

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public
Service Commission held at
its office in Jefferson City on
the 10th day of March, 2010.

Tonia B. Holmes,)	
)	
Complainant,)	
)	
v.)	
)	
Kansas City Power & Light Company)	
)	
Respondent.)	

File No. EC-2010-0184

ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE

Issue Date: March 10, 2010

Effective Date: March 18, 2010

The Missouri Public Service Commission is dismissing without prejudice the complaint of Tonia B. Holmes for failure to comply with Commission orders. The Commission may dismiss Ms. Holmes' complaint:

(3) . . . for failure to comply with any order issued by the
commission [; or]

(4) A case may be dismissed for good cause found by the
commission after a minimum of ten (10) days notice to all
parties involved. [¹]

Ms. Holmes has failed to comply with Commission orders as follows.

Ms. Holmes filed the complaint on December 16, 2009. In response, Kansas City Power & Light Company filed a request for mediation ("motion"). Rather than compelling Ms. Holmes to mediation, the Commission issued its order dated January 14, 2010,

¹ 4 CSR 240-2.116.

suspending the hearing schedule and ordering Ms. Holmes to respond to the motion by January 25, 2010. The Commission also sent Ms. Holmes a form for responding to the request and a reminder that a response was due. Ms. Holmes has not responded to that order.

Ms. Holmes left a telephone message at the Commission's office. But that message did not include a response to the motion. The regulatory law judge assigned to this case returned that call twice, leaving his telephone number and email address. The Commission also extended the response due date to February 9, 2010.

By order dated February 23, 2010, the Commission ordered Ms. Holmes to show cause why the Commission should not dismiss her complaint. That order required Ms. Holmes to file a response not later than March 5, 2010, but Ms. Holmes has made no response to that order. Therefore, the Commission will dismiss the complaint.

Such dismissal will be without prejudice. Without prejudice means that the Commission is not deciding the merits of the complaint. Ms. Holmes can raise the issues in the complaint again.

THE COMMISSION ORDERS THAT:

1. The complaint is dismissed without prejudice.
2. This order is effective on March 18, 2010.

3. This file shall close on March 19, 2010.

(S E A L)

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. C. Reed', written over a horizontal line.

Steven C. Reed
Secretary

Davis, Jarrett, Gunn, and Kenney, CC., concur;
Clayton, Chm., absent.

Jordan, Regulatory Law Judge