

PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

ROB LEE,	)	
	)	
Complainant,	)	
vs.	)	Case No. WC-2009-0277
	)	
MISSOURI-AMERICAN WATER CO.,	)	
	)	
Respondent.	)	

**RESPONDENT'S RESPONSE TO COMPLAINANT'S**  
**MOTION TO ENTER EXPERT TESTIMONY**  
**AND REQUEST FOR ORAL ARGUMENT**

COMES NOW Respondent, Missouri-American Water Company (hereinafter "MAWC"), by and through its counsel, HeplerBroom LLC, and for its Response to Complainant's Motion to Enter Expert Testimony and Request for Oral Argument, states as follows:

1. The information contained on the website referenced in Complainant's Motion that he has asked to be entered into the record constitutes inadmissible hearsay and is irrelevant to this case.
2. Any information contained on said website constitutes out of court statements which Complainant would be offering for the truth of the matter asserted.
3. Furthermore, Respondent would not be afforded the opportunity to cross-examine the author of the information to determine the truth and veracity of such information.
4. Finally, the information contained in the website referenced by Complainant does not pertain specifically to the leaks set forth in the Complaints and Amendments filed in this action, and, therefore, is irrelevant to this case.
5. Respondent requests oral argument on this issue.

WHEREFORE, Respondent prays the Commission deny Complainant's Motion and for any other relief it deems just and proper.

HEPLERBROOM, LLC

By: /s/ Matthew H. Noce

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**PROOF OF SERVICE**

I hereby certify that I electronically filed on this 1<sup>st</sup> day of May, 2009, the foregoing with the Missouri Public Service Commission using the ESIF system which will send notification of such filing to the following:

- Missouri Public Service Commission General Counsel Office (GenCounsel@psc.mo.gov)
- Office of the Public Counsel Mills Lewis ([opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov))
- Missouri Public Service Commission Ritchie Samuel (Samuel.Ritchie@psc.mo.gov)
- Rob Lee (energyhealingarts@gmail.com)

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