

**Docket No:** 04-0549  
**Bench Date:** 07-13-05  
**Deadline:** 08-30-05

**MEMORANDUM**

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**TO:** The Commission

**FROM:** Michael L. Wallace, Administrative Law Judge

**DATE:** June 27, 2005, 2005

**SUBJECT:** Virgil L. Smith  
-vs-  
Illinois Power Company

Complaint as to disconnecting electric power to residence in Eldorado, Illinois.

**RECOMMENDATION:** Enter Order dismissing proceeding without prejudice.

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The matter was set for hearing and continued twice without the Complainant either appearing at the hearing or contacting the ALJ or Respondent seeking a continuance. The matter should be dismissed without prejudice for want of prosecution.

Accordingly, I recommend that the Commission dismiss this proceeding, without prejudice.

MLW/lw