

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

In the Matter of the Petition for an Interim)
Receiver and for an Order Directing the)
General Counsel to Petition the Circuit)
Court for the Appointment of a Receiver)
for Ridge Creek Water Company, LLC,)
and for Ridge Creek Development, L.L.C.)

Case No. WO-2017-0236

AFFIDAVIT OF DEPARTMENT OF NATURAL RESOURCES

COMES NOW, the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and for the above-named action before the Missouri Public Service Commission (Commission), submits for the Commission's consideration the attached affidavit of Lance Dorsey, Section Chief of the Missouri Department of Natural Resources, Public Drinking Water Branch, Compliance & Enforcement Section, describing current environmental compliance of Respondent Ridge Creek Water Company LLC and Respondent Ridge Creek Development L.L.C. with the Missouri Safe Drinking Water Law, § 640.100 RSMo, *et seq.*

Respectfully submitted,

/s/ Jacob T. Westen

Jacob T. Westen
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile, or electronically mailed to all parties and or counsel of record on this 24th day of April, 2017.

/s/ Jacob T. Westen

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AFFIDAVIT OF LANCE DORSEY

State of Missouri)
) ss.
County of Cole)

COMES NOW Lance Dorsey, and on his oath declares that he is of sound mind and lawful age; that the following information is true and correct according to his best knowledge and belief.

1. My name is Lance Dorsey, and I am the Chief of the Compliance & Enforcement Section of the Public Drinking Water Branch of the Missouri Department of Natural Resources.

2. The Public Drinking Water Branch (PDWB) is responsible for enforcing the Missouri Safe Drinking Water Laws, §§ 640.100 RSMo *et seq.*, and the corresponding Safe Drinking Water regulations found at Title 10, Code of State Regulations, Chapter 60.

3. My duties as the Chief of Compliance & Enforcement include managing enforcement cases against regulated entities.

4. Ridge Creek Water Company LLC and Ridge Creek Development L.L.C. (Ridge Creek Entities) are Missouri limited liability companies that operate and own, respectively, a Community Public Water System, as defined by § 640.102(6), RSMo and 10 CSR 60-2.015(2)(C)12.

5. The Community Public Water System (System) serves water for human consumption through pipes and other constructed conveyances to approximately 390 people via an estimated 130 service connections. The source of the supply is

groundwater provided through 22 wells that are not connected to each other by a common distribution system.

6. The Ridge Creek Entities are in violation of 10 CSR 60-4.020(7)(B) for failure to meet the maximum contaminant level (MCL) for *E.coli* bacteria during the sampling periods of November 2015 and January 2016;

7. The Ridge Creek Entities are in violation of 10 CSR 60-4.020(7)(A) for failure to meet the MCL for total coliform bacteria during the sampling periods of October, November and December of 2015 and January and February of 2016;

8. The Ridge Creek Entities are in violation of 10 CSR 60-14.010 (4)(A) and 10 CSR 60-14.010(4)(A)1, since April 2016 and continuing, for failure to place the direct supervision of the System under the responsible charge of a chief operator that possesses a valid certificate equal to or greater than the classification of the System;

9. The Ridge Creek Entities are in violation of 10 CSR 60-3.030(3)(A)3 for failure to have a sufficient number of operators to provide proper operation and maintenance of all source, treatment, storage and distribution facilities so that the System meets all requirements of Sections 640.100-640.140, RSMo and regulations promulgated thereunder;

10. The Ridge Creek Entities are in violation of 10 CSR 60-4.022(3) for failure to collect routine drinking water samples for the testing of total coliform bacteria during the sampling periods of April through December of 2016 and for January through March of 2017;

11. The Ridge Creek Entities are in violation of 10 CSR 60-8.010(2)(B)(3) for failure to repeat and recertify biweekly performance of public notification for the continuing Boil Water Order beginning June 17, 2016;

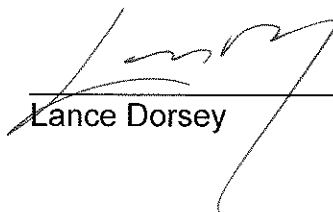
12. The Ridge Creek Entities are in violation of 10 CSR 60-7.010(10) and 10 CSR 60-8.010(2) for failure to certify public notice for failure to meet the maximum MCL for *E.coli* bacteria during the sampling periods of November 2015 and January 2016; and

13. The Ridge Creek Entities are in violation of 10 CSR 60-3.010(1)(D) for failure to submit an application for or obtain a Permit to Dispense water from the Department.

14. The presence of total coliform bacteria or consumption of microbiological contaminants, like *E.coli*, in drinking water is a known threat to human health.

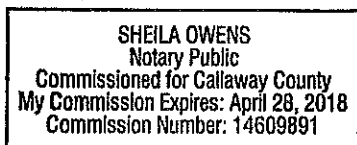
15. The Ridge Creek Entities are obligated to take corrective action to bring the System into compliance to eliminate any potential health and safety risks that may be posed at Ridge Creek.

Further the Affiant sayeth not.


Lance Dorsey

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in the City of Jefferson City, on this 24th day of APRIL, 2017.




NOTARY PUBLIC