

Exhibit 5

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

DERALD MORGAN,)	
)	
Complainant,)	
)	
v.)	File No. WC-2021-0223
)	
CARL RICHARD MILLS,)	
)	
Respondent,)	

**STAFF’S OBJECTIONS AND RESPONSES TO COMPLAINANT’S
FIRST INTERROGATORIES TO
THE STAFF OF THE PUBLIC SERVICE COMMISSION, No. 1-7**

COMES NOW, the Staff of the Public Service Commission (“Staff”), by counsel, and hereby objects and responds, without waiving any objections, to *Complainant’s First Interrogatories to the Staff of the Public Service Commission, No. 1-7*, as follows:

INTERROGATORIES

1. Identify the individual(s) preparing responses to these interrogatories.

OBJECTION: Staff objects to this interrogatory to the extent that such preparation included attorney-client privilege or attorney work product. Staff also objects to the extent that this request is vague, overbroad, and unduly burdensome and to the extent that such interviews, consultations, or participation is found to be irrelevant to the subject matter of this case. Without waiving said objections, Staff responds as follows:

ANSWER: Matthew Barnes, Deborah Bernsen, Caroline Newkirk, Ashley Sarver, Amanda McMellen, and certain attorneys of the Staff Counsel's Office of the Missouri Public Service Commission.

2. Identify when you received notice of termination of any contract with Ozark Clean Water.

ANSWER: To the best of Staff's knowledge and belief, Staff first received notification of termination of a contract with Ozark Clean Water via a November 5, 2019, email from Carl R. Mills. This email is detailed in Staff's response to Complainant's Interrogatory #3.

3. Identify each and every representation made to the Staff by Carl Mills concerning then-existing or alleged contracts with Ozark Clean Water from the initiation of WA-2018-0370 to the present day. In responding, if any representations came from written communications, please identify the document, its author, the recipient, the date of communication, and describe the contents of the communication.

OBJECTIONS: Staff objects to this interrogatory as unduly burdensome, vague, and overbroad, to the extent Complainants request irrelevant information or materials, and to the extent it seeks information that is protected

from disclosure pursuant to Section 386.480, RSMo Staff further objects to this interrogatory to the extent the information requested or its details are protected by and subject to privilege, such as privileged information provided in the course of settlement negotiations or information subject to other applicable privileges, and to the extent the interrogatory seeks information that is in the possession of, known to, or otherwise equally available to the Complainant.

Without waiving any objection, Staff responds as follows:

ANSWER: Carl Mills made the following representations to Staff:

Date	Type	Author	Recipient(s)
November 5, 2019	Email	Carl R. Mills	Alexandra Klaus (Senior Staff Counsel – no longer employed by the Public Service Commission), Mark Johnson (Deputy Staff Counsel), Bob Sykes (Volunteer Staff of Carl R. Mills), Marian Stewart (Volunteer Staff of Carl R. Mills)
December 13, 2019	Email	Carl R. Mills	Mark Johnson (Deputy Staff Counsel), Alexandra (Lexi) Klaus (Senior Staff Counsel – No longer employed by the Public Service Commission), Matthew Barnes

4. Identify the amount of money Staff assumed Ozark Clean Water would be paid for management of the water system in developing its recommendation for a flat rate charge of \$289.68 in WA-2018-0370.

OBJECTION: Staff objects to this interrogatory to the extent that the

development of rates for the Carl R. Mills water system included attorney-client privilege or attorney work product. Further, Staff objects to this interrogatory as vague, and seeks information that is in the possession of, known to, or otherwise equally available to the Complainant. Without waiving any objection, Staff responds as follows:

ANSWER: Staff included an estimated annualized expense for Ozark Clean Water. Staff estimated 4 hours a year of labor for the operator at ****\$75**** an hour. Staff also included ****\$2,490**** for outside services based on the Ozark Clean Water contract attached to Carl R. Mills Surrebuttal Testimony in Case No. WA-2018-0370 (Confidential Exhibit 501).

5. Identify whether Carl R. Mills was obligated to notify the Commission of the termination of its business relationship, pursuant to the Commission's *Report and Order* in WA-2018-0370.

OBJECTION: Staff objects to this interrogatory on the grounds that it is vague; the request fails to identify or define the term "business relationship."

6. Identify whether Carl Ra. Mills initiated a rate case within two months of the termination of its business relationship with Ozark Clean Water.

OBJECTION: Staff objects to this interrogatory to the extent it seeks

information that is in the possession of, known to, or otherwise equally available to the Complainant. Without waiving any objection, Staff responds as follows:

ANSWER: To the best of Staff's knowledge and belief, Carl R. Mills did not initiate a rate case within two months of the terminations of its business relationship with Ozark Clean Water.

7. Please identify each and every communication the Staff of the Commission had with Ozark Clean Water, if any, from the initiation of the proceeding in WA-2018-0370 to the present day. For each communication, please identify the parties to the communication, the date of the communication, and describe the content of the communication.

OBJECTIONS: Staff objects to this interrogatory as unduly burdensome, vague, and overbroad. Staff also objects to the extent this interrogatory seeks communications Staff has had with Ozark Clean Water that have zero relevance to this Complaint. Without waiving any objection, Staff response as follows:

ANSWER: To the best of Staff's knowledge and belief, Staff has no record or recollection of any contact with Ozark Clean Water with regard to Carl R. Mills.

WHEREFORE, Staff respectfully submits *Staff's Objections and Responses to Complainant's First Interrogatories to the Staff of the Public Service Commission, No. 1-7*.

Respectfully submitted,

/s/ Jamie S. Myers

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Attorneys for the Staff of the
Missouri Public Service Commission

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

Derald Morgan,)	
)	
Complainant)	
)	
v.)	
)	<u>File No. WC-2021-0223</u>
Carl R. Mills Water Service d/b/a Carl)	
Richard Mills,)	
)	
Respondent)	

VERIFICATION

STATE OF Missouri)
) ss
 COUNTY OF Cole)

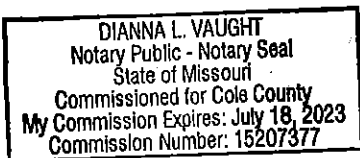
I, Matthew J. Barnes, being duly sworn upon oath states that I have read the foregoing requests for admission and the answers given are true to the best of my knowledge and belief.

/s/ Matthew J. Barnes
 Matthew J. Barnes

SUBSCRIBED AND SWORN to before me this 26th day of April, 2021.

Dianna L. Vaughn
 Notary Public

My Commission Expires:



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

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Complainant)
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v.)
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Carl R. Mills Water Service d/b/a Carl)
Richard Mills,)
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Respondent)

VERIFICATION

STATE OF Missouri)
) ss
COUNTY OF Cole)

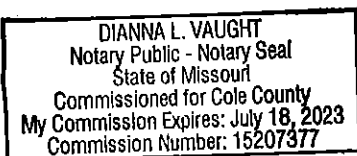
I, Deborah Ann Bernsen, being duly sworn upon oath states that I have read the foregoing requests for admission and the answers given are true to the best of my knowledge and belief.

/s/ Deborah Ann Bernsen
Deborah Ann Bernsen

SUBSCRIBED AND SWORN to before me this 26th day of April, 2021.

Dianna L. Vaughn
Notary Public

My Commission Expires:



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OF THE STATE OF MISSOURI**

Derald Morgan,

Complainant

v.

Carl R. Mills Water Service d/b/a Carl
Richard Mills,

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VERIFICATION

STATE OF Missouri

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COUNTY OF Cole

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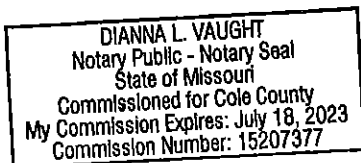
I, Caroline Newkirk, being duly sworn upon oath states that I have read the foregoing requests for admission and the answers given are true to the best of my knowledge and belief.

/s/ Caroline Newkirk
Caroline Newkirk

SUBSCRIBED AND SWORN to before me this 26th day of April, 2021.

Dianna L. Vaughn
Notary Public

My Commission Expires:



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Respondent)

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VERIFICATION

STATE OF Missouri)
) ss
COUNTY OF Cole)

I, Ashley Sarver, being duly sworn upon oath states that I have read the foregoing requests for admission and the answers given are true to the best of my knowledge and belief.

/s/ Ashley Sarver
Ashley Sarver

SUBSCRIBED AND SWORN to before me this 26th day of April, 2021.

Dianna L. Vaughn
Notary Public

My Commission Expires:

