

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

The City of Houston Lake, Missouri)	
Complainant)	
)	
vs.)	Case No. WC-2014-0260
)	
Missouri-American Water Company, et al.,)	
Respondent)	

**COMPLAINANT’S FIRST INTERROGATORIES TO RESPONDENT MISSOURI-
AMERICAN WATER COMPANY**

COMES NOW Complainant, The City of Houston Lake, Missouri, by and through its undersigned counsel, and hereby propounds the following First Interrogatories to Respondent Missouri-American Water Company, to be answered under oath and in accordance with the Missouri Rules of Civil Procedure. The Interrogatories are directed to the knowledge of Missouri-American Water Company and that of its representatives, as defined below. The Interrogatories are continual in nature and Respondent Missouri-American Water Company shall be required to amend, modify and/or supplement any answers in accordance with the Missouri Rules of Civil Procedure and the Procedural Schedule entered by the Commission in this action. In answering these Interrogatories, Respondent Missouri-American Water Company is referred to in the Definitions and Instructions below.

DEFINITIONS AND INSTRUCTIONS:

1. **“Answer.”** The term “Answer” as used herein shall refer to the Answer portion of Respondent Missouri-American Water Company’s Answer filed in this action, including any amendments thereto.

2. **“Communication.”** The term “Communication” as used herein shall refer to any contact between or among the parties indicated, including but not limited to, all documents

(defined below), e-mails, text messages and other electronically transmitted information, telephone or personal conversations, meetings, conferences and discussions. Once identified, a communication may be subsequently identified by use of a common description.

3. “Document.” The term “Document” as used herein shall refer to any written, printed, typed, electronically stored or other graphic or photographic matter (including, without limitation, photographs, charts, graphs, microfiche, microfilm, videotapes, recordings and motion pictures) and shall include the originals, identical copies and all non-identical copies, whether different from the original by reason of any notation made on each copy or otherwise and shall include, without limiting the generality of the foregoing, all emails, letters, telegrams, teletypes, correspondence, contracts, agreements, notes, mechanical and electronic sound recordings or transcripts thereof (including, without limitation, tapes, cassettes and discs), computer print-outs or other printed matter produced through computers, electronically stored information on any computer device or cell phone, calendar or diary entries, memoranda, notes, or records of all telephone or personal conversations, meetings or any other communication, inter-office and intra-office communications, statements, manuals, summaries or compilations, minutes of meetings, charges, maps, reports, analyses, studies, graphs, prospectuses, returns, statistics, pamphlets, books, offers, bulletins, order papers, articles, catalogs, records, tables, books of account, ledgers, vouchers, canceled checks, invoices, bills, receipts, tickets, worksheets and all drafts, alterations, modifications and changes of memos to any of the foregoing.

4. “MAWC.” The term “MAWC” as used herein shall refer to Respondent Missouri-American Water Company and, where applicable, its Representatives.

5. “Entity.” The term “Entity” as used herein shall refer to any corporation, partnership, limited liability company, association, or other legal entity other than a person.

6. “Houston Lake.” The term “Houston Lake” as used herein shall refer to

Complainant the City of Houston Lake, Missouri and, where applicable, its Representatives.

7. “Commission.” The term “Commission” as used herein shall refer to the Missouri Public Service Commission and, where applicable, its Representatives.

8. “Identify.” The term “Identify” as used herein in reference to an Entity shall mean to:

- a. state the full name of the Entity;
- b. state the last known business address of the Entity;
- c. state the last known business telephone number of the Entity; and
- d. identify the Person who is most familiar with the business affairs of the Entity as they relate to the answer to the interrogatory involved.

Once identified, an Entity may be subsequently identified by uniform use of a standard name.

9. “Identify.” The term “Identify” as used herein in reference to a Person shall mean to:

- a. state the full name of the Person;
- b. state the full name of the last known employer of the Person;
- c. state the last known occupation or title of the Person with such employer;
- d. state the last known business telephone number of the Person;
- e. state the last known home address of the Person; and
- f. state the last known home telephone number of the Person.

Once identified, a Person may be subsequently identified by uniform use of a standard name.

10. “Identify.” The term “Identify” as used herein in reference to a Communication shall mean to:

- a. state a complete description of the Communication, including whether it was written or oral;
- b. identify the Person(s) or Entity(ies) participating in the Communication;

- c. state the date(s) on which the Communication took place;
- d. state the location(s) at which the Communication took place; and
- e. if the Communication consists in whole or in part of Document(s), Identify the Document(s) as indicated below.

Once identified, a Communication may be subsequently identified by uniform use of a standard description.

11. “Identify.” The term “Identify” as used herein in reference to a Document shall mean to:

- a. state a complete description of the Document;
- b. identify the Person who prepared the Document;
- c. state the date on which the Document was prepared;
- d. state the location at which the Document was prepared; and
- e. Identify the Person who presently has care, custody and control of the Document.

Once identified, a Document may be subsequently identified by uniform use of a standard description.

12. “Person.” The term “Person” as used herein shall refer to a natural person other than an entity and shall be construed to include groups of natural persons.

13. “Complaint.” The term “Complaint” as used herein shall refer to the Formal Complaint filed by Houston Lake in the above-captioned action, including any amendments thereto.

14. “Relating to” or “in Relation to”. The terms “Relating to” or “in Relation to” as used herein shall mean constituting, consisting of, referring to, regarding, reflecting, concerning, discussing, evidencing, commenting on, or having any logical or factual connection with the matter identified, in whole or in part.

15. “Representatives.” The term “Representatives” as used herein shall refer to any and all present or former agents, employees, servants, officers, directors, accountants, attorneys, consultants, sureties, indemnitors, insurers, subcontractors, and other persons acting or purporting to act on behalf of the Person or Entity referred to.

16. “You” or “Your.” The terms “You” and “Your” as used herein shall refer to MAWC.

17. The words “AND” and “OR” as used herein are to be considered both conjunctively and disjunctively.

18. The term “ANY” as used herein is understood to include and encompass “ALL.”

19. The word “ALL” as used herein also includes “EACH” and vice versa.

20. The singular form of a noun or pronoun used herein also includes the plural form and vice versa.

INTERROGATORIES:

1. Identify the Person(s) answering, assisting or providing the information used to answer each separate Interrogatory propounded hereunder.

ANSWER:

2. Identify every Person known to You to have any knowledge or information regarding the facts and circumstances alleged, referenced or contained in the Answer. For each Person identified, please provide:

- a. the substance of the knowledge and/or information that each such Person possesses;
- b. whether You intend to call each such Person as a witness at the trial of this matter; and
- c. if so, the substance of the testimony he or she is expected to give at trial.

ANSWER:

3. Other than Your attorneys, please Identify all Persons or Entities with whom You have had any contact (either written, oral or any other form of communication) regarding the facts and circumstances alleged, referenced or contained in the Complaint and/or Answer. For each Person or Entity identified, please also provide:

- a. the date and time of the contact;
- b. the manner/form of the contact (i.e., written, oral, etc.);
- c. whether the contact was recorded or reduced to writing;
- d. the facts revealed in the contact; and
- e. the custodian of the records, statements or notes concerning the contact.

ANSWER:

4. Identify all Persons from whom You have obtained statements regarding the facts and circumstances alleged, referenced or contained in the Petition and/or Answer. For each Person identified, please also provide:

- a. the Person or Entity in custody of each statement;
- b. the date and time that each statement was taken and obtained;
- c. the name of the Person who took each statement; and
- d. the contents/substance of each statement.

ANSWER:

5. Identify each Person who has been retained or specially employed by You in anticipation of litigation or preparation for trial/hearing in connection with the above-captioned

action that You do not expect to call as an expert witness at trial/hearing, but whose work product forms a basis, either in whole or in part, of the opinions of an expert who is expected to be called as a witness.

ANSWER:

6. Identify each Person expected to be called by You as an expert witness at trial/hearing. For each identified expert witness, please provide the following information with reasonable particularity:

- a. the subject matter on which the expert is expected to testify;
- b. the designated expert's qualifications to testify as an expert on each such subject;
- c. the mental impressions and opinions held by the expert and the facts known to the expert (regardless of when the factual information was required) which relate to, or form the basis of, the mental impressions held by the expert;
- d. Identify all documents and tangible things, including reports, physical models, compilations of data, and other materials prepared by an expert or for an expert in anticipation of the expert's trial and deposition testimony;
- e. Identify all material which forms a basis, either in whole or in part, for the opinions of an expert who is expected to be called as a witness, including material prepared by any other expert who will not be called to testify;
- f. Identify the expert who prepared the material referred to in subparagraph (e) above, and give the qualifications, mental impressions and facts known to such an expert which serve as the basis for the material provided;
- g. Identify all material that the expert has reviewed in the course of his employment in this action before forming an opinion in this matter.

ANSWER:

7. Identify all facts, information, Communications, Documents and other materials that You allege or believe support, disprove or otherwise Relate to Your allegations in paragraph 6 of Your Answer that Houston Lake did not have "the authority to collect from or impose on

MAWC a gross receipt tax as referenced in the Complaint.”

ANSWER:

8. For each fact listed in response to the preceding interrogatory, please list and Identify any Person known to You or Your attorneys to have knowledge of each such fact and for each such individual provide the following:

- a. Name;
- b. Address;
- c. Telephone Number;
- d. The fact or facts about which this person has knowledge.

ANSWER:

9. Identify all facts, information, Communications, Documents and other materials that You allege or believe support, disprove or otherwise Relate to Your allegations in paragraph 7 of Your Answer that Houston Lake did not have “the authority to collect from or impose on MAWC an occupational license fee as referenced in the Complaint.”

ANSWER:

10. For each fact listed in response to the preceding interrogatory, please list and Identify any Person known to You or Your attorneys to have knowledge of each such fact and for each such individual provide the following:

- a. Name;

- b. Address;
- c. Telephone Number;
- d. The fact or facts about which this person has knowledge.

ANSWER:

11. Identify all facts, information, Communications, Documents and other materials that You allege or believe support, disprove or otherwise Relate to Your allegations in paragraph 9 of Your Answer that Houston Lake did not have “the authority to collect from or impose on MAWC” a “penalty as referenced in the Complaint.”

ANSWER:

12. For each fact listed in response to the preceding interrogatory, please list and Identify any Person known to You or Your attorneys to have knowledge of each such fact and for each such individual provide the following:

- a. Name;
- b. Address;
- c. Telephone Number;
- d. The fact or facts about which this person has knowledge.

ANSWER:

13. Identify all facts, information, Communications, Documents and other materials

that You allege or believe support, disprove or otherwise Relate to Your allegations in paragraph 28 of Your Answer that “any damages which may have been sustained by Houston Lake were the direction and proximate result of the acts and/or omission of Houston Lake or others.”

ANSWER:

14. For each fact listed in response to the preceding interrogatory, please list and Identify any Person known to You or Your attorneys to have knowledge of each such fact and for each such individual provide the following:

- a. Name;
- b. Address;
- c. Telephone Number;
- d. The fact or facts about which this person has knowledge.

ANSWER:

15. Identify all facts, information, Communications, Documents and other materials that You allege or believe support, disprove or otherwise Relate to Your allegations in paragraph 30 of Your Answer that “Houston Lake has failed to mitigate any damages suffered by it.”

ANSWER:

16. For each fact listed in response to the preceding interrogatory, please list and Identify any Person known to You or Your attorneys to have knowledge of each such fact and for each such individual provide the following:

- a. Name;
- b. Address;
- c. Telephone Number;
- d. The fact or facts about which this person has knowledge.

ANSWER:

17. Identify all facts, information, Communications, Documents and other materials that You allege or believe support, disprove or otherwise Relate to Your allegations in paragraph 31 of Your Answer that Houston Lake's claim is barred by the equitable doctrine of estoppel.

ANSWER:

18. For each fact listed in response to the preceding interrogatory, please list and Identify any Person known to You or Your attorneys to have knowledge of each such fact and for each such individual provide the following:

- a. Name;
- b. Address;
- c. Telephone Number;
- d. The fact or facts about which this person has knowledge.

ANSWER:

19. Identify all facts, information, Communications, Documents and other materials that You allege or believe support, disprove or otherwise Relate to Your allegations in paragraph 31 of Your Answer that Houston Lake's claim is barred by the equitable doctrine of unclean hands.

ANSWER:

20. For each fact listed in response to the preceding interrogatory, please list and Identify any Person known to You or Your attorneys to have knowledge of each such fact and for each such individual provide the following:

- a. Name;
- b. Address;
- c. Telephone Number;
- d. The fact or facts about which this person has knowledge.

ANSWER:

21. Identify all facts, information, Communications, Documents and other materials that You allege or believe support, disprove or otherwise Relate to Your allegations in paragraph 31 of Your Answer that Houston Lake's claim is barred by the equitable doctrine of laches.

ANSWER:

22. For each fact listed in response to the preceding interrogatory, please list and Identify any Person known to You or Your attorneys to have knowledge of each such fact and for each such individual provide the following:

- a. Name;
- b. Address;
- c. Telephone Number;
- d. The fact or facts about which this person has knowledge.

ANSWER:

23. Identify all facts, information, Communications, Documents and other materials that You allege or believe support, disprove or otherwise Relate to Your allegations in paragraph 32 of Your Answer that Houston Lake's claim is barred in whole or in part by the applicable statutes of limitations.

ANSWER:

24. For each fact listed in response to the preceding interrogatory, please list and Identify any Person known to You or Your attorneys to have knowledge of each such fact and for each such individual provide the following:

- a. Name;
- b. Address;

- c. Telephone Number;
- d. The fact or facts about which this person has knowledge.

ANSWER:

25. Identify all facts, information, Communications, Documents and other materials that You allege or believe support, disprove or otherwise Relate to Your allegations in paragraph 32 of Your Answer that Houston Lake's claim is barred in whole or in part by the time limitations contained in the applicable tariffs.

ANSWER:

26. For each fact listed in response to the preceding interrogatory, please list and Identify any Person known to You or Your attorneys to have knowledge of each such fact and for each such individual provide the following:

- a. Name;
- b. Address;
- c. Telephone Number;
- d. The fact or facts about which this person has knowledge.

ANSWER:

27. List an itemization of all payments made by MAWC to Houston Lake in Relation to gross receipt taxes collected by MAWC from the sale of water to the residents in Houston

Lake from January 1, 1986 through the date of Your answers herein, including the following information:

- a. The date each payment was made to Houston Lake;
- b. The amount of each payment made to Houston Lake; and
- c. What percentage of the gross receipts was each payment in Relation to the receipts collected for each time period that each payment Relates to.

ANSWER:

28. At any time since January 1, 1986, have You filed a statement with Houston Lake detailing the gross receipts collected by You from the sale of water to the residents of Houston Lake as required pursuant to Houston Lake Code Section 605.040(C)?

ANSWER:

29. If Your answer to the preceding interrogatory is yes, list each date that You filed a statement with Houston Lake detailing the gross receipts collected by You from the sale of water to the residents of Houston Lake from January 1, 1986 to and through the date of Your answers herein, as required pursuant to Houston Lake Code Section 605.040(C), and for each statement you filed list the following information:

- a. The date each statement was filed with Houston Lake;
- b. Identify the name, address and telephone number of each individual who prepared each statement;

c. Identify whether MAWC has a copy of each statement, and if Yes, Identify the Person who presently has care, custody and control of a copy of each statement.

ANSWER:

30. List each date that MAWC approved tariff increases exceeding seven percent (7%) from the Commission in Relation to Your sale of water to the residents of Houston Lake from January 1, 1986 through the date of Your answers herein, including the following information:

- a. The day, month and year of each approved tariff increase;
- b. Whether MAWC was providing water to the residents of Houston Lake at the time of each approved tariff increase;
- c. Whether MAWC notified Houston Lake, by any means, of each approved tariff increase, and if yes, the date of each notification to Houston Lake and the method of notification used.

ANSWER:

31. What is the department name within MAWC and the title of the individual/s currently responsible for collecting the gross receipt tax on water provided to Houston Lake by MAWC, including the individuals name, address and telephone number.

ANSWER:

32. What was the department name within MAWC and the title of the individual/s responsible, from 1986 to and through the date of Your answers herein, for collecting the gross receipt tax on water provided to Houston Lake by MAWC, including the individuals name, address and telephone number.

ANSWER:

33. Identify the name, address and telephone number of each Person who is currently involved in assessing the percentage of gross receipt tax that is collected by You on the water You provide to the City of Houston Lake.

ANSWER:

34. Identify the name, address and telephone number of each Person who was involved in assessing the percentage of gross receipt tax that was collected by You on the water You provided to the City of Houston Lake from January 1, 1986 to and through the date of your answers herein.

ANSWER:

35. Identify the name, address and telephone number of each Person who is currently involved in determining the dollar amount of the gross receipt tax that is sent by You to Houston Lake from the water You provide to the City of Houston Lake.

ANSWER:

36. Identify the name, address and telephone number of each Person who was involved in determining the dollar amount of the gross receipt tax that was sent by You to Houston Lake from the water You provided to the City of Houston Lake from January 1, 1986 to and through the date of your answers herein.

ANSWER:

37. List the total gross receipts that You have received quarterly, for each quarter, from January 1, 1986 to and through the date of Your answers herein from Your sale of water to the residents of Houston Lake.

ANSWER:

38. Identify all facts, information, Communications, Documents and other materials that support how the calculation was made by You that 1% gross receipts tax would be collected from the residents of Houston Lake from at least the year 2001 to October of 2013.

ANSWER:

39. List the date, including the day, month and year, that MAWC began collecting a 1% gross receipts tax on Your sale of water to the residents of Houston Lake.

ANSWER:

40. When You decided to begin collecting 1% gross receipts tax on Your sale of water to the residents of Houston Lake, did you provide any notice by any method to Houston Lake in Relation to Your decision?

ANSWER:

41. If Your answer to the preceding interrogatory is Yes, list the following:

- a. The date, including the day, month and year, that MAWC provided notice to Houston Lake that it would begin and/or would collect a 1% gross receipts tax on Your sale of water to the residents of Houston Lake;
- b. The method of Communication used on each date above to provide said information to Houston Lake (i.e. written notice, email correspondence, telephone conversation);
- c. The date the Communication was given or prepared;
- d. Identify whether MAWC has a copy of the Communication, and if Yes, identify the Person who presently has care, custody and control of the copy of the Communication.

ANSWER:

42. Identify the name, address and telephone number of each Person who was involved in determining that MAWC would begin collecting a gross receipts tax of 1% on Your sale of water to the residents of Houston Lake.

ANSWER:

43. Since January 1, 1986, have You ever provided notice to Houston Lake, or made Houston Lake aware by any method of Communication, of any tariff increases exceeding seven percent (7%) that You were granted by the Commission on Your sale of water to the residents of Houston Lake from January 1, 1986 to and through the date of Your answers herein.

ANSWER:

44. If your answer to the preceding interrogatory is Yes, list the following:

- a. The date of each notice or method of Communication;
- b. A complete description of the Communication or Document used to convey said information to Houston Lake, including the following information:
 - (1) The method of Communication used on each date above to provide said information to Houston Lake (i.e. written notice, email correspondence, telephone conversation);
 - (2) Identify the Person who gave or prepared the Communication or Document;
 - (3) The date the Communication or Document was given or prepared;
 - (4) Identify whether MAWC has a copy of the Communication or Document, and if Yes, identify the Person who presently has care,

custody and control of the copy of the Communication or Document.

- c. Whether Houston Lake acknowledged receipt in any way of each such notice or method of Communication and if Yes, list how Houston Lake acknowledged receipt in any way of each such notice or method of Communication.

ANSWER:

45. In Relation to any tariff increases exceeding seven percent (7%) that You were granted by the Commission on Your sale of water to the residents of Houston Lake from January 1, 1986 to and through the date of Your answers herein, did MAWC provide to the Commission a list of all cities and counties within its certificate areas which implies a business license tax on Your gross receipts, together with the name, mailing address and title (that is, collector, treasurer, clerk) of the official responsible for administration of gross receipts tax or business license tax in each of the listed cities and counties, as required pursuant to 4CSR 240-10.060(1)(A)?

ANSWER:

46. If Your answer to the preceding interrogatory is Yes, list the following:

- a. Each date You provided said information to the Commission as required pursuant to 4CSR 240-10.060(1)(A); and

- b. A complete description of the Communication or Document used to convey said information to the Commission, including the following information:
- (1) The method of Communication used on each date above to provide said information to the Commission as required pursuant to 4CSR 240-10.060(1)(A) (i.e. written notice, email correspondence, telephone conversation);
 - (2) Identify the Person who gave or prepared the Communication or Document;
 - (3) The date the Communication or Document was given or prepared;
 - (4) Identify whether MAWC has a copy of the Communication or Document, and if Yes, identify the Person who presently has care, custody and control of the copy of the Communication or Document.

ANSWER:

47. In Relation to any tariff increases exceeding seven percent (7%) that You were granted by the Commission on Your sale of water to the residents of Houston Lake from January 1, 1986 to and through the date of Your answers herein, did MAWC provide to the Commission a reasonable estimate of the resulting annual increase in MAWC's annual gross receipts in each affected city and county, as required pursuant to 4CSR 240-10.060(1)(B)?

ANSWER:

48. If Your answer to the preceding interrogatory is Yes, list the following:

- a. Each date You provided said information to the Commission as required pursuant to 4CSR 240-10.060(1)(B); and
- b. A complete description of the Communication or Document used to convey said information to the Commission, including the following information:
 - (1) The method of Communication used on each date above to provide said information to the Commission as required pursuant to 4CSR 240-10.060(1)(B) (i.e. written notice, email correspondence, telephone conversation);
 - (2) Identify the Person who gave or prepared the Communication or Document;
 - (3) The date the Communication or Document was given or prepared;
 - (4) Identify whether MAWC has a copy of the Communication or Document, and if Yes, identify the Person who presently has care, custody and control of the copy of the Communication or Document.

ANSWER:

49. In Relation to any tariff increases exceeding seven percent (7%) that You were granted by the Commission on Your sale of water to the residents of Houston Lake from January 1, 1986 to and through the date of Your answers herein, did MAWC provide to the Commission an explanation of the methods used in developing the estimates (as referenced in Interrogatory numbers 47 and 48), as required pursuant to 4CSR 240-10.060(1)(C)?

ANSWER:

50. If your answer to the preceding interrogatory is Yes, list the following:

- a. Each date You provided said information to the Commission as required pursuant to 4CSR 240-10.060(1)(C); and
- b. A complete description of the Communication or Document used to convey said information to the Commission, including the following information:
 - (1) The method of Communication used on each date above to provide said information to the Commission as required pursuant to 4CSR 240-10.060(1)(C) (i.e. written notice, email correspondence, telephone conversation);
 - (2) Identify the Person who gave or prepared the Communication or Document;
 - (3) The date the Communication or Document was given or prepared;
 - (4) Identify whether MAWC has a copy of the Communication or Document, and if Yes, identify the Person who presently has care, custody and control of the copy of the Communication or Document.

ANSWER:

51. Since January 1, 1986, list all of Your predecessors in interest that have sold water to the residents of Houston Lake, including the following information:

- a. The name of each predecessor in interest;
- b. The type of each entity (i.e. corporation, limited liability company);
- c. The date each predecessor in interest became into existence;

- e. The state where each predecessor in interest was formed;
- f. The date each predecessor in interest began providing water to the residents of Houston Lake;
- g. The date each predecessor in interest stopped providing water to the residents of Houston Lake;
- h. The reasons why each predecessor in interest stopped providing water to the residents of Houston Lake.

ANSWER:

52. Since January 1, 1986, list all names used by You, or any predecessor in interest, through which You have sold water to the residents of Houston Lake, including the following information:

- a. The date each entity became into existence;
- b. The type of each entity (i.e. corporation, limited liability company);
- c. The state where each entity was formed;
- d. The date each entity began providing water to the residents of Houston Lake.

ANSWER:

53. In Relation to any tariff increases exceeding seven percent (7%) that You were granted by the Commission on Your sale of water to the residents of Houston Lake from January 1, 1986 to and through the date of Your answers herein, did MAWC receive from the Commission any Communication or Document indicating that the Commission had notified Houston Lake of any said tariff increases exceeding seven percents (7%), as required pursuant to R.S.Mo. §393.275.1?

ANSWER:

54. If Your answer to the preceding interrogatory is Yes, Identify:

- a. The date You received each said Communication or Document;
- b. Identify each Communication or Document received that indicated that the Commission had notified Houston Lake of any said tariff increases exceeding seven percent (7%), including the following information:
 - (1) a complete description of the Communication or Document;
 - (2) Identify the Person who gave or prepared the Communication or Document;
 - (3) The date the Communication or Document was given or prepared; and
 - (4) Identify the Person who presently has care, custody and control of the Communication or Document.

ANSWER:

STATE OF MISSOURI)
)ss.
COUNTY OF _____)

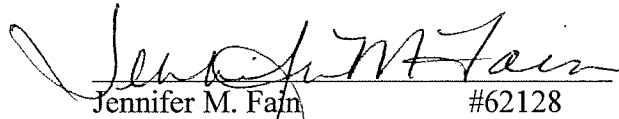
On this _____ day of _____, 2014, before me, the undersigned, a Notary Public, personally appeared _____ to me personally known, who by me duly sworn, did say that he/she is _____ of Missouri-American Water Company, a Missouri corporation, and that said instrument was signed in behalf of said corporation, and acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the State of Missouri, in the day and year last above written.

Notary Public

My term expires _____.

WITT, HICKLIN & SNIDER, P.C.

A handwritten signature in black ink, appearing to read "Jennifer M. Fain", is written over a horizontal line.

Jennifer M. Fain

#62128

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