an unincorporated area in Johnson County, Missouri  
Case No. SA-2006-0023

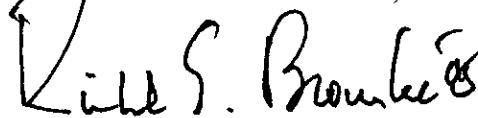
Dear Ms. Davis:

Enclosed please find the original and eight (8) copies of a Motion to Dismiss without Prejudice in the above-captioned matter.

If you should have any questions concerning this filing please give me a call.

Very truly yours,

HENDREN AND ANDRAE, L.L.C.



Richard S. Brownlee III

RSB/s

Enclosures

cc: Office of Public Counsel  
All Counsel of Record

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

**FILED<sup>2</sup>**  
FEB 22 2006  
Missouri Public  
Service Commission

In the matter of the application of SPB )  
Holdings, LLC, d/b/a/ State Park Village )  
Wastewater Treatment System, a )  
Certificate of Convenience and Necessity ) Case No SA-2006-0023  
authorizing it to construct, install, own, )  
operate, control, manage and maintain sewer )  
system for the public, located on an )  
unincorporated area in Johnson County, Missouri )

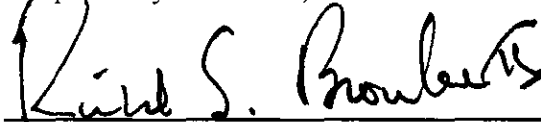
**MOTION TO DISMISS WITHOUT PREJUDICE**

**COMES** now SPB Holdings, LLC, d/b/a State Park Village Wastewater Treatment System (Applicant), by Hendren and Andrae, LLC, Richard S. Brownlee and for its Motion to Dismiss without prejudice states:

1. The principal in the above-captioned matter has deceased and the assets of applicant are being sold to another entity that will potentially file a new application for a Certificate of Convenience and Necessity.

**WHEREFORE**, Applicant respectfully requests that an Order of Dismissal Without Prejudice be granted.

Respectfully submitted,



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ATTORNEY FOR SPB HOLDINGS, LLC