

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

David L. Biersmith, Sr.)	
)	
Complainant,)	
v.)	<u>File No. EC-2014-0249</u>
)	
Kansas City Power & Light Company,)	
)	
Respondent)	

ORDER DISMISSING COMPLAINT

Issue Date: July 18, 2014

Effective Date: August 17, 2014

On March 14, 2014, David L. Biersmith, Sr. filed a complaint against, Kansas City Power & Light Company. The company answered and moved to dismiss the complaint on the grounds that Complainant failed to state a claim for which relief cannot be granted. On April 15, the Commission directed Complainant to file a response to the company's motion to dismiss. Complainant failed to do so.

Thereafter, the Staff of the Commission filed a recommendation informing the Commission that Complainant and the company had resolved some, if not all, of the issues. Consequently, the Commission directed Complainant to file a statement, no later than June 13, of whether the matter was settled or if he wished to proceed toward a hearing. Complainant failed to respond.

Under Commission rule 4 CSR 240-2.116(3) a party may be dismissed from a case for failure to comply with any order issued by the Commission. Complainant has twice failed to respond to Commission orders. The Commission will therefore dismiss this complaint. Because this complaint is not being dismissed on the merits of the complaint,

but rather on procedural grounds, Complainant may refile the complaint; in which case it will be assigned a different case number.

THE COMMISSION ORDERS THAT:

1. This complaint is dismissed.
2. This order shall become effective on August 17, 2014.
3. This file shall be closed on August 18, 2014.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Kennard L. Jones, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 18th day of July, 2014.