

ROMAN DZURINSKIY,
Complainant,
v.
MISSOURI AMERICAN WATER COMPANY
Respondent.

MISSOURI AMERICAN WATER COMPANY)
)
 Respondent.)

Effective Date: October 20, 2010

A. Pressure in the Mains

. . . main (system) pipes of 24 hours duration on December 4, 2009 at various points on its system.¹

¹ Motion, second paragraph.

Each utility furnishing water service in cities of two thousand five hundred (2,500) or five thousand (5,000) inhabitants shall maintain graphic recording pressure gauges at its plant and at its downtown office or at some central point in the distributing system, where continuous records shall be made of the **pressure in the mains at these points**. Utilities operating in cities of five thousand (5,000) or more inhabitants shall equip themselves with one (1) or more graphic recording pressure gauges in addition to the previously mentioned and shall make frequent records, each covering intervals of at least twenty-four (24) hours duration, of the water **pressure at various points on the system**. All records or charts made by these meters shall be identified, dated and kept on file available for inspection for a period of at least two (2) years. [²]

That language provides, for water providers in a city of 5,000 or more inhabitants, two recording requirements.

One requirement specifically focuses on MAWC's mains:

. . . plant and at its downtown office or at some central point in the distributing system, where continuous records shall be made of the **pressure in the mains at these points**. [³]

The other requirement does not mention mains:

. . . the water **pressure at various points on the system**. [⁴]

Various points on the system may be points other than mains. MAWC states that it has provided its records of pressure in its mains, and at other various points, closest to Mr. Dzurinskiy's house, where such information is the most probative. MAWC's response includes the information required under the regulation.

Therefore, the Commission the Commission will deny the motion as to graphic recordings from pressure gauges.

² 4 CSR 240-10.030(36) (emphasis added).

³ 4 CSR 240-10.030(36), first sentence (emphasis added).

⁴ 4 CSR 240-10.030(36), second sentence (emphasis added).

B. Service on Employees

In the motion, Mr. Dzurinskiy also seeks the address of MAWC employees so that he may serve documents on them. In its response, MAWC offers to accept service on such employees through delivery to MAWC's counsel. Therefore, the Commission will deny the motion as to the employees' addresses and order that delivery to MAWC's counsel shall constitute service on MAWC's employees.

THE COMMISSION ORDERS THAT:

1. The *Objections to Respondent's Supplemental Objections and Answers, and Original Objections and Answers to the Subpoena* is denied.
2. Delivery of a document to MAWC's counsel shall constitute service on MAWC's employees to whom Roman Dzurinskiy addresses such document.
3. This order is effective when issued.

(S E A L)

BY THE COMMISSION



Steven C. Reed
Secretary

Daniel Jordan, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 20th day of October 2010.