

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

In the Matter of Lake Region Water & Sewer	)	
Company's Application to Implement a General	)	File No. WR-2013-0461
Rate Increase in Water and Sewer Service	)	

**NOTICE OF SUBPOENA FOR PRODUCTION OF DOCUMENTS**

**COMES NOW** the Staff ("Staff") of the Missouri Public Service Commission ("Commission"), by and through counsel, and respectfully states as follows:

1. Pursuant to Court Rule 58.02(a), Staff requests that RPS Properties, L.P. produce and permit inspection and copying of all current loan documents pertaining to RPS Properties' Loan No. 7016782 with Alterra Bank, including any documentation showing the amount outstanding on this loan as of June 30, 2013, and the attached Business Record Affidavit.

2. The time, place, and manner of performing such inspection and copying above requested will be on the 22<sup>nd</sup> day of November 2013 at 10:30 a.m. at the offices of the Commission at Fletcher Daniels State Office Building, 615 East 13<sup>th</sup> Street, Room G8, Kansas City, MO 64106.

3. Further, Court Rule 58.02 (d) specifies, with the agreement of all parties, you may be excused from appearance at the location specified for document production and may instead produce the subpoenaed items to us, who shall then offer to all other parties the opportunity to inspect or copy the subpoenaed items.

4. Staff has obtained the agreement of all parties that you be excused from appearance at the location specified for document production if RPS Properties, L.P. produces the subpoenaed items to the Staff, who shall then offer to all other parties the opportunity to inspect or copy the subpoenaed items. Staff requests that the documents be sent to the undersigned counsel by November 20<sup>th</sup>, 2013 to:

Tim Opitz  
Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-4227 (Telephone)  
(573) 751-9285 (Fax)  
timothy.opitz@psc.mo.gov

Respectfully Submitted,

/s/ Tim Opitz  
Tim Opitz  
Legal Counsel  
Missouri Bar No. 65082

Amy E. Moore  
Deputy Counsel  
Missouri Bar No. 61759

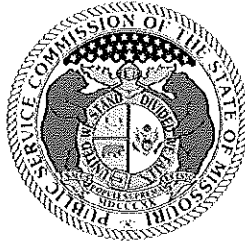
Attorneys for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-4227 (Telephone)  
(573) 751-9285 (Fax)  
amy.moore@psc.mo.gov  
timothy.opitz@psc.mo.gov

#### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed with first-class postage, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 12th day of November, 2013.

/s/ Tim Opitz

**SUBPOENA DUCES TECUM**  
**Order to Produce Documents**



**RECEIVED**  
NOV 22 2013  
COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION

**THE STATE OF MISSOURI.**

SERVE: Registered Agent  
D & A Agency Services, Inc.  
3145 Broadway  
Kansas City, MO 64111

To: RPS Properties, L.P., the Custodian of Records, 10777 Barkley, Suite 210, Overland Park, KS 66211.

You are hereby commanded to be and appear personally before The Public Service Commission of the State of Missouri or any Commissioner thereof on the 22<sup>nd</sup> day of November 2013 at 10:30am o'clock of that day, at the offices of the Commission at Fletcher Daniels State Office Building, 615 East 13th Street, Room G8, Kansas City, MO 64106, in the County of Jackson, in the State of Missouri, to produce documents in the matter of: Lake Region Water & Sewer Company's Application to Implement a General Rate Increase in Water and Sewer Service, File No. WR-2013-0461. And that you also bring with you and produce at said hearing copies of all current loan documents pertaining to RPS Properties' Loan No. 7016782 with Alterra Bank, including any documentation showing the amount outstanding on this loan as of June 30, 2013, and the attached Business Record Affidavit for inspection and copying. Under Court Rule 58.02(d), with the agreement of all parties, the non-party may be excused from appearance at the location specified for document production and may produce the subpoenaed

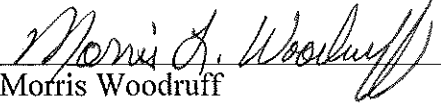
items to the party responsible for issuance and service of the subpoena, who shall then offer to all other parties the opportunity to inspect or copy the subpoenaed items.

The Staff of the Missouri Public Service Commission has obtained the agreement of Lake Region Water & Sewer Company and the Office of Public Counsel, all parties in the case, that RPS Properties, L.P. may be excused from appearance at the location specified for document production if RPS Properties, L.P. produces the subpoenaed items to the Staff, who shall then offer to all other parties the opportunity to inspect or copy the subpoenaed items. Staff requests that the documents be sent by November 20th, 2013 to:

Tim Opitz  
Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-4227 (Telephone)  
(573) 751-9285 (Fax)  
timothy.opitz@psc.mo.gov

Hereof fail not at your peril. The person or officer serving this writ is commanded to have the same at the time and place aforesaid, certifying thereon its return.

Given under my hand, this 8<sup>th</sup> day of November, 2013

  
\_\_\_\_\_  
Morris Woodruff  
Secretary of the Missouri Public Service Commission

## **RETURN**

I HEREBY CERTIFY that I am eligible to serve process in the jurisdiction and I have served the  
within writ by reading the same in the presence and hearing of the within named

\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in

\_\_\_\_\_ County, in the State of Missouri.

\_\_\_\_\_  
[Name]

\_\_\_\_\_  
[Title]

**BUSINESS RECORD AFFIDAVIT**

Before me, the undersigned authority, personally appeared \_\_\_\_\_, who, being by me duly sworn, deposed as follows:

1. My name is \_\_\_\_\_. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:
2. I am a custodian of the records of RPS Properties, L.P. in Overland Park, KS.
3. Attached hereto are \_\_\_\_\_ pages of records pertaining to RPS Properties' Loan No. 7016782 with Alterra Bank, including any documentation showing the amount outstanding on this loan as of June 30, 2013 as relates to Lake Region Water & Sewer Company's Application to Implement a General Rate Increase in Water and Sewer Service, File No. WR-2013-0461. These records are kept by RPS Properties, L.P. of Overland Park, KS in the regular course of business, and it was the regular course of business for an employee or representative of RPS Properties, L.P. of Overland Park, KS with knowledge of the act or event recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time of the act or event.
4. I hereby certify that the records attached hereto are the original or exact duplicates of the original.

\_\_\_\_\_  
Signature of Custodian of Records

In witness whereof I hereunto subscribed my name and affixed my official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Notary Public

My commission expires:

# AFFIDAVIT OF SERVICE

State of Missouri

County of Jackson

Circuit Court

Case Number: WR20130461 Court Date: 11/22/2013 10:30 am

**IN THE MATTER OF LAKE REGION WATER & SEWER COMPANY'S  
APPLICATION TO IMPLEMENT A GENERAL RATE INCREASE IN WATER  
AND SEWER SERVICE**

Received by HPS Process Service & Investigations, Inc. to be served on RPS Properties, LP, c/o Registered Agent D & A Agency Services, Inc, 3145 Broadway, Kansas City, MO 64111.

I, NATHANIEL SCOTT, being duly sworn, depose and say that on the 15th day of November, 2013 at 11:35 am, I:

Served the within named with a true copy of the Subpoena Duces Tecum Order to Produce Documents; and Notice of Subpoena for Production of Documents by leaving with Legal Assistant, Antoinette Ramirez, authorized to accept, at 3145 Broadway, Kansas City, MO 64111.

I am over the age of eighteen, and have no interest in the above action.

**RECEIVED**  
NOV 22 2013

**COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION**

Subscribed and Sworn to before me on the 15 day of  
November, 2013 by the affiant who is personally  
known to me.

A. MOON  
NOTARY PUBLIC



A. MOON  
My Commission Expires  
February 24, 2017  
Jackson County  
Commission #13452192

NATHANIEL SCOTT  
Process Server

HPS Process Service & Investigations, Inc.  
www.hpsprocess.com  
1669 Jefferson  
Kansas City, MO 64108  
(800) 796-9559  
Our Job Serial Number: HAT-2013022943