

Accordingly, pursuant to Rule 12.14, the complaint is DISMISSED without prejudice to complainant's right to file a new complaint based on the same circumstances. The documents submitted by complaint will be returned to him pursuant to his request.

The time during which the complaint has been pending before the Commission since originally filed by complainant shall *not* count against complainant's two-year limit under the statute of limitations (the statute will commence running again, however, as of the date of this order). Furthermore, complainant has been granted the opportunity to file a new complaint without a new filing fee (unless he selects a higher level of proceeding, in which case the difference in filing fees must still be submitted) since the withdrawal is the result of circumstances arising out of delays and errors that are not his fault.²

IT IS SO ORDERED.

March 23, 2000


JOEL R. MAILLIE
Judgment Officer

² Any new complaint filed by complainant, if both sides consent to a voluntary proceeding, should be assigned to a different presiding officer in view of the extensive telephonic contact between the undersigned and both sides in resolving the procedural issues in this case.