

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

STAFF OF THE MISSOURI)
PUBLIC SERVICE COMMISSION,)
)
Complainant,)
)
v.)
)
PACIFIC CENTREX SERVICE, INC.)
)
Respondent.)

File No. TC-2009-0377

ORDER TO SHOW CAUSE

Issue Date: May 22, 2009

Effective Date: May 2, 2009

The Missouri Public Service Commission is ordering Pacific Centrex Service, Inc., ("Pacific Centrex") to show cause why the Commission should not issue an order of default against Pacific Centrex.

On April 16, 2009, the Commission's staff ("Staff") filed the complaint. On April 20, 2009, the Commission issued an order requiring Pacific Centrex to file an answer no later than May 20, 2009. As of the date of this order, Pacific Centrex has filed no answer. Such facts support the entry of a default against Pacific Centrex:

If the respondent in a complaint case fails to file a timely answer, the complainant's averments may be deemed admitted and an order granting default entered. [¹]

Before the Commission takes action under that provision, Pacific Centrex may show cause why the Commission should not do so.

¹ 4 CSR 240.070(9).

To show cause why the Commission should not dismiss the complaint, Pacific Centrex must respond to this order by filing an answer and showing cause why the Commission should accept such answer out of time and not enter an order of default. If Pacific Centrex does so, the Commission may schedule a hearing to gather evidence on which to decide the complaint. If Pacific Centrex does not comply with this order, the Commission may deem the allegations in the complaint admitted and decide the case on that basis.

THE COMMISSION ORDERS THAT:

1. No later than June 15, 2009, Pacific Centrex Distributing, Inc., shall file an answer to the complaint, and show cause why the Commission should accept the late filing and not issue an order of default against Pacific Centrex.

2. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Daniel Jordan, Regulatory Law Judge,
by delegation of authority under
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 22nd day of May 2009.