

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Innsbrook)
Utilities, LLC, for a Certificate of Convenience)
and Necessity Authorizing it to Own, Operate,)
Control, Manage, Improve, and Maintain a) **Case No. WA-2008-0018, et al.**
Water and Sewer System for the Public,)
Located in an Incorporated Area of Warren)
County, Missouri)

NOTICE ACKNOWLEDGING DISMISSAL OF APPLICATION AND CLOSING CASE

Issue Date: December 17, 2007

On July 13, 2007,¹ pursuant to Section 393.170, RSMo 2000, and Commission Rules 4 CSR 240-2.060, 4 CSR 240-3.305, and 4 CSR 240-3.600, Innsbrook Utilities, LLC, (“Innsbrook”) filed applications requesting the Commission grant it authority to own, operate, control, manage, improve and maintain a water and sewer system for the public in an incorporated area of Warren County, Missouri.² On December 4, prior to the filing of any testimony or the admission of any evidence, Innsbrook filed a Notice of Dismissal pursuant to Commission Rule 4 CSR 240-2.116(1). Innsbrook served a copy of its voluntary dismissal on all parties to this matter.

Commission Rule 4 CSR 240-2.116(1) provides as follows:

¹ All dates throughout this order refer to the year 2007 unless otherwise noted.

² Innsbrook filed separate applications for its water and sewer systems, Case numbers WA-2008-0018 and SA-2008-0020. The cases were consolidated on August 24, 2007 pursuant to Commission Rule 4 CSR 240-2.110(3) because the cases involved related questions of fact and law. Case Number WA-2008-0018 was designated as the lead case.

(1) An applicant or complainant may voluntarily dismiss an application or complaint without an order of the commission at any time before prepared testimony has been filed or oral evidence has been offered, by filing a notice of dismissal with the commission and serving a copy on all parties. Once evidence has been offered or prepared testimony filed, an applicant or complainant may dismiss an action only by leave of the commission, or by written consent of the adverse parties.

No prepared testimony or oral evidence has been offered in this case, and Innsbrook has served a copy of this notice on all parties of record. Therefore, the Commission acknowledges that Innsbrook has voluntarily dismissed its applications. Nothing remains for decision by the Commission and this case may be closed.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Dated at Jefferson City, Missouri,
on this 17th day of December, 2007.

Stearley, Regulatory Law Judge