

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 28th day of
July, 2010.

Avalon Homeowners Association,)	
)	
Complainant,)	
)	
v.)	
)	
Union Electric Company, d/b/a)	
AmerenUE,)	
)	
Respondent.)	

File No. EC-2010-0252

ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE

Issue Date: July 28, 2010

Effective Date: August 7, 2010

The Missouri Public Service Commission is dismissing without prejudice the complaint of Avalon Homeowners Association ("Avalon"). It filed the complaint on March 5.¹ The complaint is signed by Kerry Tebbe, Trustee.

On March 8, the Commission issued a notice of deficiency for Avalon's failure to have appropriate legal representation. Avalon has taken no action to correct the deficiency or any other action to further prosecute its complaint. Thus, on July 12, the Commission issued an Order to Show Cause to Avalon, giving Avalon until July 22 to state why its complaint should not be dismissed. Avalon failed to respond.

¹ All calendar references are to 2010 unless otherwise noted.

The Commission's regulations provide:

[c]ases may be dismissed for lack of prosecution if no action has occurred in the case for ninety (90) days and no party has filed a pleading requesting a continuance beyond that time.²

The Commission's regulations also provide:

A party may be dismissed from a case for failure to comply with any order issued by the commission.³

Therefore, the Commission will dismiss the complaint without prejudice.

THE COMMISSION ORDERS THAT:

1. The complaint is dismissed without prejudice.
2. This order shall become effective on August 7, 2010.
3. This file shall be closed on August 8, 2010.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Clayton, Chm., Davis, Jarrett,
Gunn, and Kenney, CC., concur.

Pridgin, Senior Regulatory Law Judge

² 4 CSR 240-2.116(2).

³ 4 CSR 240-2.116(3).