

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

Staff of the Missouri Public Service Commission)	
)	
Complainant,)	
)	<u>File No. WC-2013-0087</u>
v.)	
)	
Cedar Green Land Acquisition, LLC,)	
And Gary F. Myers, Owner)	
)	
Respondents.)	

MOTION TO DISMISS WITH PREJUDICE

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through the undersigned counsel, and, for its *Motion to Dismiss with Prejudice*, states as follows:

1. On August 24, 2012, Staff filed a *Complaint* with the Missouri Public Service Commission (Commission) against Respondents.

2. On October 26, 2012, Respondents filed an *Answer* before the Commission admitting, in part, and denying, in part, the allegations contained within Staff's *Complaint*.

3. On January 15, 2013, Cedar Green Land Acquisition, LLC ("Cedar Green" or "the Company") filed applications for certificates of convenience and necessity for its water and sewer operations. These applications were assigned Commission Case Nos. SA-2013-0354 and WA-2013-0017.

4. On July 17, 2013, the Commission issued an *Order Approving Tariff Filing in Compliance with Commission Order* in each of Cedar Green's application cases, which approved the Company's tariff sheets, allowing the Company to operate as a

regulated utility. In that *Order*, the Commission directed that the application cases be closed on August 2, 2013. Those cases are now closed.

5. Staff is satisfied that the Commission's grant of Respondents' applications resolves the issues raised in this *Complaint*. As a result, Staff requests that these matters be dismissed with prejudice.

WHEREFORE, Staff respectfully tenders this *Motion to Dismiss with Prejudice* for the Commission's information and consideration and, due to the resolution of Case Nos. SA-2013-00354 and WA-2013-0017, requests the Commission dismiss Staff's *Complaint* against Respondents with prejudice.

Respectfully submitted,

/s/ Amy E. Moore

Amy E. Moore
Deputy Counsel
Missouri Bar No. 61759

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-4140 (Telephone)
(573) 751-9285 (Fax)
amy.moore@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed with first-class postage, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 20th day of August, 2013.

/s/ Amy E. Moore