

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

City of O'Fallon, Missouri,	)	
	)	
Complainant,	)	
v.	)	<b><u>File No. WC-2010-0010</u></b>
	)	
Missouri-American Water Company and	)	
Public Water Supply District No. 2 of	)	
St. Charles County, Missouri,	)	
	)	
Respondents.	)	

**NOTICE CLOSING CASE**

Date Issued: February 10, 2010

City of O'Fallon, Missouri filed a complaint against Missouri-American Water Company and Public Water Supply District No. 2 of St. Charles County, Missouri. To move the matter forward, the Commission set a prehearing conference. At the parties' request, the Commission cancelled the prehearing on October 19, 2009. Since that date, no action had taken place and the Commission directed the parties to file a status update. In response, City of O'Fallon filed a motion to dismiss its complaint.

Under Commission rule,<sup>1</sup> O'Fallon may dismiss its complaint, by filing a Notice of Dismissal, without an order of the Commission if no testimony has been prefiled or offered at hearing. There has been no testimony prefiled or offered at hearing. O'Fallon, however, has filed a Motion to Dismiss the Complaint rather than a Notice of Dismissal. The

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<sup>1</sup> 2 CSR 240-2.116 (1).

Commission will therefore treat O'Fallon's motion as a voluntary dismissal and, rather than rule on the motion, will close this case.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'S. Reed', is positioned above the printed name.

Steven C. Reed  
Secretary

( S E A L )

Kennard L. Jones, Senior Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 10th day of February, 2010.