

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

The Staff of the Missouri Public Service Commission,)	
)	
)	
Complainant,)	
)	
vs.)	<u>Case No. WC-2015-0124</u>
)	
TUK, L.L.C.,)	
Louis Mountzoures, and)	
Jonathan Finkelstein,)	
)	
Respondents.)	

MOTION TO DISMISS

COMES NOW the Staff of the Public Service Commission, by and through counsel, and hereby states as follows:

1. Staff filed its Complaint against Respondents on November 17, 2014, charging that Respondents were providing water and sewer service without the requisite certificates of convenience and necessity (CCNs).

2. On January 20, 2015, Respondents filed an application for CCN in Case No. WA-2015-0169. On January 21, 2015, Respondents filed an application for CCN in Case No. SA-2015-0170.

3. On May 22, 2015, Staff filed a recommendation, which was corrected on May 28, 2015, that asked the Commission to approve the application subject to conditions.

4. TUK, Staff, and OPC entered into a stipulation and agreement on October 7, 2015. Under the terms of the stipulation, Respondents agreed that TUK would withdraw its application for a water CCN and would provide water service without

charge only to its existing customers. The terms also requested that the Commission grant TUK's request for a sewer CCN. Staff agreed to dismiss Case No. WC-2015-0124 as part of its stipulated agreement.

5. On October 22, 2015, the Commission filed its *Order Approving Stipulation and Agreement and Granting Certificate of Convenience and Necessity*.

4. In accordance with the stipulation and agreement and the Commission order, Staff now moves to dismiss its Complaint against Respondents, Case No. WC-2015-0124.

WHEREFORE, Staff 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/ Marcella L. Mueth

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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 27th day of October, 2015.

/s/ Marcella L. Mueth