

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

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| The Staff of the Missouri Public Service Commission, |) | |
| |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | Case No. WC-2008-0030 |
| |) | |
| Suburban Water and Sewer Co. and Gordon Burnam, |) | |
| |) | |
| |) | |
| Respondents. |) | |

**RESPONDENTS' STATEMENTS OF POSITION
CONCERNING STAFF AND OPC'S LIST OF ISSUES FOR DETERMINATION**

Pursuant to the Scheduling Order entered in this case, Respondents hereby submit their Statements of Position concerning the List of Issues for Determination submitted by Staff and OPC.

As a preliminary matter, Respondents note that Respondent Gordon Burnam has filed a Motion to Dismiss in this cause asserting, among other things, that he is not subject to the Commission's jurisdiction. Respondent Gordon Burnam does not consent to the Commission's jurisdiction over him by virtue of filing this document or participating in any hearing in this matter. Respondent Gordon Burnam restates and incorporates by reference herein his Motion to Dismiss.

Respondents' Statements of Position concerning the List of Issues for Determination submitted by Staff and OPC are as follows:

1. Can Suburban provide safe and adequate water service to its customers today and in the future with the standpipe in its current condition?

a. If the Commission determines Suburban cannot provide safe and adequate water service with the standpipe in its current condition, then what reasonably

improvement(s) should the Commission order to resolve this issue?

Respondents' position as to the above-stated issues is that Suburban can continue to provide safe and adequate water service to its customers with the standpipe in its current condition and that no substantial improvements are necessary. No orders with respect to Gordon Burnam are proper or appropriate.

2. Is the integrity of Suburban's water system sufficient to maintain a minimum water pressure of 20 psi and provide safe and adequate water service to Suburban's customers?

a. If the Commission determines the integrity of Suburban's water system is insufficient to maintain a minimum water pressure of 20 psi or otherwise cannot provide safe and adequate water service, then what should the Commission order to resolve this issue?

Respondents' position is that the system does have adequate water pressure and that no improvements are necessary in order to remedy water pressure.

3. Should Gordon Burnam be held personally liable for the obligations of Suburban Water Company because he owns, operates, controls and manages Suburban without regard to Suburban's corporate status?

Respondents' position is that Gordon Burnam should not be held personally liable for the obligations of Suburban Water and Sewer Company.

Respectfully submitted,

/s/ Thomas M. Harrison
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing document have been mailed or hand-delivered, and electronically mailed to Shelley Syler Brueggemann P. O. Box 360, Jefferson City, MO 65102, shelley.brueggemann@psc.mo.gov, and Christina L. Baker, Office of the Public Counsel, P.O. Box 2230, Jefferson City, MO 65102, christina.baker@ded.mo.gov, on July 2, 2008:

/s/ Thomas M. Harrison