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SHAWN BATTAGLER

July 1, 2004

EUGENE E. ANDERECK (1923-2004)

GREGORY C. STOCKARD (1904-1993)

PHIL HAUCK (1924-1991)

FILED²

JUL 01 2004

Missouri Public
Service Commission

Secretary
Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

Re: Ozark Border Electric Cooperative v City of Poplar Bluff
Case No. EC-2003-0452
Motion to Cancel Hearing

Dear Secretary:

Enclosed for filing please find an original and eight copies of Ozark Border Electric Cooperative's Motion to Cancel Hearing in the above referenced case.

If you have any questions, please contact me at the number listed above.

Sincerely,

Lisa Chase
Lisa Cole Chase

CSJ:lw

Encl.

CC: General Counsel, OPC
General Counsel, PSC
Stan Estes
Mark Kennedy

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

FILED
JUL 01 2004
Missouri Public
Service Commission

Case No. EC-2003-0452

Ozark Border Electric Cooperative, Complainant	)	City of Poplar Bluff, Respondent
	)	
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	)	
	)	
	)	

vs

MOTION TO CANCEL HEARING

COMES NOW Complainant, Ozark Border Electric Cooperative, by and through counsel, hereby submits an unopposed motion for cancellation of the Hearing scheduled in this matter for July 6 and 7, 2004. In support of this motion the Complainant states as follows:

1. Ozark Border Electric Cooperative and the City of Poplar Bluff have reached a settlement of their disputed issues;
 2. Pursuant to 4 CSR 240-2.116(1), once evidence has been filed, as in this case, a complainant may dismiss an action by written consent of the adverse parties;
 3. The City of Poplar Bluff provided its written consent to this matter being dismissed by jointly filing of a Notice of Dismissal with a copy of the settlement agreement attached thereto filed simultaneously with this Motion;
 4. Furthermore, Staff and the Office of the Public Counsel, constituting all of the other parties to this matter, have no objection to this matter being dismissed.
- WHEREFORE, Complainant requests that the Commission grant this motion to cancel the Hearing scheduled in this matter on July 6 and 7, 2004, and close this matter based on the simultaneously filed Notice of Dismissal.

Respectfully Submitted,

ATTORNEYS FOR COMPLAINANT

By Lisa Chase

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered,
transmitted by facsimile or electronically mailed to all counsel of record this 1st day of
July 2004.

Lisa Chase
Lisa Cole Chase