

STATE OF MISSOURI)
) ss.
COUNTY OF JEFFERSON)

Before the Public Service Commission of the State of Missouri

Case Number: WC-2014-0018

Staff of the Missouri Public Service Commission,
Complainant

vs.

Consolidated Public Water Supply District
C-1 of Jefferson County, Missouri,

and

City of Pevely, Missouri,
Respondents

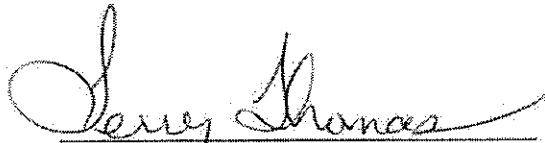
AFFIDAVIT OF TERRY THOMAS

COMES NOW Terry Thomas, and upon his oath being duly sworn, states as follows:

1. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts stated herein.
2. I am the City Administrator for the City of Pevely, Missouri ("Pevely").
3. In 2007, Pevely entered into an agreement with the Consolidated Public Water Supply District C-1 of Jefferson County, Missouri (the "District").
4. If Pevely thought that Mo. Rev. Stat. § 247.172 applied to that agreement such that its conduct would be considered to violate that law, then it would have sought the Commission's approval of the agreement.
5. Pevely received no notice from the Commission prior to these proceedings that it intended to enforce the provisions of § 247.172 against the Respondents' agreement.
6. The property known as Valle Creek Condominiums lies within the municipal boundaries of Pevely.

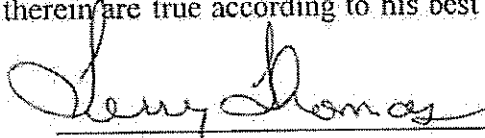
7. Pevely does not provide water service beyond its corporate municipal boundaries.
8. The District lacked the infrastructure to serve the area in which Valle Creek is located.
9. Upon information and belief, the District and the developer of Valle Creek, H & H Development Company, Inc. ("H & H") entered into an agreement providing for H & H's connection to the District's water system. At the request of H & H, Pevely agreed to provide water to Valle Creek for a period of 6 months. Pevely would have directly provided water to Valle Creek if H & H had not entered into an agreement with the District to connect to the District's water system.
10. Pevely's water mains do extend to Valle Creek, which allowed it to provide water services to Valle Creek upon H & H's request.
11. Pevely provided water to Valle Creek beyond the 6 month period because it had not connected to the District's water system and Pevely wanted to ensure that Valle Creek received water.
12. Pevely has advised the receiver of H & H that it is willing to meet the future water service needs of Valle Creek.

Further the Affiant Sayeth not.


Terry Thomas

JURAT

Terry Thomas, being of lawful age and duly sworn, upon his oath states that he has read the foregoing Affidavit, and that the facts stated therein are true according to his best knowledge and belief.

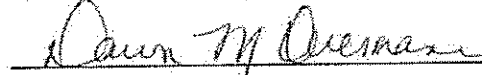


Terry Thomas

Subscribed and sworn to before me this 24 day of April, 2014.



DAWN M. OVERMANN
My Commission Expires
June 28, 2015
Jefferson County
Commission #11397735


Notary Public

My Commission Expires: June 28, 2015