

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 13th day of March, 2024.

Lonnie Freeman,)
)
 Complainant,)
)
 v.)
)
 The Empire District Electric Company)
 d/b/a Liberty,)
)
 Respondent)

File No. EC-2024-0160

ORDER DISMISSING COMPLAINT

Issue Date: March 13, 2024

Effective Date: April 12, 2024

On November 7, 2023, Lonnie Freeman filed a complaint against The Empire District Electric Company d/b/a Liberty. Liberty filed its answer on December 8, 2023. The Staff of the Commission (Staff) filed a report on January 19, 2024, following an investigation into the allegations of the complaint.

A telephonic prehearing conference was scheduled for February 15, 2024, beginning at 9:00 a.m. All parties were given notice and directed to appear by telephone or video at the prehearing conference. Liberty and the Commission’s Staff appeared by their counsel. Mr. Freeman did not appear by telephone, and he did not contact the Commission prior to the prehearing conference to request a continuance.

Commission Rule 20 CSR 4240-2.090(5) provides that failure to appear at a prehearing conference without previously having secured a continuance shall constitute

grounds for dismissal of the party's complaint, unless good cause for the failure to appear is shown.

On February 16, 2024, the Commission issued an order directing Mr. Freeman to respond to explain why he did not appear for the prehearing conference. No response was received.

Mr. Freeman failed to appear for the scheduled prehearing conference and did not explain his absence. Therefore, as provided by Commission's rule, his complaint will be dismissed. The dismissal will be without prejudice, which allows Mr. Freeman the opportunity to refile his complaint.

THE COMMISSION ORDERS THAT:

1. This Complaint is dismissed pursuant to Rule 20 CSR 4240-2.090(5).
2. This order shall become effective on April 12, 2024.
3. This file shall close on April 13, 2024.



BY THE COMMISSION

A handwritten signature in black ink that reads "Nancy Dippell". The signature is written in a cursive, flowing style.

Nancy Dippell
Secretary

Hahn, Ch., Rupp, Coleman, Holsman
and Kolkmeier CC., concur.

Hatcher, Senior Regulatory Law Judge

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 13th day of March 2024.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

March 13, 2024

File/Case No. EC-2024-0160

MO PSC Staff

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Nancy Dippell
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.