

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

In the Matter of Lake Region Water & Sewer)	
Company's Application to Implement a General)	<u>File No. WR-2013-0461</u>
Rate Increase in Water and Sewer Service)	

NOTICE OF SUBPOENA FOR PRODUCTION OF DOCUMENTS

COMES NOW the Staff ("Staff") of the Missouri Public Service Commission ("Commission"), by and through counsel, and respectfully states as follows:

1. Pursuant to Court Rule 58.02(a), Staff requests that RPS Properties, L.P. d/b/a Lake Utility Availability 1 ("RPS Properties") produce and permit inspection and copying of all reports, notes, memoranda, receipts, correspondence, or other documentation and records regarding availability fees or charges for the areas known as Shawnee Bend and Horseshoe Bend at or near Lake Ozark, Missouri, including, but not limited to, documents and records regarding the maintenance, collection, billing, administration, disbursement, profits, and dividends relating to availability fees, along with the attached Business Record Affidavit.

2. The time, place, and manner of performing such inspection and copying above requested will be on the 13th day of January 2014 at 10:30 a.m. at the offices of the Commission at Fletcher Daniels State Office Building, 615 East 13th Street, Room G8, Kansas City, MO 64106.

3. Further, Court Rule 58.02 (d) specifies, with the agreement of all parties, RPS Properties may be excused from appearance at the location specified for document production and may instead produce the subpoenaed items to Staff, who

shall then offer to all other parties the opportunity to inspect or copy the subpoenaed items.

4. Staff has obtained the agreement of all parties that RPS Properties be excused from appearance at the location specified for document production if RPS Properties produces the subpoenaed items to the Staff, who shall then offer to all other parties the opportunity to inspect or copy the subpoenaed items. Staff requests that the documents be sent to the undersigned counsel by January 13th, 2014 to:

Tim Opitz
Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-4227 (Telephone)
(573) 751-9285 (Fax)
timothy.opitz@psc.mo.gov

Respectfully Submitted,

/s/ Tim Opitz

Tim Opitz
Legal Counsel
Missouri Bar No. 65082

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Deputy Counsel
Missouri Bar No. 61759

Attorneys for the Staff of the
Missouri Public Service Commission
P. O. Box 360
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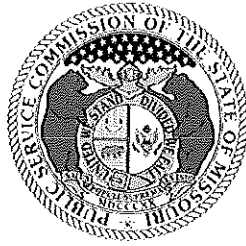
CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed with first-class postage, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 30th day of December, 2013.

/s/ Tim Opitz

SUBPOENA DUCES TECUM

Order to Produce Documents



THE STATE OF MISSOURI.

SERVE: Registered Agent
D & A Agency Services, Inc.
3145 Broadway
Kansas City, MO 64111

To: RPS Properties, L.P. d/b/a Lake Utility Availability 1, the Custodian of Records, 10777
Barkley, Suite 210, Overland Park, KS 66211.

You are hereby commanded to be and appear personally before The Public Service Commission of the State of Missouri or any Commissioner thereof on the 13th day of January 2014 at 10:30am o'clock of that day, at the offices of the Commission at Fletcher Daniels State Office Building, 615 East 13th Street, Room G8, Kansas City, MO 64106, in the County of Jackson, in the State of Missouri, to produce documents in the matter of: Lake Region Water & Sewer Company's Application to Implement a General Rate Increase in Water and Sewer Service, File No. WR-2013-0461. And that you also bring with you and produce at said hearing copies of all reports, notes, memoranda, receipts, correspondence, or other documentation and records regarding availability fees or charges for the areas known as Shawnee Bend and Horseshoe Bend at or near Lake Ozark, Missouri, including, but not limited to, documents and records regarding the maintenance, collection, billing, administration, disbursement, profits, and dividends relating to availability fees, along with the attached Business Record Affidavit. Under

Court Rule 58.02(d), with the agreement of all parties, the non-party may be excused from appearance at the location specified for document production and may produce the subpoenaed items to the party responsible for issuance and service of the subpoena, who shall then offer to all other parties the opportunity to inspect or copy the subpoenaed items.

The Staff of the Missouri Public Service Commission ("Staff") seeks this information relating to availability fees because Staff believes the fees should be factored into rate calculations for Lake Region. Staff requires these documents to verify the number of lot owners paying the availability fees and the amount of revenue collected. Further, Staff needs this information to help determine the appropriate revenue requirement in this case. The information Staff has requested is necessary for Staff's review of Lake Region's operations. Staff has an obligation to present to the Commission all relevant factors for setting just and reasonable rates, to examine whether Lake Region's rates are not in excess of what is permitted by law, and to determine whether Lake Region's rates are discriminatory or preferential.

The Staff of the Missouri Public Service Commission has obtained the agreement of Lake Region Water & Sewer Company and the Office of Public Counsel, all parties in the case, that RPS Properties, L.P. may be excused from appearance at the location specified for document production if RPS Properties, L.P. produces the subpoenaed items to the Staff, who shall then offer to all other parties the opportunity to inspect or copy the subpoenaed items. Staff requests that the documents be sent by January 13th, 2014 to:

Tim Opitz
Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-4227 (Telephone)
(573) 751-9285 (Fax)
timothy.opitz@psc.mo.gov

Hereof fail not at your peril. The person or officer serving this writ is commanded to have the same at the time and place aforesaid, certifying thereon its return.

Given under my hand, this 30th day of December,

Michael Bushmann
Michael Bushmann
Regulatory Law Judge

RETURN

I HEREBY CERTIFY that I am eligible to serve process in the jurisdiction and I have served the within writ by reading the same in the presence and hearing of the within named

_____ on the _____ day of _____, _____, in
_____ County, in the State of Missouri.

[Name]

[Title]

BUSINESS RECORD AFFIDAVIT

Before me, the undersigned authority, personally appeared _____, who, being by me duly sworn, deposed as follows:

1. My name is _____. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

2. I am a custodian of the records of RPS Properties, L.P. d/b/a Lake Utility Availability 1 ("RPS Properties") in Overland Park, KS.

3. Attached hereto are _____ pages of records pertaining to reports, notes, memoranda, receipts, correspondence, or other documentation and records regarding availability fees or charges for the areas known as Shawnee Bend and Horseshoe Bend at or near Lake Ozark, Missouri, including, but not limited to, documents and records regarding the maintenance, collection, billing, administration, disbursement, profits, and dividends relating to availability fees as related to Lake Region Water & Sewer Company's Application to Implement a General Rate Increase in Water and Sewer Service, File No. WR-2013-0461. These records are kept by RPS Properties, L.P. of Overland Park, KS in the regular course of business, and it was the regular course of business for an employee or representative of RPS Properties, L.P. of Overland Park, KS with knowledge of the act or event recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time of the act or event.

4. I hereby certify that the records attached hereto are the original or exact duplicates of the original.

Signature of Custodian of Records

In witness whereof I hereunto subscribed my name and affixed my official seal this _____ day of _____, 2014.

Notary Public

My commission expires: