

RICHARD S. BROWNLEE III
MICHAEL A. DALLMEYER
DOUGLAS L. VAN CAMP
JOHN W. KUEBLER
SARA C. MICHAEL
RODNEY D. GRAY
SHANE L. FARROW
KEITH A. WENZEL
KELLIE R. BERTELS
DANIEL W. FOLLETT
CARI D. COLLINS

HENDREN AND ANDRAE, L.L.C.
ATTORNEYS AT LAW

RIVERVIEW OFFICE CENTER
221 BOLIVAR STREET, SUITE 300
P.O. BOX 1069
JEFFERSON CITY, MISSOURI 65102

www.hendrenandrae.com

(573) 636-8135
(573) 636-5226 (FAX)

HENRY ANDRAE (Retired)

JOHN H. HENDREN (1907-1988)
CHARLES H. HOWARD (1925-1970)
JOHN E. BURRUSS, JR. (1933-1985)
GERALD E. ROARK (1956-1995)

E-MAIL

richardb@hendrenandrae.com

February 11, 2004

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

FILED

FEB 11 2004

Missouri Public
Service Commission

Re: Staff of Missouri Public Service Commission v.
Cable One, Inc.
Case No: TC-2004-0311

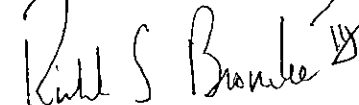
Dear Mr. Roberts:

Enclosed please find for filing on behalf of Cable One, Inc. the original plus eight (8) copies of a Motion to Dismiss.

If you should have any questions concerning the enclosed filing, please do not hesitate to contact me. Thank you.

Very truly yours,

HENDREN AND ANDRAE, L.L.C.



Richard S. Brownlee, III

RSB/bn

Enclosures

cc: Emerson Yearwood
Office of Public Counsel
General Counsel

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

FILED

FEB 11 2004

The Staff of Missouri Public Service)
Commission)
Complainant,)
v.)
CABLE ONE, INC.)
Respondent.)

Missouri Public
Service Commission

Case No.TC-2004-0311

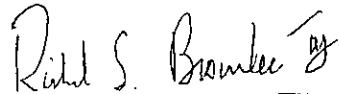
MOTION TO DISMISS

COMES NOW Cable One, Inc., by and through counsel, Hendren and Andrae, L.L.C., Richard S. Brownlee, III and states that staff's Complaint fails to state a claim upon which relief may be granted or a judgment sustained. Respondent further states that it is in the process of filing the 2002 Annual Report which will render said Complaint moot.

WHEREFORE, Respondent prays in order of dismissal.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing was mailed, via first-class, U.S. mail, postage prepaid, to all parties of record on this 11th day of February, 2004.



Richard S. Brownlee, III

Office of the Public Counsel
P.O. Box 7800, Jefferson City, MO 65102

General Counsel
Missouri Public Service Commission
P.O. Box 360, Jefferson City, MO 65102