

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

In the Matter of Janice Shands,)	
)	
Complainant,)	
v.)	<u>File No. SC-2015-0044</u>
)	
Metropolitan St. Louis Sewer District,)	
)	
Respondent.)	

STAFF'S MOTION TO STRIKE

COMES NOW, Staff of the Missouri Public Service Commission and moves the Commission to strike the pleading filed by attorney Susan Mello entitled "Response to Staff Motion to Dismiss" on September 5, 2014 on behalf of the Complainant. The purported pleading fails to comply with 4 CSR 240-2.080(4) in that it fails to "include a clear and concise statement of the relief requested, a specific reference to the statutory provision or other authority under which relief is requested, and a concise statement of the facts entitling the party to relief". In support of this Motion Staff states as follows:

1. On September 5, 2014 the Complainant's attorney filed a responsive pleading to Staff's previously filed Motion to Dismiss. The document filed is neither clear nor concise, and the "wherefore" clause which seeks the relief sought, is then followed by several blank pages and another "wherefore" clause which asks for no relief.

2. A motion to strike permits the Commission to strike from any pleading any "insufficient defense or any redundant, immaterial, impertinent or scandalous matter".

3. Staff avers that the filed pleading both violates Commission standards on pleadings as well as being impertinent.

WHEREFORE, for the foregoing reasons, Staff respectfully requests that the Commission strike the responsive pleading filed by Complainant's attorney on September 5, 2014 and for other and further relief as proper in the instant matter.

Respectfully submitted,

/s/ Cydney D. Mayfield

Cydney D. Mayfield
Missouri Bar Number 57569
Senior Counsel
Attorney for Staff of the
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
573-751-4227 (Voice)
573-526-6969 (Fax)
cydney.mayfield@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by First Class United States Mail, postage prepaid, on this the 8th day of September, 2014, to the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

/s/ Cydney D. Mayfield