

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

ERIC C. LARSON)	
Complainant,)	
vs.)	Case No. <u>WC-2011-0409</u>
WOODLAND MANOR WATER, LLC,)	
Respondent.)	

RESPONDENT'S RESPONSE TO COMPLAINANT'S
MOTION FOR ORDER TO TAKE JUDICIAL NOTICE

COMES NOW Respondent Woodland Manor, LLC, and files the following response to Complainant's "Motion for Order to Take Judicial Notice":

Complainant has filed a motion apparently requesting the Commission order itself to "take judicial notice" of a group of unsworn statements, the bulk of which are either addressed by evidence already presented by the parties and which have presumptively been weighed and considered by the Commission in reaching its decision, or are directly contrary to sworn testimony previously provided by the Complainant himself.

Respondent is hesitant to respond to a pleading seeking "judicial notice" of such statements which are not within the normally accepted purview of judicial notice, yet is concerned that such a pleading go unanswered. Respondent simply submits that should the Commission decide to treat this Motion as a motion to reopen the proceedings for additional evidence, Respondent is prepared to submit substantial and detailed evidence addressing each and every one of Complainant's unsworn statements.

WHEREFOR, Respondent prays Complainant's Motion be overruled.

/s/ Gregory R. Gibson
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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the above pleading was served upon
Complainant and Staff Counsel by email to the EFIS system this 16th day of October, 2012.

/s/ Gregory R. Gibson
Gregory R. Gibson