

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

Rob Lee,	)	
	)	
Complainant,	)	
	)	
v.	)	<b>Case No. WC-2009-0277</b>
	)	
Missouri American Water Company,	)	
	)	
Respondent.	)	

**STAFF RESPONSE**

COMES NOW Staff of the Public Service Commission of Missouri (Staff) to respond to the following April 21, 2009 filings made by Rob Lee: 1.) Motion to Include Testimony and Evidence from Rate Increasing Hearing, 2.) Motion to Appoint Independent Third Party to Perform Water Loss Survey, 3.) Motion to Enter Expert Testimony:

1. On April 21, 2009, Mr. Lee requested that testimony and evidence from a local public hearing in Case No. WR-2008-0311 be admitted as evidence. Staff has no objections to the transcript of the testimony from the local public hearing being admitted as evidence. Staff is in possession of five DVDs obtained from Mr. Lee. Staff has no objection to these five DVDs as evidence.

2. On April 21, 2009, Rob Lee filed a motion to appoint an “independent third party to perform water loss survey.” Mr. Lee further requested that Andy Crim from waternetsurvey.com be hired to perform a Water Loss Survey on MAWC’s water system in a quarter mile radius of his home. Staff has no objection to Mr. Lee hiring Mr. Crim to perform the survey. Mr. Lee should be apprized of the fact that it is his obligation to contact and retain

Mr. Crim and make arrangements for Mr. Crim's attendance at the hearing. Staff reserves the right to raise any objection to the introduction of Mr. Crim's testimony at the hearing.

3. On April 21, 2009, Rob Lee filed a motion to enter expert testimony. Mr. Lee requested that the web pages and information contained in the website waternetsurvey.com be entered into evidence as expert testimony. Staff may have objections and preserves the right to raise any objections to the web pages of waternetsurvey.com and information contained therein at the time of hearing.

WHEREFORE, the Staff submits its responses to the preceding filings by complainant Rob Lee.

Respectfully submitted,

/s/ Sam Ritchie

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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronic mail to all counsel of record this 1st day of May, 2009.

/s/ Sam Ritchie