

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

The Staff of the Missouri Public Service Commission,)	
)	
)	
Complainant,)	
)	
v.)	Case No. WC-2010-0227
)	
Aspen Woods Apartment Associates, LLC,)	
Barry Howard, Aspen Woods Apartments,)	
Sapal Associates, Sachs Investing Co.,)	
Michael Palin, Jerome Sachs, and)	
National Water & Power, Inc.,)	
)	
Respondents.)	

**RESPONDENT BARRY HOWARD'S SUBMISSION OF AFFIDAVIT IN
SUPPORT OF HIS MOTION TO DISMISS**

COMES NOW Respondent Barry Howard, by and through undersigned counsel,
and in support of his Motion to Dismiss filed before the Commission on March 4, 2010,
respectfully submit the Affidavit attached hereto as Exhibit 1.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served by hand-delivery, facsimile transmission, certified mail, electronic mail and/or United States mail, postage prepaid, to the following parties of record this 19th day of March, 2010:

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