

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

The Staff of the Missouri Public Service Commission)	
)	
)	
Complainant,)	
)	
v.)	Case No. WC-2010-0227
)	
Aspen Woods Apartment Associates, LLC,)	
Barry Howard, Aspen Woods Apartments,)	
Sapal Associates, Sachs Investing Co.,)	
Michael Palin, Jerome Sachs, and National)	
Water & Power Services Corporation)	
)	
Respondents.		

ANSWER of NATIONAL WATER & POWER SERVICES CORP.
to
AMENDED COMPLAINT

COMES NOW National Water & Power Services Corporation (NWP) in Answer to the Amended Complaint filed by the Staff of the Missouri Public Service Commission (Staff), and states as follows:

1. The Missouri Public Service Commission lacks jurisdiction over the subject matter of Staff's Amended Complaint.
2. Staff's Amended Complaint fails to state a cause of action upon which relief can be granted against NWP.
3. The text of statutes and rules set forth in paragraphs 2, 9, 10, 11, 12, 13, 14, 38, 40, 41, 45, and 46 of Staff's Amended Complaint say what they say, and do not require a response.
4. NWP denies the allegations set forth in paragraphs 1, 4, 24, and 36 of Staff's Amended Complaint.
5. NWP admits the allegations set forth in paragraphs 6, 21, 42, and 43 of Staff's Amended Complaint.
6. NWP is without sufficient information to form a belief as to the truthfulness of the allegations set forth in paragraphs 3, 5, 7, 8, 15, 16, 17, 18, 19,

20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, and 39 of Staff's Amended Complaint, and therefore denies same.

7. In response to paragraphs 35, 37, and 44 of Staff's Amended Complaint, which paragraphs incorporate by reference the allegations of other paragraphs, NWP incorporates by reference its response to the allegations of the other paragraphs as set forth herein.

8. As an affirmative defense to Staff's Amended Complaint, NWP states that Staff and the Commission, by making the allegations set forth in the Amended Complaint against NWP and the other Respondents only, instead of addressing the contention that landlords and their billing agents that pass through the costs of water and wastewater services to tenants in generic rulemaking proceedings, is selectively and discriminatorily enforcing statutes in violation of substantive and procedural due process of law provisions set forth in Article 1, Sections 2 and 10 of the Constitution of the State of Missouri, and in the 14th Amendment of the Constitution of the United States.

9. As an affirmative defense to Staff's Amended Complaint, NWP states that Staff and the Commission, by making the allegations set forth in the Amended Complaint against NWP and the other Respondents only, instead of addressing the contention that landlords and their billing agents that pass through the costs of water and wastewater services to tenants in generic rulemaking proceedings, is selectively and discriminatorily enforcing statutes in violation of the equal protection of the law provisions set forth in Article 1, Section 2 of the Constitution of the State of Missouri, and in the 14th Amendment of the Constitution of the United States.

Wherefore, having fully responded to Staff's Amended Complaint, NWP requests that said Complaint be dismissed with prejudice to the refiling thereof, that the Commission determine that NWP is not subject to the Commission's regulatory jurisdiction, together with such other and further relief as the Commission deems necessary or convenient to dismissing this Complaint and discharging NWP from any further responsibility to respond thereto.

Respectfully submitted,

/s/ Craig S. Johnson

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Attorney for NWP

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this pleading was electronically mailed to the following attorneys of record in this proceeding this 19th day of November, 2010:

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/s/ Craig S. Johnson