

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Heritage Farms, Inc.'s,)
Application for Variance and/or Waiver of)
Commission Rule to Require Kansas City)
Power and Light, or Any Other Utility, to)
Provide Service to Real Property Located)
at 8360 N.W. Fox Road in Platte County,)
Missouri)

Case No. EE-2008-0151

NOTICE ACKNOWLEDGING VOLUNTARY DISMISSAL AND CLOSING CASE

Issue Date: March 5, 2008

On November 26, 2007, Heritage Farms, Inc. ("Heritage Farms") filed a formal application requesting a waiver of Commission Rule 4 CSR 240-13.035(3), which would require Kansas City Power and Light Company ("KCPL") to provide electric service to certain real property located at 8360 NW Fox Road, St. Joseph, Missouri 64506 ("Subject Property"). Over the three months following the application, a number of responsive pleadings were filed addressing the various issues in this matter. On March 4, 2008, prior to the filing of any testimony or the admission of any evidence, Heritage Farms filed a notice of voluntary dismissal and a certificate of service indicating that all parties of record had been served with a copy of the notice.

Commission Rule 4 CSR 240-2.116(1) permits an applicant to voluntarily dismiss its application without an order of the Commission at any time before prepared testimony has been filed or oral evidence has been offered. No prepared testimony or oral evidence has

been offered in this case. Therefore, the Commission acknowledges that Heritage Farms has voluntarily dismissed its application. Nothing remains for decision by the Commission and this case may be closed.

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)

Dated at Jefferson City, Missouri,
on this 5th day of March, 2008.

Stearley, Regulatory Law Judge