

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Patricia A. Noonan,	)	
	)	
Complainant,	)	
	)	
v.	)	<u>Case No. EC-2008-0335</u>
	)	
Kansas City Power & Light Co.,	)	
	)	
Respondent.	)	

NOTICE ACKNOWLEDGING VOLUNTARY DISMISSAL OF COMPLAINT
AND CLOSING CASE

Issue Date: June 18, 2008

Patricia A. Noonan filed a formal complaint against Kansas City Power & Light Company ("KCPL") on April 14, 2008.¹ On April 16, the Commission notified KCPL of the complaint and allowed it thirty days in which to answer as provided by 4 CSR 240-2.070(7). On the same day, the Commission ordered Staff to investigate the complaint and to file a report concerning the results of its investigation no later than one week after KCPL filed its answer to the complaint. On May 13, KCPL filed its Motion for Extension of Time to Answer to Allow for Settlement Discussions. In this motion, KCPL requested that the Commission extend the due date for KCPL's answer from May 16, 2008 until the earlier of (i) June 13, 2008 or (ii) 15 days from the date on which either KCPL or Ms. Noonan notified the Commission in writing that settlement was not possible. The Commission granted KCPL's motion by order dated May 14.

¹ All dates specified in this order refer to the calendar year 2008.

On June 13, KCPL filed a status report notifying the Commission that the company and Ms. Noonan had resolved the issues giving rise to her complaint, and that the company expected that Ms. Noonan would soon withdraw her complaint in writing. On June 18, Ms. Noonan filed a signed pleading in which she informed the Commission that she had agreed to a mutually acceptable resolution of the matters she raised in her complaint, and requested that the Commission “issue an order dismissing [her] Complaint against KCPL with prejudice.”

Commission Rule 4 CSR 240-2.116(1) permits a complainant to voluntarily dismiss her complaint without an order of the Commission “at any time before prepared testimony has been filed or oral evidence has been offered, by filing a notice of dismissal with the commission and serving a copy on all parties.” No prepared testimony or oral evidence has been offered in this case, and the dismissal notice has been filed with the Commission.² Therefore, the Commission acknowledges that Patricia A. Noonan has voluntarily dismissed her complaint against Kansas City Power & Light Company with prejudice. Nothing remains for decision by the Commission and this case may be closed.³

BY THE COMMISSION

(S E A L)



Colleen M. Dale
Secretary

Dated at Jefferson City, Missouri,
on this 18th day of June, 2008.

Lane, Regulatory Law Judge

² Although the pleading does not contain a certificate of service, it was entered into the Commission's Electronic Filing and Information System (EFIS) by or on behalf of Ms. Noonan, and it is clear that all parties of record are aware of it.

³ For this reason, the Commission's orders directing KCPL to file an answer and requiring Staff to investigate and file a report within a week thereafter are now moot.