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May 5, 2008

Kenny and Cathy Cox
2101 East 36th
Joplin, Missouri 64804

RE: Case No. WC-2008-0302

Dear Mr. and Mrs. Cox:

As you know, the Public Service Commission has received and is processing your complaint. This letter is being sent to you to explain the PSC's procedures and get more information from you about your complaint. Your complaint has been given Case Number WC-2008-0302. Please use this number when you send any documents to the PSC or when you contact the PSC about your complaint.

Attached to this letter is a list of statements made by you, the company and the Commission's Staff in response to your complaint. After each statement, you must either check the "true" box or give a reason why the statement, or any part of the statement, is not true. If you do not mark the "true" box and do not give an explanation why the statement is not true, we will assume that you believe the statement is true. **You must return the attached form to the PSC by no later than May 16, 2008. However, the Commission will be able to proceed faster with your complaint if you return the form earlier.**

About Cases at the PSC:

You must respond: If you do not respond to orders that require you to send information, you will lose your case. If you need more time, or do not understand, you must contact the judge assigned to your case and ask for more time or ask about the part you do not understand.

Your assigned Judge:

Name: Harold Stearley

E-mail: harold.stearley@psc.mo.gov

Phone: 573-522-8459 **Fax:** 573-526-6010

Mailing Address: Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

If you have e-mail: You can request a copy of this letter, the attached list and any of the other papers in this case to be sent to you by e-mail and you can respond to anything by e-mail. Just send an e-mail to the judge on this case asking for e-mail service.

If you have Internet access: You can check on your case by going to the PSC homepage at www.psc.mo.gov and following the directions included with this letter about the PSC's Electronic Filing Information System, or EFIS. Some of the information in your case may not be available unless you identify yourself, because we keep some of your personal information closed (not available to the general public).

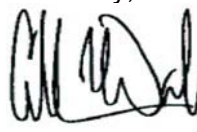
You must participate: You must attend all meetings, conferences and hearings in your case and you must be on time. If you do not come, your case could be dismissed and you will have to start over in another case. If you fail to come more than once, your case could be dismissed "with prejudice," which means you lose the case and cannot bring another one about the same complaint.

If you cannot come: You must contact the judge in your case. The judge can arrange for you to participate by phone or by video conference in Kansas City or St. Louis (where the PSC has offices). If you do not make special arrangements with the judge, you must come to the PSC offices in Jefferson City.

Do not be late: If you are more than 10 minutes late, the judge will let the court reporter and the other people in the hearing or conference leave and your case will be treated as though you did not come at all. You will then receive an order asking you to give a reason why your case should not be dismissed (this is called a "show cause" order). If you could not come to the hearing or conference for some reason, you should contact the judge and explain what kept you from attending. If you do not respond to a show cause order, your case will be dismissed.

Communicating with the judge: The judge on your case cannot discuss the facts of your actual complaint with you, except in a scheduled conference or hearing. This is so that both sides can be present when the facts are stated so that any wrong information can be corrected. It is the only way for the judge to be fair. You can discuss procedural matters, such as the time and location of meetings, but please do not talk about, send letters, or e-mail specific information about the facts of your case to the judge.

Sincerely,

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

Colleen M. Dale
Secretary

CMD/crk
Enclosures

Complaint Case Response Form

In the Matter of: Kenny and Cathy Cox v. Missouri American Water Company
Case No: WC-2008-0302

Listed below are several statements about your case. These statements come directly from your complaint, the response the utility company gave to your complaint and from the Commission's Staff's investigation of your complaint. After each statement, you must either check the "true" box or give a reason why the statement, or any part of the statement, is not true. If you do not mark the "true" box and do not give an explanation why the statement is not true, we will assume that you believe the statement is true.

Kenny and Cathy Cox State:

1. Missouri American Water Company ("MAWC") engaged in a pattern of delaying and withholding information and deceitful practices resulting in over-billing Complainant thousands of dollars over the course of more than two years in relation to a water line leak. MAWC habitually over-billed Complainants for eighteen months. The specifics of these practices are described in detail in the complaint.

☐ This whole statement is true.

This statement is not true because _____

2. MAWC's provided a leak adjustment that was inadequate.

☐ This whole statement is true.

This statement is not true because _____

3. MAWC's customer service is inadequate, and the company was negligent in its follow-up.

☐ This whole statement is true.

This statement is not true because _____

4. The City of Joplin provided a leak adjustment for wastewater services in association with the same leak totaling approximately \$1500, and Complainants seek a similar adjustment from MAWC for their water bill.

☐ This whole statement is true.

This statement is not true because _____

5. Complainants also seek reimbursement for the time they have spent trying to resolve this issue and want the collections department to cease calling them.

☐ This whole statement is true.

This statement is not true because _____

Missouri-American Water Company States:

1. MAWC did not engage in a pattern of delaying and withholding information and deceitful practices resulting in over-billing the Complainants, and generally denies all of the Complainant's allegations.

☐ This whole statement is true.

This statement is not true because _____

2. MAWC provided a leak adjustment of approximately \$255.16 pursuant to its policies once Complainants established that they had repaired a leak.

☐ This whole statement is true.

This statement is not true because _____

3. Complainants have failed to state a valid claim because they do not dispute the water usage that was measured by the water meter, and a leak in Complainant's service line is not a valid reason for non-payment of the water bill under governing statutes, regulations and company tariffs.

☐ This whole statement is true.

This statement is not true because _____

The Staff of the Missouri Public Service Commission States:

1. The Staff found that MAWC properly metered the water that it delivered to Complainants' residence.

☐ This whole statement is true.

This statement is not true because _____

2. Complainants first contacted MAWC about their bill on April 26, 2007, and on May 4, 2007, they reported to MAWC a leak between the water meter and Complainants' house.

☐ This whole statement is true.

This statement is not true because _____

3. The Complainants subsequently repaired that leak and then requested that MAWC adjust their bill in an amount equal to the excess usage that resulted from the leak.

☐ This whole statement is true.

This statement is not true because _____

4. Neither MAWC's tariff nor any Commission rule requires MAWC to provide Complainants with **any** leak adjustment.

☐ This whole statement is true.

This statement is not true because _____

5. In accordance with Company policy, MAWC did credit Complainants' account with a leak adjustment in an amount equal to one-half of the excess use during the two highest-usage months of the four months immediately preceding the leak.

☐ This whole statement is true.

This statement is not true because _____

6. Complainants also sought an order from the Commission ordering MAWC to reimburse them for the time they spent discussing their complaint with MAWC on the telephone. Pursuant to the Missouri Supreme Court decision in *May Department Stores Company v. Union Electric Light & Power Company, et al.*, 107 S.W.2d 41 (Mo., 1937), the Commission does not have the legal authority to grant monetary relief for compensation for past overcharges or damages.

☐ This whole statement is true.

This statement is not true because _____

Finally, MAWC and the Commission's Staff have asked the Commission to dismiss your complaint. Please Respond:

Thank you for responding to these statements. Please return this form to the PSC by no later than May 16, 2008 so that we can continue to work on your complaint. If you can respond sooner, the Commission can act sooner on your motion to expedite this complaint. If you do not return this form, we will assume that you do not want to continue with your complaint and it should be dismissed.