

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

The Staff of the Missouri Public Service Commission,	)	
	)	
	)	
Complainant,	)	
	)	
vs.	)	<b><u>Case No. WC-2016-0068</u></b>
	)	
Rex Deffenderfer Enterprises, Inc.	)	
Lavada Cottrill, Jimmy Deffenderfer	)	
ATTN: Annual Report REpresentative	)	
1770 N. Deffer Dr., Suite 4	)	
Nixa, MO 65714	)	
	)	
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 September 18, 2015, charging that Respondents failed to timely file an annual report as required by Section 393.140(6), RSMo and Commission Rule 4 CSR 240-3.640.
2. On October 19, 2015, Respondents submitted their annual report; however, errors were found within the report. On November 17, 2015, Staff received and reviewed the Respondents' revised annual report submission and found no errors.
3. The concerns that caused Staff to file the Complaint are resolved by the completion of the annual report with no errors and no longer need to be pursued in this complaint case.
4. Staff now moves to dismiss its Complaint against Respondents, Case No. WC-2016-0068.

**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**

Marcella L. Mueth  
Missouri Bar Number 66098  
Assistant Staff Counsel  
Attorney for the Staff of the  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102  
573-751-4140 (Voice)  
573-526-6969 (Fax)  
[marcella.mueth@psc.mo.gov](mailto:marcella.mueth@psc.mo.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been hand-delivered, transmitted by e-mail, or mailed, First Class, postage prepaid, to all counsel of record this 23<sup>rd</sup> day of November, 2015.

**/s/ Marcella L. Mueth**