

Rob Lee

Missouri American Water Company

April 28, 2009

Case # WC-2009-0277

Motion To Enter Document Named “Response To Staff Report” Into The Record

I ask that the document named “Response To Staff Report” be entered into the record.

Rob Lee
Pro se

Mr Busch,

Your devoted loyalty to this company is evident from your many unsolicited brags of what a great job MAWC is doing and when out of the blue one day you said to me that the PSC can't give me a settlement. I found this rather strange as I never thought the PSC could give me a settlement or have I asked them for a settlement. I have only asked that that water flowing from the ground be stopped. Also by the blatant omission of many facts of this report.

The nature of the complaint to Mr. Hummel was nearly exactly the same as it was to you many months later. A swamp that appeared in the neighbors back yard at 11303 Larimore. Water being pumped out of a basement at 11320 Larimore. Water running out of cracks in the street on Aspen Woods at Larimore... The Church parking lot damaged from water just below another swampy back yard. Water running out of the ground in front of Warman Oil. Water running out of the ground and into the storm drain at Larimore and McQuay. Water running out of the storm drain at Lydia and McQuay and the the neighbor said she had seen it run out of there for two years. And the large sink hole caused by this water leaking. And that I believed these leaks were the cause of my leaky basement. I called Mr Hummel after his visit to my home. I said "there is still water running out of the ground at Larimore and McQuay" his response quote: "have you installed that footing drain on your basement yet" 20 years of experience and he ignores water flowing out of the ground in many places to hastily blame my basement. Most of these complaints persist today.

You also have the information about the neighboring house on McQuay that had nearly six feet of water in the basement that was pumped out and then another four feet of water returned. I have asked you at least four different times in the last four or five months to please get the repair records from MAWC so we could coordinate the reduction of water flow before and after water main repairs, clearly evident in the videos that I have to the repair records of the water mains and you have refused each time.

Why have you ignored facts that point to water main leaks? I called and told you that about a week after the repair at 11533 Larimore Rd. water stopped flowing in the storm drain at Larimore and the RR trax. And that I had always thought this was a creak because of the large continual flow of water thought it. Your quick response to that fact was quote: "We don't know that water stopped flowing because of the the water main repair, we don't know that was MAWC water"

You have ignored almost every fact that points to this water coming from MAWC water mains. I have come to think of my neighborhood like a piece of soggy bread. After the water leaves the water mains it slowly oozes under ground, not as a direct stream but as a total saturation through several hundred feet or several thousand feet of soil filled with minerals, chemicals and microbes which strip all MAWC chemicals from water before it slowly siphons out of the saturated ground or into my basement. And lab tests are not able to recognize it as MAWC water. The water testing has yielded zero results to this problem since 2006.

I moved to this house in December of 1989. Even when looking at this house with the Realtor before purchase in August of 1989 I noticed water running under the mail box. Not having much knowledge of where the water was coming from I didn't think much of it. Water ran under this mail box continually and the place where I dug the holes was constantly wet and swampy until 2006 when three water mains were repaired near my house. Within a few weeks of these repairs my basement dried up and the water stopped flowing under the mail box and the neighboring property dried up completely. This was the first time I had seen this property dry and water had not run under the mail box and my

basement had not leaked in the 16 years that I lived here.

The 2006 water main repairs lasted approximately 6 months. During this six months we had severe storms. I remember driving home in a rain storm doing 20 miles an hour because I couldn't see the street in front of me for the rain. I was thinking on the way home that there is no way the basement is not leaking with this huge amount of rain. I remember making frequent trips to the basement every time it rained until I learned to trust the repairs. Each time the basement was dry, no seeping or leaking and the sump pump never ran.

After approximately 6 months the basement starts leaking again. After complaining and complaining MAWC repairs another water main near my home and within a few weeks the basement dried up and didn't leak again (verified by frequent trips to the basement checking for leaks) this lasted 4 to 6 months. This would put us in time to approximately September of 2007. Since that time this basement has leaked or seeped and the sump pump has run continually.

There are I believe two videos in the dvds that show water flow before and after repairs to water mains near my home. The water stopped flowing in the storm drain at the RR trax 5 or 6 days after the repair at 11533 Larimore. The other is of the water running out of the ground and out of the concrete at the 2' clay storm drain at Larimore and McQuay which is the other end of the drain that comes out at McQuay and Lydia. If we match the video I have taken to the repair records it will show a difference in water flow right after repairs. I have seen water stop flowing after repairs to water mains four times. Two of them are documented and maybe more are to be documented when I see the repair records and match that to the video.

After, in your words your extensive investigation and tremendous amount of time spent by many different agencies, the facts seem to be that you are not one iota closer to identifying the source of the water flowing out of the ground in many places in my neighborhood than you were on June 4, 2008. What dollar figure would you give to this huge effort that produced no results? Water is running out of the ground in several places near my home and about 50 feet from my basement I can take a shovel and turn over a scoop of dirt approximately 12 inches deep and within a minute or two this hole fills with water. The fact that you would recommend water proofing the basement without correcting the water problem seems ludicrous. It is a basement not a boat!

You have had everyone of these facts many of them given to you months ago. I am repeating many of them for you or your staff for at least the 5th and 6th time in this communication. With these facts included this report would have a different meaning. How is omitting facts to distort the truth any different than lying Mr Busch?

Kind regards

Rob Lee