

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

FILED²

JUL 05 2006

The Staff of the Missouri Public Service
Commission,)

Complainant,)

v.)

Franklin County Service Company, Melody)
Lake Water & Sewer, LLC, Melody Lake)
Ranch Associates, Inc., Gerald Johnson)

Respondent.)

Case No. WC-2006-0363

Missouri Public
Service Commission

RESPONDENT'S RESPONSE TO COMPLAINT

Comes Now the Respondents, by their attorneys Hansen, Stierberger, Downard, Melenbrink & Schroeder, by Jonathan L. Downard, and as and for Respondents and each of their response states to-wit:

1. Respondents have insufficient information with which to either admit or deny paragraph one (1), two (2), three (3), four (4), eight (8), eleven (11), sixteen (16), nineteen (19), twenty (20), twenty two(22), twenty three (23), twenty six (26), twenty seven (27), and therefore denies the same and puts Complainant to their strict proof thereof.

2. Respondents admit paragraph four (4) in that Mr. Harold Horsley owned FCSC until his death however denies that Mr. Horsly was FCSC's sole shareholder and that Mr. Horsley operated FCSC.

3. Respondents admit paragraph six (6), seven (7), nine (9), ten (10), twelve (12), thirteen (13), fourteen (14), fifteen (15), seventeen (17), eighteen (18), twenty one (21), twenty four (24), twenty five (25) of Complainant's pleadings.

4. As an affirmative defense your Respondents state that improper parties have been added

to said complaint, that Jerry Johnson as an individual is improperly included as a party to the complaint, that the Commission has failed to exercise it's authority over FCSC previously to the end that the residents of Melody Lake Ranch Subdivision had to act out of necessity to insure that essential water and sewer services would continue to be provided to the residents of said subdivision and that but for the acts of the Respondents no water and sewer services would have been provided nor currently provided.

5. That Respondents have filed a Joint Application for the Sale of Water and Sewer Supply System with the Commission to effectuate the transfer of assets and Respondents and each request the Commission to consolidate said application with this matter.

Wherefore having fully responded, your Respondents pray that said complaint be dismissed, that the Commission grants approval of the Application filed by Respondents, and for such other relief as the Commission deems appropriate.

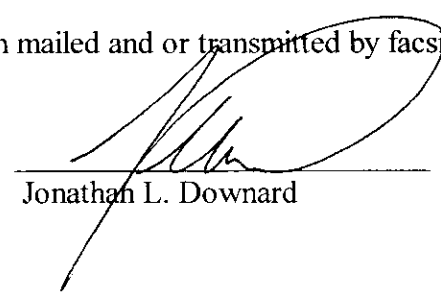
HANSEN, STIERBERGER, DOWNARD
MELENBRINK & SCHROEDER

BY: 

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Attorney for Respondents

Certificate of Service

I hereby certify that copies of the foregoing have been mailed and or transmitted by facsimile to all counsel of record this 27th day of June 2006.


Jonathan L. Downard