

FILED

JUL 29 2013

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

Missouri Public  
Service Commission

PAUL SCHAEFER,	)	
	)	
Complainant,	)	
	)	File No. WC-2013-0357
v.	)	
	)	
I.H. UTILITIES, INC.,	)	
	)	
Respondent.	)	
	)	

**RESPONDENT'S COMMENTS**

**COMES NOW** Respondent, I.H. Utilities, Inc., by and through counsel, and for its *Comments on the Recommended Order* issued on July 5, 2013, states as follows:

The Commission should enter its recommended Order issued on July 5, 2013, which is appropriate in all respects.

Respondent notes the Staff's Comments to the Recommended Order and will briefly address the points raised therein:

Staff argues that Respondent and the Commission have misconstrued the nature of Mr. Schaefer's Complaint; that it was really directed at the

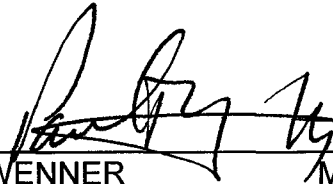
"... reasonableness of the tariff rather than as a prayer for an order directing the company to install the tap despite the tariff prohibition."

Initially, Respondent notes that the Staff attempts to divine how Mr. Schaefer intended his complaint to be construed, despite the fact that Mr. Schaefer is a party to the case and can presumably speak for himself. At a minimum, if the Staff wishes to argue what Mr. Schaefer *really* intended in filing his Complaint, it could have at least secured an affidavit from Mr. Schaefer confirming his actual intentions. But the Staff did not do so.

Also, Respondent would point out that prior to the filing of the Complaint herein, Respondent offered to amend its tariff and install a ¾" meter and tap on Mr. Schaefer's lot on the condition that he would not pump the water to property he owned outside of I. H. Utilities' service area. But Mr. Schaefer declined that offer. Indeed, Mr. Schaefer

specifically rejected the **very relief** which the Staff now asserts is actually sought through Mr. Schaefer's Complaint filed with the Commission.

However, the Staff offers no new evidence or even at this late stage any statement from Mr. Schaefer suggesting that what his Complaint really seeks is relief which he specifically rejected before filing his Complaint herein.



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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Respondent's Comments was served upon the Public Service Commission of the State of Missouri and Complainant by emailing and mailing a copy of same U.S. Post Office first class mail, postage prepaid, this 15<sup>th</sup> day of July, 2013 to:

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