

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Jerry West )  
And Sharon West to Change the Electrical ) **File No. EO-2009-0272**  
Supplier for Part of their Property. )

## ORDER ACKNOWLEDGING VOLUNTARY DISMISSAL, CANCELING HEARING AND CLOSING FILE

Issue Date: September 25, 2009

Effective Date: September 25, 2009

The Missouri Public Service Commission is acknowledging the voluntary dismissal without prejudice of this action. On November 14, 2008, Jerry West and Sharon West (“the Wests”) filed an application for change of electrical supplier. On September 24, 2009, Jerry West and Sharon West (“the Wests”) filed a Notice of Dismissal (“notice”). The Commission’s regulations provide:

An applicant . . . may voluntarily dismiss an application . . . 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.<sup>1</sup>

The notice reflects service on all parties through counsel of record. Because no party has filed prepared testimony or offered oral evidence, the notice dismissed the case as a matter of right when the Wests filed it. Therefore, the Commission will acknowledge the dismissal, cancel the hearing and close this file.

### THE COMMISSION ORDERS THAT:

1. The application for change of supplier that is the subject of this action is voluntarily dismissed without prejudice.

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<sup>1</sup> 4 CSR 240-2.116(1).

2. The hearing on the merits of the application is canceled.
3. This file may close as of the issuance of this order.
4. This order is effective immediately on issuance.

**BY THE COMMISSION**

( S E A L )



Steven C. Reed  
Secretary

Jordan, Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 25<sup>th</sup> day of September, 2009.