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February 24, 2004

FILED⁴

FEB 27 2004

Mr. Dale Hardy Roberts
Executive Secretary
Missouri Public Service Commission
Governor Office Building
200 Madison Street
Jefferson City, MO 65102

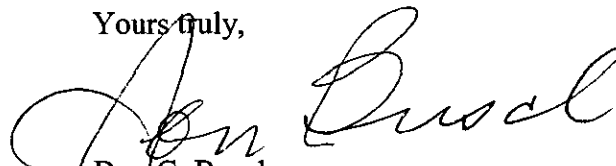
Missouri Public
Service Commission

Re: Respondent's Answer to Complaint in Case No. WC-2004-0348

Dear Mr. Roberts:

Enclosed herewith find one (1) original and eight (8) copies of the Respondent's Answer to Complaint in the Commission's Complaint Case No. WC-2004-0348. Please file the enclosed Answer with the Commission.

Yours truly,


Don G. Busch

DGB:kl

Enclosures

cc: John Coffman, Esq. (w/encls.)
Bruce H. Bates (w/encls.)
Dana K. Joyce (w/encls.)
Laveda Deffenderfer Cottrill (w/encls.)

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February 24, 2004

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED⁴

FEB 27 2004

THE STAFF OF THE MISSOURI PUBLIC
SERVICE COMMISSION,

Complainant,

v.

REX DEFFENDERFER ENTERPRISES, INC.,

Respondent.

Missouri Public
Service Commission

Case No. WC-2004-0348

RESPONDENT'S ANSWER TO COMPLAINT

COMES NOW the Respondent in the above entitled Complaint and for its Answer to said Complaint admits, denies and avers as follows:

1. Respondent admits the allegations contained in Paragraph 1 of the Complaint.
2. Respondent admits the allegations contained in Paragraph 2 of the Complaint.
3. Respondent admits the allegations contained in Paragraph 3 of the Complaint.
4. Respondent admits the allegations contained in Paragraph 4 of the Complaint.
5. Respondent admits the allegations contained in Paragraph 5 of the Complaint.
6. Respondent admits the allegations contained in Paragraph 6 of the Complaint.
7. Respondent states as to Paragraph 7 of the Complaint it has no information or belief as to the matters contained in Paragraph 7 of the Complaint sufficient to enable the Respondent to answer the allegations of Paragraph 7 of the Complaint, and therefore denies the same.
8. Respondent admits the allegations contained in Paragraph 8 of the Complaint.
9. Respondent admits the allegations contained in Paragraph 9 of the Complaint.

10. Respondent states that its failure to file its annual report for the year 2002 was contributed to, in substantial part, by the following factors:

a. The Respondent is a small water company employing only one billing clerk;

b. The Respondent's administration and management, other than the maintenance and management of its physical plant, is entirely dependent upon one of the principal owners, Laveda Cottrill;

c. All plant maintenance and management responsibilities are performed by Laveda Cottrill's husband;

d. Laveda Cottrill experienced health related matters for most of the year 2003 which interfered substantially in her ability to perform her responsibilities which included the filing of the annual report for 2002;

e. Laveda Cottrill's husband had major surgery during the year 2003 which further detracted from Mrs. Cottrill's ability to perform her duties as the general manager and administrator of the utility;

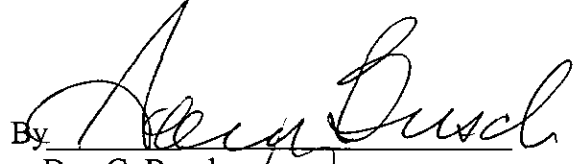
f. Christian County, Missouri, in which the utility is located, became a second class county in 2003 and this imposed additional duties on the Respondent of working under the requirements of the first call regulations of Missouri, which caused considerable confusion and difficulties in the year 2003 until Laveda Cottrill was fortunate enough to talk to an official of the State of Missouri who was able to clarify the appropriate responses that the utility was to provide to the numerous first call issues.

11. The annual report for the year 2002 of the Respondent was mailed to the Commission on the 20th of February, 2004 so that the Respondent is now in compliance with respect to filing an annual report for the year 2002, though not timely filed.

12. Respondent will file its annual report for the year 2003 by the required filing deadline in 2004.

WHEREFORE, Respondent prays the Commission accept its annual report for the year 2002 and consider the matters raised in this answer as mitigating and explanatory to the failure of the Respondent to file its annual report for the year 2002 on time, and requests the commission dismiss the Complaint herein filed.

Respectfully submitted,
CARNAHAN, EVANS, CANTWELL
& BROWN, P.C.

By 
Don G. Busch
Missouri Bar No. 16510

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Attorneys for Respondent

CERTIFICATE OF SERVICE

The undersigned certifies that a complete copy of the foregoing document was served upon the attorneys of record for each party to the above action:

- (X)A. by enclosing same in envelopes addressed to said attorneys at their business addresses as disclosed in the pleadings of record herein, with first class postage fully prepaid, and by depositing said envelopes in a U.S. Post Office mailbox in Springfield, Missouri as set forth below;

John Coffman, Esq.
Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102


Bruce H. Bates
Associate General Counsel
P.O. Box 360
Jefferson City, MO 65102

Dana K. Joyce
General Counsel
P.O. Box 360
Jefferson City, MO 65102

Laveda Deffenderfer Cottrill (Registered Agent)
1782 N. Deffer Dr.
Nixa, MO 65714

- ()B. by leaving same in the business office of said attorneys with a secretary thereof;
- ()C. by handing same to said attorneys;
- ()D. hand delivery.
- ()E. via facsimile transmission.

on the 24th day of February, 2004, by the method checked above.



Attorney of Record