

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

The Staff of the Missouri Public Service Commission,	)	
	)	
Complainant,	)	<b><u>File No. WC-2017-0007</u></b>
	)	
v.	)	
	)	
Missouri Utilities Company,	)	<b><u>File No. SC-2017-0008</u></b>
	)	
Respondent.	)	

**STAFF MOTION TO DISMISS**

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

1. On July 5, 2016, Staff filed a *Complaint* against Missouri Utilities Company (“Missouri Utilities” or “Company”) for failure to submit annual reports as required by Section 393.140(6) RSMo, and Commission Rules 4 CSR 240-3.335 and 4 CSR 240-3.640.
2. On December 5, 2016, the Commission issued its *Order Granting Motion to Stay Proceedings* until the pending application to approve the sale of the Company’s water and sewer assets was resolved.<sup>1</sup>
3. On September 19, 2017, the Commission issued its *Order Approving Stipulation and Agreement, Granting CCN and Transfer of Assets* in case no. SM-2017-0150.

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<sup>1</sup> The sale of Missouri Utilities Company to Elm Hills Utility Operating Company was tracked in case no. SM-2017-0150.

4. With the completion and approval of the sale, Staff sees no need to continue pursuing its complaint regarding Missouri Utilities' annual reports. Staff expects Elm Hills Utility Operating Company ("Elm Hills"), the purchasing entity, to file annual reports in the future, to comply with Section 393.140(6), RSMo, and Commission Rules 4 CSR 240-3.335 and 4 CSR 240-3.640.

5. The concerns that caused Staff to file the Complaint are resolved by the approval of the sale of the Company to Elm Hills and no longer need to be pursued in this complaint case.

6. Staff now moves to dismiss its Complaint against Respondents, Case Nos. WC-2017-0007 and SC-2017-0008.

**WHEREFORE**, Staff respectfully submits its *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 Forck**

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Public Service Commission

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**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing were mailed, electronically mailed, or hand-delivered to all counsel of record this **28th day of September, 2017**.

**/s/ Marcella L. Forck**