

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

Charles A. Cooper,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. GC-2004-0305
	)	
Missouri Gas Energy,	)	
	)	
Respondent.	)	

**NOTICE OF VOLUNTARY DISMISSAL**

COMES NOW Complainant and Missouri Gas Energy ("MGE") and, for Complainant's Notice of Voluntary Dismissal, states as follows to the Missouri Public Service Commission ("Commission"):

1. After discussions between Complainant and MGE, Complainant and MGE have agreed to a satisfaction of this matter which resolves this Complaint.
2. Commission Rule 4 CSR 240-2.116(1) states that a " ... complainant may voluntarily dismiss an application or complaint 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. Once evidence has been offered or prepared testimony filed, an applicant or complainant may dismiss an action only by leave of the commission, or by written consent of the adverse parties."
3. Prepared testimony has been filed in this case. However, the other parties to this case -- the Commission Staff and the Office of the Public Counsel -- consent to the dismissal.

WHEREFORE, Complainant and MGE pray that the Commission recognize this Notice of Dismissal pursuant to Commission Rule 4 CSR 240-2.116(1).

Respectfully submitted,

Brian T. McCartney

Dean L. Cooper MBE#36592  
Brian T. McCartney MBE#47788  
BRYDON, SWEARENGEN & ENGLAND P.C.  
312 E. Capitol Avenue  
P. O. Box 456  
Jefferson City, MO 65102  
(573) 635-7166  
(573) 635-3847 facsimile  
[dcooper@brydonlaw.com](mailto:dcooper@brydonlaw.com)  
ATTORNEYS FOR MISSOURI GAS ENERGY

Charles A. Cooper

Charles A. Cooper  
746 E. Eastwood  
Marshall, MO 65340

State of Missouri )  
County of Saline ) ss.

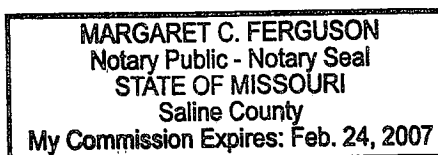
On this 25 day of August in the year 2004, before me personally appeared Charles A. Cooper, known to me to be the person who executed the above Notice of Voluntary Dismissal and acknowledged to me that he executed the same for the purposes therein stated.

In Testimony Whereof, I have set my hand and affixed my official seal.

Margaret C. Ferguson  
Notary Public

My Commission Expires:

Feb. 24, 2007



## 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, postage prepaid, on August 27, 2004, to the following:

Mr. Robert Franson  
Office of the General Counsel  
Governor Office Building  
Jefferson City, MO 65101

Mr. Doug Micheel  
Office of the Public Counsel  
Governor Office Building  
Jefferson City, MO 65101

Mr. Charles A. Cooper  
746 E. Eastwood  
Marshall, MO 65340

Brian T. McCarty