

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

NOV 2 2005

Reed Kline,

Complainant,

vs.

Missouri-American Water Company,

Respondent.

Missouri Public
Service Commission

Case No. WC-2006-0106

RESPONSE OF COMPLAINANT TO ORDER DIRECTING FILING

COMES NOW Reed Kline, Complainant in this case, and files this Response to the Order Directing Filing issued in this case on October 21, 2005. I agree to mediation in this matter, with the conditions suggested by the City of St. Joseph, Missouri in its Response.

As my Response, the Complainant states the following:

1. On October 21, 2005, the Commission issued its *Order Directing Filing* in this matter, granting my *Motion for Additional Time* and directing the City and me to file responses to the *Request for Mediation* not later than 4:00 p.m. on Wednesday, November 2, 2005.
2. I am conditionally willing to agree to voluntary mediation of the instant *Complaint*, as requested by Respondent. However, I agree that the conditions proposed in the City's Response should be adopted as part of that mediation. Those conditions are: (1) the appointment by the Commission of one of its Regulatory Law Judges to act as mediator; (2) legal counsel being permitted to participate in the mediation; (3) the City of St. Joseph being permitted to

fully participate in the mediation process; and (4) MAWC having to answer the City's Data Requests.

3. I agree with the reasons stated by the City of St. Joseph for those proposed conditions for the mediation.
4. I also ask the Commission to postpone my need to respond to the Respondent's *Motion to Dismiss* until it is determined whether mediation will occur in this case. If mediation takes place, there may be no need for me to respond to the *Motion to Dismiss*.
5. If the Commission is unwilling to postpone my response to the *Motion to Dismiss* in this matter, then my response to that motion is that I agree with the reasons stated in the City's *Response* and incorporate them by reference into my Response.
6. Please set any mediation sessions for a Thursday or Friday.

WHEREFORE, I, Reed Kline, Complainant, submit this Response to the Commission's *Order Directing Filing* of October 21, 2005 in this case and respectfully request that the Missouri Public Service Commission: (1) grant *MAWC's Request for Mediation* in this case with the conditions suggested by the City of St. Joseph; (2) indefinitely stay consideration of the *Motion to Dismiss* filed by the Respondent on October 3, 2005; (3) indefinitely stay the requirement that Complainant file a response to the Respondent's *Motion to Dismiss* no later than November 2, 2005; and (3) enter such other orders as the Commission may deem necessary and just.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Reed Kline', is written over a horizontal line.

Reed Kline

12408 Donovan Drive

St. Joseph, Missouri 64505

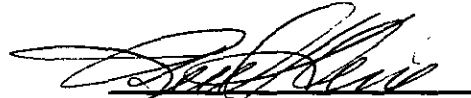
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CERTIFICATE OF SERVICE

I hereby certify that the undersigned has caused a complete copy of the attached document to be served on the Commission's Office of General Counsel, the Office of Public Counsel and counsel for Missouri-American Water Company and the City of St. Joseph, electronically or by U.S. Mail, on the 1st day of November 2005.

A handwritten signature in black ink, appearing to read "Reed Kline", written over a horizontal line.

Reed Kline