

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

|                                  |   |                       |
|----------------------------------|---|-----------------------|
| Roman Dzhurinskiy,               | ) |                       |
|                                  | ) |                       |
| Complainant,                     | ) |                       |
|                                  | ) | Case No. WC-2010-0215 |
| v.                               | ) |                       |
|                                  | ) |                       |
| Missouri-American Water Company, | ) |                       |
|                                  | ) |                       |
| Respondent.                      | ) |                       |

**RESPONSE TO COMPLAINANT'S OBJECTIONS TO RESPONDENT'S  
SUPPLEMENTAL OBJECTIONS AND ANSWERS, AND ORIGINAL OBJECTIONS  
AND ANSWERS TO THE SUBPOENA**

COMES NOW Respondent Missouri-American Water Company (MAWC) and for its Response to Complainant's Objections to Respondent's Supplemental Objections and Answers, and Original Objections and Answers to the Subpoena, states as follows:

1. Contrary to Complainant's assertion, MAWC has fully complied with both his subpoena and the Commission's Order regarding his subpoena. MAWC has provided Complainant a graphic showing pressure at various points in its system near his residence, per 4 CSR 240-10.030(36). Furthermore, in response to Complainant's oral request to counsel following receipt of the supplemental response, MAWC again supplemented its response to explain that the water in the main serving his residence is last measured for pressure at the Stratmann Tank site (and, as further explained, one tank at Stratmann flows into the other tank, so there is only one discharge point and one pressure reading, which was previously provided to Complainant) about a mile from his residence. See Second Supplemental Objections and Answers to Complainant's Request for a Subpoena, filed on EFIS 9/23/2010. Note that 4 CSR 240-10.030(36) requires

water utilities operating in cities of 5,000 or more inhabitants to have only three pressure gauges – “at its plant and at its downtown office or at some central point in the distributing system” and “one (1) or more graphic recording pressure gauges in addition to the previously mentioned.” MAWC in fact has 55 sites at which pressure is monitored continuously throughout its St. Louis County system, far exceeding the required number of three in 4 CSR 240-10.030(36). MAWC is happy to provide Complainant with additional reports of pressure at other points on December 4, 2009, if he so requests.

2. Regarding Complainant’s admitted ex parte attempt to contact MAWC employees directly, without knowledge or consent of MAWC counsel, which is improper: Complainant merely has to send counsel a notice of deposition for MAWC employees, and counsel will produce them at a mutually convenient time and place.

3. Complainant’s Objections are difficult to understand in many other respects, and MAWC reserves the right to further respond if the specific issues become clear.

Respectfully submitted,

MISSOURI-AMERICAN WATER COMPANY

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was filed electronically and mailed postage prepaid the 15th day of October, 2010, to:

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