

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

The Office of the Public Counsel,                   )  
An agency of the State of Missouri,               )  
COMPLAINANT    )

v.   )  
  )  
  )  
  )  
Ridge Creek Development, LLC,                    )  
Ridge Creek Water Company, LLC,                 )  
Mike Stoner, Denise Stoner,                        )  
A Missouri water corporation,                     )  
RESPONDENTS    )

**Case No. WC-2015-0290**

**Motion to Dismiss**

**COMES NOW** the Office of the Public Counsel, by and through counsel, and for its *Motion to Dismiss*, hereby states as follows:

1. On May 5, 2015, the Office of the Public Counsel (OPC) filed its *Complaint* in Case No. WC-2015-0290 (“this case”) with allegations against Respondents of charging for water services without an approved tariff and seeking a refund of rates illegally charged by Respondent in the absence of a CCN. The Commission deferred the filing of a procedural schedule in this case on July 22, 2015, in order to allow for the conclusion of the CCN case, Case No. WA-2015-0182.

2. Staff filed its *Recommendation* in the CCN case on May 22, 2015, wherein Staff asserted that the application is not detrimental to the public interest. On August 17, 2015, Respondents, Missouri Department of Natural Resources, and Staff filed a *Non-Unanimous Stipulation and Agreement* that OPC did not oppose.

3. On September 2, 2015, the Commission entered an Order approving the *Application and the Non-Unanimous Stipulation and Agreement* in Case No. WA-2015-0182 granting Respondents a CCN. On October 13, 2015, the Commission entered an *Order Approving Compliance Tariff* in case no WA-2015-0182 with the file to be closed on October 23, 2015.

4. OPC now moves to dismiss its Complaint against Respondents in Case No. WC-2015-0290.

**WHEREFORE**, OPC respectfully submits this *Motion to Dismiss* for the Commission's information and consideration and further requests that this matter be dismissed and the case be closed.

Respectfully submitted,

/s/ Cydney D. Mayfield

**CYDNEY D. MAYFIELD**

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing has been served, by hand delivery, electronic mail, or First Class United States Mail, postage prepaid, to all parties of record on the Service List maintained for this case by the Data Center of the Missouri Public Service Commission, **on this 14<sup>th</sup> Day of January, 2016.**

/s/ Cydney D. Mayfield