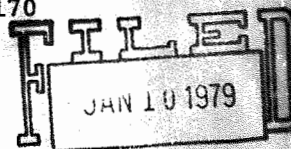


BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In The Matter Of The)
Application Of Ozark Mountain)
Water Company For A Certificate)
Of Convenience And Necessity)
To Become A Public Utility For)
The Purpose Of Serving Water)

Case No. WA-78,170



In The Matter Of The)
Application Of Lakeside)
Investment Company To Hold)
More Than 10% Of The Common)
Stock Issued By Ozark Mountain)
Water Company,)

Case No. WF-78,171

In The Matter Of The)
Application Of Turkey)
Mountain Estates, Inc., To Hold)
More Than 10% Of The Common)
Stock Issued By Ozark)
Mountain Water Company,)

Case No. WF-78,172

MOTION TO QUASH SUBPOENA DUCES TECUM

Comes now Roger H. Taylor, a witness for Ozark Mountain Water Company in Case No. WA- 78,170, having been served with a subpoena to produce inter alia documentary evidence, to-wit: copies of Federal Income Tax returns of Turkey Mountain Estates, Inc., Lakeside Investment Company, Inc., Tomahawk Developers, Inc., and Central Crossing Developers, Inc., and requests the Commission to quash said subpoena or to limit its breadth and order that said Federal Income Tax returns are not a proper subject of said subpoena and that the undersigned is not required to produce said documents.

The grounds for said Motion are:


(a) Said income tax returns are a confidential document personal to the aforesaid taxpayers and are entitled under Federal Law to be protected from examination by third parties or the general public and are entitled to retain and keep their confidentiality.

(b) Under current federal law and regulations the undersigned is required to maintain copies of income tax returns prepared by him, and he is subject to heavy fines and penalties for failure to do so. Therefore, the undersigned is prohibited by law from releasing his original files, and it will be necessary to furnish copies if the subpoena duces tecum is enforced. Because the period of time for which said tax returns are sought is substantial, the cost to the undersigned of copying the same in total will be substantial; and a conservative estimate of the out-of-pocket cost to the

(15)


undersigned to reproduce such documents, including xeroxing or copying thereof, is \$400, which said costs should be paid in advance by the persons seeking said subpoena.

(c) Said subpoena is defective in that it was not served on the undersigned. Rather, it was sent by U. S. Certified Mail and picked up at the post office on January 4, 1979, by the undersigned's employee. No fees or mileage were tendered to the undersigned as required by Court Rules.


Roger H. Taylor

STATE OF MISSOURI)
) ss.
County of Greene)

Roger H. Taylor, having first been duly sworn, upon his oath states that the matters and things contained in the foregoing Motion To Quash Subpeona Duces Tecum are true and correct, according to his best information and belief.


Roger H. Taylor

Subscribed and sworn to before me, a Notary Public, this 8th day of January, 1979.

My Commission Expires April 8, 1981

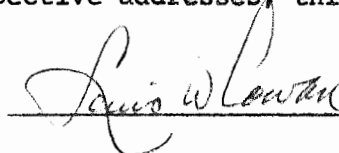

Notary Public

~~My Commission expires September 13, 1980.~~

LILLEY, COWAN, LOVE & DORAN
Attorneys at Law
626 Woodruff Building
Springfield, Missouri
Telephone 862-0596

CERTIFICATE OF SERVICE

I certify that I have served a true and correct copy of the foregoing Motion To Quash Subpoena Duces Tecum upon Mr. Charles J. Fain, Attorney at Law, 333 Madison Street, Jefferson City, Missouri 65101, Attorney for Intervenor, Turkey Mountain Estates Home Owners Association Nos. 1 and 2, and Mr. Gary Duffy, Counsel, Missouri Public Service Commission, Jefferson City, Missouri 65101, by depositing copies thereof into the United States Mail, postage prepaid, addressed to their respective addresses, this 8th day of January, 1979.


Louis W. [unclear]