

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

(your name) Robert g. bodine

Complainant, Illegal Filing of Melody Lake Water & Sewer LLC

vs. Gerald Johnston—Robert White--- Pat Smits

(utility company's name)

Respondent Gerald Johnston 333 Playmor Drive Leslie, Mo. 63056

Case No

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COMPLAINT

Complainant resides at 49 N. Lake Drive Leslie, Mo. Melody Lake

Respondent,  
Gerald Johnston 333 Playmor Dr. Leslie, Mo. 63056  
(Company's name and address)

1 is a public utility providing

service to complainant's residence.

3. Water & Sewer

As the basis of this complaint, complainant states the following facts:

0- Complaint Basis == Registering the Melody Lake Association Members, (164) as co-owners of the Melody Lake Sewer & Water Utility with no authority to do so and with no notice or approval to do so.

I refer you to the Governing Indentures of the Melody Lake Association as it applies to all members. Recorded at Union, Mo on May 1965 in Book 240, Page 8 under the chapter VII, (Duration / Amendments / Modifications. The procedure required for such actions as stated is very clear that 2/3rds majority of all members must approve this action or it is voided.

The longevity of the Governing Indentures has 10 more years to run before any changes can be made and then only as prescribed by the Indentures.

As I understand their actions in illegally appearing before the Commission and declaring they have authority to make us all members of the LLC, the 3 signatories that

Signed are now the true owners. Gerald Johnston, Robert White Pat Smits.

Since that time, they have ran amok with no concept of how to handle such as this LLC.

Rates have been improperly applied even though they have been informed the procedure for rate approvals must go thru the PSC.

There are many problems with incorrectly installed Sewer & Water Lines with no permits or inspections by DNR. And as far as we can tell, no operating agreement nor any disclosure of the same has ever been made to any one.

To show how this was handled, there was no disclosure to any one of the Association as to their actions on acquiring this utility. No engineering study was ever made as to feasibility and costs involved in acquiring this utility.

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FILED<sup>3</sup>

SEP 28 2005

Missouri Public  
Service Commission

Indentures.

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The complainant has taken the following steps to present this complaint to the

respondent: \_ Many times contact has been made to G. Johnnton and it has been ignored in trying to let him know what needs to be done as per the running of the Utility. He is totally unable to understand the need for following regulations regarding the Utility.

**WHEREFORE**, complainant now requests the following relief-.

I recommend that these three principals be called before the Commission and cancel this LLC filing and give the Melody Lake Association an opportunity to get this properly done as there is a need for financing to correct the errors which have been committed and these principles are not going to borrow against the Association or the members.


Responsible Handling will have to be put in place to get this straightened out and that will mean these board members will have to be taken off the Association Board.

Date 20 Sept. 2005

Signature of Complainant

Robert B. Bodine 9/20/05

Ms. Robin Carnanhan  
Secretary of State  
600 West Main Street  
Jefferson City, Mo. 65101

9 Sept. 2000 

Re: Illegal LLC Filing

Melody Lake Water & Sewer LLC

The affirmation of the true facts of the forming of the LLC being true by

The registered Agent—Gerald Johnson-----Pat Smits----Robert White,  
Have not legally represented the true facts.

To explain: They had NO AUTHORITY to enjoin the Melody Lake Association  
Members into the LLC without the EXPRESS PERMISSION OF 2/3 rds majority  
Of all the members of the association.

This was in direct violation of the Association's Governing Indentures in which these  
so-called board members claimed they could do as they pleased regarding the members.

I refer you to the Governing Indentures filed and recorded forming the Melody Lake  
Association and the functions of the governing board.

This filing was made at the UNION courthouse in Franklin County on May, 1965  
These can be located at Book 240 Page 8 in recorder's office.

And included section VII---Duration/Amendments/Modifactions which plainly states the  
requirement of 2/3rds majority approval to this filing action. was done illegally.

We are asking for an investigation by your office to the above as there has been some  
of our Melody Lake maintenance yearly assement money spent by this group in  
acquiring this utility, again without our approval.

Please respond to my mail or E-Mail me . Bob Bodine 49 N. Lake drive  
Leslie, Mo. 63056 or bod776@yhti.net .