

Gannan Law, LLC

1200 NW South Outer Road

Blue Springs, MO 64015

(816) 220-9066

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FILED⁵

JAN 05 2005

Missouri Public
Service Commission

John W. Gannan, II
Attorney at Law

Admitted in MO & KS

January 3, 2005

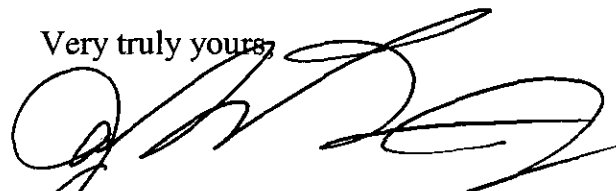
Secretary of the
Missouri Public Service Commission
Attn: Data Center
P.O. Box 360
Jefferson City, Missouri 65102-0360

Re: *Knabe Investments LLC, Complainant, vs. Raytown Water Co., Respondent*

Dear Secretary:

Enclosed please find the original and ten copies of the Formal Complaint to be filed with the Commission with respect to the above-referenced case. Please return one copy stamped "filed" to my office in the enclosed self-addressed, postage-paid envelope. If you have any questions or need further information, please feel free to contact my office.

Very truly yours,



John W. Gannan, II
john@gannanlaw.com

JWG/kb
Enclosures

cc: Mr. Steve Knabe

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE
STATE OF MISSOURI

FILED⁵
JAN 05 2005
Missouri Public
Service Commission

KNABE INVESTMENTS LLC,)
)
 Complainant,)
)
 vs.)
)
RAYTOWN WATER CO,)
)
 Respondent.)

Case No.: _____

FORMAL COMPLAINT

COMES NOW Complainant, Knabe Investments LLC, by and through its attorney of record, and enters the following complaint before the Public Service Commission:

1. That Complainant is a Missouri limited liability company with a primary business address of 6124 Blue Ridge Blvd., Raytown, Jackson County, Missouri 64133.
2. That Respondent is the Raytown Water Company, with a primary business address of 9820 E. 63rd Street, Raytown, Jackson County, Missouri 64133, and is a public utility under the jurisdiction of the Public Service Commission of the State of Missouri.
3. That this complaint relates to a residential rental property owned by Complainant which is located at 6638-B Maywood, Raytown, Jackson County, Missouri 64133.
4. That the specific complaints of Complainant are set forth in full within **Exhibit A** attached hereto and incorporated herein by reference. The gist of this complaint is that the Respondent is charging Complainant \$216.40 for water services at the subject location for a date and period of time after July 12, 2004, when Respondent was to have shut off water service at the subject location given the abandonment of that premises by a tenant. Subsequent thereto, on or about August 16, 2004, Respondent apparently determined that there was water running within the subject premises, even though the water to the subject premises had supposedly been shut off by

Respondent on or about July 12, 2004. Respondent is now charging Complainant for water service at the subject premises for the period of time covering July 12, 2004 through August 16, 2004. Respondent's alleged basis for charging Complainant for said water service is that they assume that Complainant must have turned on the water after it was shut off by the Respondent. Complainant specifically denies that allegation and instead suggests that Respondent never shut off the water as it was supposed to. The water usage during the period in question was apparently the result of a leaking fixture, which would not have resulted in this excessive usage if the water had been properly shut off by Respondent. As such, Complainant does not feel that it should be held financially responsible for the Respondent's error in failing to shut off the water at the subject location.

5. That Complainant has attempted to resolve this issue directly with Respondent, all to no avail.

6. That the issue contained within this complaint is subject to the jurisdiction of the Public Service Commission of the State of Missouri.

WHEREFORE, Complainant requests the determination of this Commission that it is not liable for the TWO HUNDRED SIXTEEN AND 40/100 DOLLARS (\$216.40) assessed against the subject location by Respondent, and for such other and further relief as the Commission deems just and proper.

Respectfully submitted,


GANNAN LAW, LLC

JOHN W. GANNAN, II (Mo.#40325)
1200 N.W. South Outer Rd.
Blue Springs, Missouri 64015
Telephone: (816) 220-9066
Fax: (816) 224-0810
ATTORNEY FOR COMPLAINANT

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE
STATE OF MISSOURI

FILED

DEC 07 2004

Name: KNAGE INVESTMENTS LLC
Complainant

Missouri Public
Service Commission

vs.

Case No.

Company Name: RAYTOWN WATER CO
Respondent

COMPLAINT

Complainant resides at 6124 BLUE RIDGE BLVD,
RAYTOWN, MO 64133
(address of complainant)

1. Respondent, RAYTOWN WATER CO
(company name)
of 9320 E. 63rd ST, RAYTOWN, MO 64133
(location of company) is a public utility under the
jurisdiction of the Public Service Commission of the State of Missouri.

2. As the basis of this complaint, Complainant states the following facts:

RE: ACCT. # 47-0791-04 RAYTOWN WATER CO.
LOCATION OF WATER USAGE - 6638 B MAYWOOD
RAYTOWN, MO 64133

ON JULY 12, 04 THE RAYTOWN WATER
COMPANY SHUT OFF THE WATER AS A
RESULT OF OUR TENANT MOVING OUT.
ON AUGUST 16th THEY NOTICED THE
METER WAS RUNNING EVEN THOUGH
THE APT. WAS VACANT. THEY ENTERED
THE VACANT APT AND NOTICED A
LEAKY TOILET. AT THIS TIME THEY
PULLED THE METER. SHORTLY AFTER,
WE RECEIVED THE BILL STATING
WE OWED \$216.40. OUR CONTRIBUTION
IS THAT THE APARTMENT WAS VACANT

3. The Complainant has taken the following steps to present this com
the Respondent:

EXHIBIT

tabbies

A

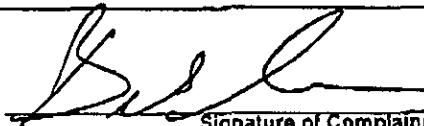
AND NOBODY EVEN ENTERED THIS APARTMENT DURING THIS TIME FROM JULY 12 TO AUGUST 16th. WE FEEL THAT THE RAYDOWN WATER COMPANY MIS TAKINGLY DID NOT ACTUALLY SHUT THE WATER OFF ON JULY 12 EVEN THOUGH THEY SHOW IT DOCUMENTED AS BEING OFF. ~~WE~~ A ~~HAVE~~ ~~SE~~ THEY SAID THAT WE MUST HAVE TURNED THE WATER ON OURSELVES. THIS IS NOT TRUE. WE DIDNT HAVE TIME TO WORK ON THIS UNTIL OCTOBER. ~~OF~~ I HAVE ATTACHED DOCUMENTS SHOWING THAT ALL WORK PERFORMED IN THIS BUILDING HAPPENED IN OCTOBER.

WHEREFORE, Complainant now requests the following relief:

WE FEEL WE DO NOT OWE ANY OF THIS BILL. IT IS NOT OUR RESPONSIBILITY TO MAKE SURE THAT THE WATER IS SHUT OFF AT THE METER. ESPECIALLY WHEN THE WATER COMPANY HAS NOTIFIED US OF THE DISCONNECT.

12-3-04

Date



Signature of Complainant

Attach additional pages, as necessary.
Attach copies of any supporting documentation.

BILLY KNADE, ~~EXP~~
6638 B MAYWOOD
RAYTOWN, MO 64133

CLEANED THE ABOVE APARTMENT
BY ESTHER & SARA FOR \$125⁰⁰
IN OCTOBER 2004.

THANK U
ESTHER



Esther & Sara's Cleaning Service
Isn't It Time You Come Clean?

(816) 392-6196
(816) 289-0903

3 NW O'Brien Rd.
Lee's Summit, MO 64063

OPEN MON., WED. & FRI. 8 A.M. to 6 P.M.
TUES. & THURS. 8 A.M. to 7 P.M. - SAT. 9 A.M. to 5 P.M.

Oct 27 04 10:50a SOUTHSIDE CARPET

DATE _____

Fax 553-2771

DELIVER TO

CASH

N/C

CHECK

QUAN.

DESCRIPTION

PRICE

A MOUNT

22.67	12x17	#551	6 ⁰⁰	158	42
48	Acme Long				

18	carb - almond	182	54	02
	Cove base			

12/5

THANKS
FOR YOUR BUSINESS

All claims and returned goods MUST be accompanied by this bill

NO REFUNDS AFTER 30 DAYS

RECEIVED

BY

TAX

Category	Value
1. Total	100
2. Total	100
3. Total	100
4. Total	100
5. Total	100
6. Total	100
7. Total	100
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100. Total	100

PAID DEPOSIT:

BALANCE DUE:

206 6/

STATEMENT

TO

6638 Maywood

TERMS

IN ACCOUNT WITH

OF CABLES

12 x 12

$$5 \times 12$$
$$17 \times 12 \approx 27.66 \text{ yrs} \quad \$135.00$$

Floor PHP

\$	25	00
----	----	----

2 Poor Metals

10.00

1712 : 00