

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

Michele Goad,)	
)	
Complainant,)	
)	
v.)	File No. WC-2023-0142
)	
Missouri-American Water Company,)	
)	
Respondent.)	

**MISSOURI-AMERICAN WATER COMPANY'S
MOTION TO DISMISS**

COMES NOW the Respondent, Missouri-American Water Company (“MAWC” or “Company”) and for its Motion to Dismiss, respectfully states as follows:

1. Ms. Goad filed a formal complaint (“Complaint”) with the Commission on October 25, 2022 citing damages sustained to her property as a result of a main break.
2. On November 28, 2022, the Company filed its Answer.
3. In support of its Motion to Dismiss, MAWC states that Complaint fails to state a claim upon which relief may be granted, in that it does not allege any violation of a statute, rule, or Commission Order, and requests only monetary relief¹, something that the Commission does not have statutory authority to grant. *See Order Granting Motion to Dismiss, Davis v. Laclede Gas Company*, Case No. GC-2000-771 (issued December 28, 2000), *citing Wilshire Constr. Co. v. Union Electric Co.*, 463 S.W.2d 903, 905 (Mo. banc 1971).

WHEREFORE, MAWC submits this Motion to Dismiss and requests the Commission dismiss this complaint.

¹ See Commission’s Order Dismissing Complaint, WC-2017-0251.

Respectfully submitted,

MISSOURI-AMERICAN WATER COMPANY

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail or U.S. Mail on October 20, 2023, to the following:

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