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**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 25th  
day of February, 1999.

In the Matter of the Application of )  
George Hoesch for a Certificate of )  
Convenience and Necessity )  
Authorizing Him to Construct, )  
Install, Own, Operate and Maintain )  
a Sewer System for the Public, )  
Located in an Unincorporated Area )  
of the County of Gasconade, )  
Missouri. )

Case No. SA-97-357

**ORDER DISMISSING APPLICATION**

On November 25, 1998, at the request of George Hoesch (Applicant), the Commission issued an order postponing the date on which a proposed procedural schedule is due until January 20, 1999. The November 25 order is the most recent of no fewer than eight orders issued by the Commission scheduling and rescheduling procedural dates in this case. On January 20, Applicant filed another motion to postpone the filing of a proposed procedural schedule, this time until April. In its two most recent requests for extensions, Applicant has stated that the design of the sewer system is still undecided, which means that it is likely that neither of the two feasibility studies it has filed will be germane to the system ultimately constructed. It has also opined that many factors could make this application moot. Furthermore, in its

January 20 request for extension, Applicant states that the reason it has not voluntarily dismissed the application is because it is controlled by a consent judgment.

No testimony has been filed in this case, and the two filed feasibility studies were based on assumptions about the type of system to be constructed that are, in all likelihood, incorrect. If Applicant's plans ever become concrete enough for it to proceed with an application for a certificate of convenience and necessity, it will do so on the basis of a new feasibility study.

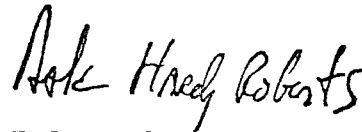
Rather than continually postponing the schedule in this case, the Commission will dismiss the application without prejudice. Applicant will not be harmed by this dismissal, and in fact may benefit from no longer having to make regular filings to extend the procedural schedule in this case. Applicant is, of course, free to file a new application at such time as it believes it is ready to present its case.

**IT IS THEREFORE ORDERED:**

1. That the Application filed by George Hoesch on March 3, 1997 is dismissed.

2. That this order shall become effective on March 9, 1999.

**BY THE COMMISSION**

A handwritten signature in dark ink, appearing to read "Dale Hardy Roberts". The signature is written in a cursive, somewhat stylized script.

**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

(S E A L)

Lumpe, Ch., Crumpton and Drainer, CC., concur  
Murray and Schemenauer, CC., absent

Mills, Deputy Chief Regulatory Law Judge