

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held by telephone
and internet audio conference
on the 21st day of May, 2020.

Claude Scott,)	
)	
Complainant,)	
)	
v.)	
)	
Missouri-American Water Company,)	
)	
Respondent.)	

File No. WC-2020-0194

ORDER DISMISSING COMPLAINT

Issue Date: May 21, 2020

Effective Date: June 20, 2020

On January 6, 2020, Claude Scott filed a complaint against Missouri-American Water Company. Missouri-American filed an answer on February 5, 2020. The Commission's Staff filed a report on March 6, 2020, following an investigation into the allegations of the complaint. The Staff report identified no violations of any applicable statutes, rules or tariffs by Missouri-American.

The Commission on March 27, 2020, scheduled a prehearing conference for 10 a.m. on April 9, 2020. Missouri-American and Staff appeared at the conference by legal counsel. Mr. Scott did not appear and did not request a continuance of the prehearing conference.

On April 10, 2020, the Commission issued an order that directed Mr. Scott to show cause why the complaint should not be dismissed for failure to appear at the prehearing conference. The Commission's order required Mr. Scott to respond no later than

April 20, 2020. The Commission's order was amended on April 29, 2020, to provide for delivery of the order to Mr. Scott by U.S. Mail and to require Mr. Scott to respond by no later than May 15, 2020.

Commission rules permit dismissal of a party and a complaint for failure to appear at a prehearing conference. Commission Rule 40 CSR 4240-2.116(3) provides:

A party may be dismissed from a case for failure to comply with any order issued by the commission, including failure to appear at any schedule proceeding such as a public hearing, prehearing conference, hearing, or mediation session.

Commission Rule 40 CSR 4240-2.090(5) provides:

Failure to appear at a prehearing conference without previously having secured a continuance shall constitute grounds for dismissal of the party or the party's complaint, application or other action unless good cause for the failure to appear is shown.

Mr. Scott failed to appear at the prehearing conference and failed to comply with a Commission order to show good cause for failure to appear. Therefore, as provided by Commission rule, the complaint will be dismissed.

THE COMMISSION ORDERS THAT:

1. For the reasons state above, the complaint of Claude Scott against Missouri-American Water Company is dismissed without prejudice.
2. The Commission's data center shall mail a copy of this order to Mr. Scott by U.S. Mail addressed to Complainant's address of record.
3. This order shall become effective on June 20, 2020.



BY THE COMMISSION

A handwritten signature in dark ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Silvey, Chm., Kenney, Rupp, Coleman, and
Holsman CC., concur.

Jacobs, 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 21st day of May 2020.**




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

May 21, 2020

File/Case No. WC-2020-0194

**Missouri Public Service
Commission**

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

Sincerely,



**Morris L. Woodruff
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.