

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

AG/CP Crestwood Retail Owner, LLC,)	
)	
Complainant,)	
)	Case No. WC-2011-0162
v.)	
)	
Missouri-American Water Company,)	
)	
Respondent.)	

**COMPLAINANT’S RESPONSE TO
RESPONDENT’S MOTION TO DISMISS AND OFFER TO COMPROMISE**

COMES NOW Complainant, AG/CP Crestwood Retail Owner, LLC and for its
Response to Respondent’s Motion To Dismiss and Offer To Compromise states as follows:

RESPONSE TO MOTION TO DISMISS

1. Complainant admits the averments contained in Paragraph 1.

2. Complainant denies the averments contained in Paragraph 2. In further
response, Complainant pleads more than sufficient facts to support its conclusion that the
meter reading was erroneous, or that there is some other fault on the part of Respondent.

3. Complainant denies the conclusions contained in Paragraph 3.

WHEREFORE, Complainant AG/CP Crestwood Retail Owner, LLC prays that the
Public Service Commission of the State of Missouri dismiss Respondent’s Motion To Dismiss
with prejudice.

OFFER TO COMPROMISE

In an effort to compromise, and not as an admission of liability, Complainant rejects Respondent's offer to settle Complainant's Complaint by refunding \$4,000 to Complainant, but counteroffers with an offer to settle for an \$8,000 refund to Complainant.

Respectfully submitted,

Kreuter & Gordon, PC

By: /s/ David O. Kreuter

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was filed electronically and mailed postage prepaid the 21st day of January, 2011, to:

Kenneth C. Jones
727 Craig Road
St. Louis, MO 63141

 /s/ David O. Kreuter