

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 25th day
of March, 2009.

In the Matter of the Application of Cardwell)
Hardwoods for Change of Electric Supplier) **File No. EO-2009-0246**

ORDER DISMISSING CASE

Issue Date March 25, 2009

Effective Date: April 4, 2009

On December 12, 2008, Cardwell Hardwoods filed an application for a change of electric supplier. Because the company appeared to be incorporated, the Commission issued a Notice Regarding Representation on December 17, informing the company that its application must be filed by an attorney. The case was held open to allow the company an opportunity to seek counsel. There has been no activity in this matter since December 17.

Commission rule 4 CSR 240-2.116 (2) states that cases may be dismissed for lack of prosecution if no action has occurred in the case for 90 days and no party has requested a continuance beyond that time. More than 90 days have expired and no action has occurred nor has any party filed a request for a continuance. Though Cardwell may file another application seeking a change of supplier, the Commission will dismiss this matter for failure to prosecute.

THE COMMISSION ORDERS THAT:

1. This case is dismissed for failure to prosecute.

2. This order shall become effective on April 4, 2009.
3. This file shall be closed on April 5, 2009.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

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

Jones, Senior Regulatory Law Judge