

### 3rd And 4<sup>th</sup> Amendment to WC -2009-0277 Update June 4 2009

Where are the laws or code of conduct that demand that citizens are treated with dignity and respect by utility companies?

MAWC refuses to inspect the basement after the recent repair of May 12, 2009 on Aspen Woods and refuses to look at any information that points to the water coming from the water mains. How many times can facts be distorted and information be ignored that proves where this water is coming from?

How long do I need to sit here with a leaky basement full of toxic mold causing debilitating health problems, playing an inflammatory game of charades with a utility company that I am forced to do business with when for the forth or fifth time, days after a water main repair, I have a reduction in water flow in my basement and neighborhood clearly documented on video and with photos?

The toxins from mold are some of the most toxic substances on the planet. Mold must have water to survive.

How many times do we need to see the same thing before we demand MAWC repair the water system? How many more years can this persist?

I copied this phrase from the MAWC website:

***A water main break caused some damage to my property. Who do I call?***

**Missouri American Water is committed to restoring customers' property in cases where a water main break has caused damage.**

It is clear that it is not about solving the problem or fixing the leaks. It is no longer about repairing the water mains and doing the right thing, clearly any desire for accountability escaped MAWC long ago. MAWC will just hire more EXPERTS to bamboozell us while millions of gallons of customers water continues to run out of the ground and some of it into my basement. So what, we will just get another rate increase to cover the costs.

What gives MAWC the right to violate my fundamental right to living in a dry habitable environment free of toxic mold? Refusing to inspect the basement and neighborhood after the water main was repaired is deliberate deception intentionally opposing the truth. This speaks loudly to the moral and ethical values of MAWC, a company serving the public.

Interpreting the results of the repair is crucial for any repair profession. Imagine your cardiologist refused to acknowledge the results of your ekg or quadruple bypass and set off on a tangent to prove your heart was not the problem (after the repair was made) and hired some Experts to prove you had no problems while he looked the other way. If the water main on Aspen Woods was not the problem, or in this dilapidated water system one of the problems, why did they repair it? Imagine if the doctor refused to acknowledge the leaks in the patients plumbing system (blood) how long would this last? He would be creating allot more than a pay increase for that customer wouldn't he? We could really see a problem when we apply MAWC's logic to different professions.

How long will MAWC allow the water to continue to leak on Aspen Woods and in the neighborhood?

Is this the way Missouri allows its utilities to treat citizens? Again I ask Where are the laws or code of

conduct that demand that citizens and their property are treated with dignity and respect by utility companies?

Please see below emails refusing to look at the facts. One request was ignored and the second was refused

Rob Lee  
11119 Carl  
St Louis Mo 63138  
314-412-7016

Subject:  
RE: Rob Lee v. MAWC  
From:  
"Matthew H. Noce" <Matthew.Noce@heplerbroom.com>  
Date:  
Tue, 26 May 2009 09:10:21 -0500  
To:  
"Rob" <energyhealingarts@gmail.com>  
CC:  
"Ritchie, Samuel" <Samuel.Ritchie@psc.mo.gov>, "Kurt A. Hentz" <Kurt.Hentz@heplerbroom.com>, "Penny J. Meyer" <Penny.Meyer@heplerbroom.com>

Mr. Lee,

I appreciate the offer, but we do not intend on inspecting your house again at this time. Thanks,

Matt Noce

From: Rob [mailto:energyhealingarts@gmail.com]  
Sent: Friday, May 22, 2009 4:14 PM  
To: Matthew H. Noce  
Cc: Ritchie, Samuel; Kurt A. Hentz; Penny J. Meyer  
Subject: Re: Rob Lee v. MAWC

Matt,

I am pretty sure that address is 11333 Aspen Woods. Right in front of the spot where they dug and found nothing.

Would you like to come and inspect the basement and the neighborhood and see the difference since the repair on Aspen Woods?

There is almost no water flowing in front of the houses on Larimore at Aspen Woods.

Rob

Matthew H. Noce wrote:

> Mr. Lee,

> Do you know what the address is for the photograph listed in the attached Amendment? No address is identified and I am unable to read the address on the mailbox in the top photograph. Thanks,

>

> Matt Noce

>

> Matthew H. Noce

>

> HeplerBroom LLC

> 800 Market Street, Suite 2300

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Subject:  
Re: Lee v. Missouri-American Water Company  
From:  
Rob <energyhealingarts@gmail.com>  
Date:  
Fri, 22 May 2009 15:38:49 -0500  
To:  
"Matthew H. Noce" <Matthew.Noce@heplerbroom.com>

Matt,

I Don't think they will find much. Since the water main repair on Aspen Woods the water flowing under the mail box has stopped, the place where I turned over a shovel of dirt and it filled with water has dried up, the water flowing in the back part of the basement has just about stopped. Most of the water flowing in front the houses on Larimore to the east of Aspen Woods has stopped. There is still some water flowing in the basement in the north west corner. I believe this water is coming from Coal Bank or Lilac or some where north. The sump pump is running about every 40 or 45 minutes instead of 8 to 10 minutes. There was no water flowing into the that back part after the last heavy rain. I am not sure what testing after most of the problem has been fixed will accomplish, but ok. Its pretty easy to see that most of the water has disappeared since the Aspen Woods repair, I wouldn't expect drilling to show anything different. I am sure if you looked you would say the same thing. Would you like to come and inspect the basement again?

Rob

Matthew H. Noce wrote:

> Rob,  
>  
> I just spoke to your attorney, Dave Knieriem, and informed him that our geotechnical engineer will be in your neighborhood tomorrow to do the drilling we spoke about back on May 1. There are 2 spots on your property where they intend to drill: (1) to the left of your house (when facing it from the driveway) and (2) the area next to your driveway where you claim water fills up when you dig a hole with a shovel. Thanks,  
>  
> Matt Noce  
>  
> Matthew H. Noce  
>  
> HeplerBroom LLC  
> 800 Market Street, Suite 2300  
> St. Louis, MO 63101  
> Tel: 314.480.4183  
> Fax: 314.241.6116  
> www.HeplerBroom.com  
>  
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