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APR 14 2017

Missouri Public  
Service Commission

Ridge Creek Water Company, LLC.  
18499 Highway 133  
P.O. Box KK  
Dixon, Missouri 65459

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BC: 65102036060 0159N098192-00170

**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.         )

**File No. WO-2017-0236**

**CERTIFIED MAIL**

**NOTICE OF PETITION FOR APPOINTMENT OF RECEIVER, AND ORDER  
SCHEDULING A PROCEDURAL CONFERENCE**

Issue Date: March 15, 2017

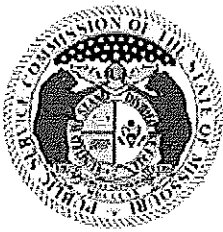
Effective Date: March 15, 2017

On March 14, 2017, the Staff of the Commission filed a Petition with the Missouri Public Service Commission asking the Commission direct its General Counsel to petition the Circuit Court of Cole County to appoint a receiver for Ridge Creek Water Company, LLC, and Ridge Creek Development, LLC. Staff also asks the Commission to appoint an interim receiver for those companies. By this order, the Commission will provide notice of this filing to the companies and to the individuals Staff identifies as the owners of the companies.

Along with its petition, Staff filed a motion for expedited treatment. Staff asks the Commission to schedule a hearing on its petition as soon as possible after April 10. To move this matter forward, the Commission will direct Ridge Creek Water Company, LLC and Ridge Creek Development, LLC to respond to Staff's petition, and will schedule a procedural conference.

Missouri, Room 305. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this conference, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the conference.

4. This order shall be effective when issued.



**BY THE COMMISSION**

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Morris L. Woodruff, Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 15<sup>th</sup> day of March, 2017.

**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-

**PETITION FOR INTERIM RECEIVER SEEKING  
AN ORDER DIRECTING THE GENERAL COUNSEL TO PETITION  
THE CIRCUIT COURT OF COLE COUNTY FOR THE APPOINTMENT OF  
A RECEIVER FOR RIDGE CREEK WATER COMPANY, LLC,  
AND RIDGE CREEK DEVELOPMENT, L.L.C.,  
AND MOTION FOR EXPEDITED TREATMENT**

**COMES NOW** the Staff of the Missouri Public Service Commission ("Staff"), by and through counsel, and for its *Petition to Appoint an Interim Receiver* ("Petition"), to authorize a circuit court action, and for *Motion for Expedited Treatment* states:

**Introduction:**

1. This matter concerns an action for an interim receiver pursuant to § 393.145.1 and 393.145.2 RSMo<sup>1</sup>, due to an inability or unwillingness to provide safe and adequate service by Ridge Creek Water Company LLC, Ridge Creek Development, L.L.C., (collectively, the "Ridge Creek Parties"). The Ridge Creek Parties own, operate, and are responsible for a public drinking water system (System) serving approximately 138 customers. Due to the nature of the potentially unsafe and inadequate service, which could negatively affect the health and wellbeing of the customers, Staff has herein included a *Motion for Expedited Treatment*.

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<sup>1</sup> All statutory references are to RSMo (2000), as currently supplemented, unless otherwise noted.

7. Mr. Stoner and Ms. Stoner are the owners and members of both Development Company and Water Company.

**Verified Petition for Interim Receiver**

8. In the event a water or sewer corporation providing service to less than eight thousand customers is unable or unwilling to provide safe and adequate service or has been abandoned, § 393.145.1 RSMo provides that the Missouri Public Service Commission (Commission) may, after hearing, order its general counsel to petition the circuit court for the appointment of a receiver. The Commission may also appoint an interim receiver, pursuant to § 393.145.2 RSMo, to serve until such time as the circuit court determines whether to appoint a receiver.

9. A brief history of this system provides important context. On July 14, 2014, Staff filed a complaint against Development Company, Mr. Stoner individually, and Ms. Stoner individually, for operating a water corporation public utility without a CCN from the Commission.<sup>3</sup> In that complaint, Staff noted that discussions with “the Missouri Department of Natural Resources (DNR) indicate that Respondents have no permit from that agency and have evidently structured their operation in an effort to evade regulation.”<sup>4</sup> In response to that complaint, Mr. Stoner and Ms. Stoner created the Water Company, and filed for a CCN.<sup>5</sup> Staff understood that Water Company would become wholly responsible for owning and managing the System. At the close of the matter, the Commission issued an order approving a non-unanimous stipulation and agreement that granted the CCN, and included a clear warning to the Water Company

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<sup>3</sup> See, Case No. WC-2015-0011.

<sup>4</sup> Case No. WC-2015-0011, EFIS Item No. 1, *Complaint*, ¶ 9, p. 4.

<sup>5</sup> Case No. WA-2015-0182.

- That Water Company shall install 22 master meters within 12 months of the effective date of the Commission's order approving that Stipulation;

- That Water Company shall enter into and at all times maintain a contract for a MoDNR certified operator to operate its system within 30 days of the effective date of the Commission's order approving that Stipulation; and

- That Water Company shall maintain its books according to the National Association of Regulatory Utility Commissioners *Uniform System of Accounts* and shall conduct its business according to usual and accepted business practices, retaining all records for audit by the Staff and OPC.

13. Moreover, since before Respondents' tariff became effective in October 2015, and continuing to the present, the System was and is non-compliant with several DNR drinking water safety regulations.

a. Since April 2016, and continuing to the present, the Ridge Creek Parties have not conducted microbiological sampling to ensure the water is fit for human health and consumption, in violation of DNR regulations 10 CSR 60-4.025.

b. Since April 1, 2016, and continuing to the present, the System has operated without a properly certified operator, in violation of DNR regulations 10 CSR 60-14.010.

WHEREFORE, Staff asks the Commission to enter an order appointing Mr. Terry Jarrett, of Healy Law Offices, LLC, 514 E. High St., Suite 22, Jefferson City, MO 65101, as interim receiver for Ridge Creek Water Company, LLC, and Ridge Creek Development, L.L.C., authorizing the General Counsel to pursue appointment of Mr. Jarrett as a court-appointed receiver for the water Company and Development Company, and expediting this matter for resolution.

Respectfully submitted,

/s/ Jacob T. Westen

Jacob T. Westen

Deputy Counsel

Missouri Bar No. 65265

Attorney for the Staff of the

Missouri Public Service Commission

P.O. Box 360

Jefferson City, MO 65102

573-751-5472 (Voice)

573-526-6969 (Fax)

[jacob.westen@psc.mo.gov](mailto:jacob.westen@psc.mo.gov)

#### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was either hand delivered or served electronically on this 14<sup>th</sup> day of March, 2017, to the parties of record.

/s/ Jacob T. Westen

**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.     )

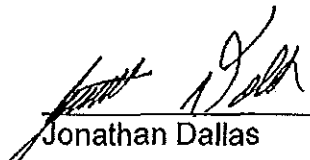
Case No. WO-2017-

**AFFIDAVIT**

State of Missouri     )  
                                   ) ss.  
County of Cole     )

**COMES NOW** Jonathan Dallas and on his oath declares that he is of sound mind and lawful age; that he contributed to the attached *Petition for Interim Receiver* and that that for his knowledge on the matter, the information is true and correct according to his best knowledge and belief.

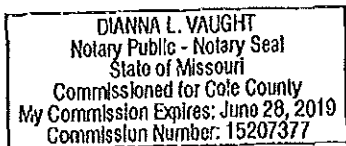
Further the Affiant sayeth not.

  
\_\_\_\_\_  
Jonathan Dallas

**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 14~~th~~ day of March, 2017.

  
\_\_\_\_\_  
NOTARY PUBLIC





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.

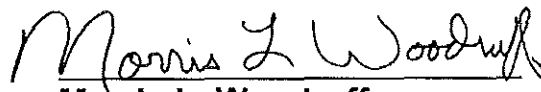
JESSICA LUEBBERT  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for Cole County  
My Commission Expires: February 19, 2019  
Commission Number: 15633434

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission,  
at Jefferson City, Missouri, this 15<sup>th</sup> day of March 2017.

A handwritten signature in cursive script, reading "Morris L. Woodruff", written over a horizontal line.

**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**March 15, 2017**

**File/Case No. WO-2017-0236**

**Missouri Public Service  
Commission**  
Staff Counsel Department  
200 Madison Street, Suite 800  
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staffcounsel@psc.mo.gov

**Office of the Public Counsel**  
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opcservice@ded.mo.gov

**Denise Stoner**  
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outdoorlife1s@gmail.com

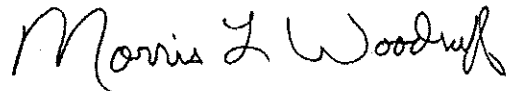
**Michael Stoner**  
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outdoorlife1s@gmail.com

**Ridge Creek Development,  
L.L.C.**  
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Waynesville, MO 65583-4604

**Ridge Creek Water Company,  
LLC**  
Legal Department  
18499 Highway 133  
Dixon, MO 65459

***Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).***

***Sincerely,***



**Morris L. Woodruff**  
**Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.