

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 10th day
of July, 2019.

In the Matter of an Investigation into the Operations and)
Condition of Rex Deffenderfer Enterprises, Inc., d/b/a)
RDE Water Company)

File No. WO-2019-0247

**ORDER DIRECTING RDE WATER COMPANY TO RESPOND TO STAFF'S DATA
REQUESTS**

Issue Date: July 10, 2019

Effective Date: July 10, 2019

The Commission opened this case at the request of its Staff on February 27, 2019, to facilitate Staff's investigation into the operation and condition of Rex Deffenderfer Enterprises, Inc., d/b/a RDE Water Company (RDE), a public utility providing water service to approximately 1,138 customers in the Nixa, Missouri area. The Commission directed Staff to file a report regarding its investigation by August 30, 2019.

On June 21, 2019, Staff filed a motion asking the Commission to compel RDE to respond to the data requests it submitted to the company in March and April. Staff explained that despite its efforts to obtain answers from the company, RDE has neither answered, nor objected to the data requests. Until it receives answers to its data requests, Staff indicates it is unable to adequately investigate the operations of RDE.

Upon receiving Staff's motion, the Commission issued an order directing RDE to respond to Staff's motion by July 1, 2019. RDE has not responded to the Commission's order.

Section 393.140(2), RSMo 2016, gives the Commission the authority and the responsibility to investigate the operations of any public water utility, including RDE. The

Commission does so through its Staff, but Staff cannot undertake such an investigation if the public utility refuses to cooperate by answering Staff's data requests. The Commission will grant Staff's motion to compel discovery and orders RDE to respond to Staff's data requests.

In considering its response to this order of the Commission, RDE should be aware that Section 386.570, RSMo 2016, provides that any public utility that violates or fails to comply with a Commission order is subject to a penalty of not less than one hundred dollars nor more than two thousand dollars for each offense. Further, for a continuing violation, each day of such violation is a separate and distinct offense subject to additional penalties.

THE COMMISSION ORDERS THAT:

1. Staff's Motion to Compel Discovery is granted.
2. Rex Deffenderfer Enterprises, Inc., d/b/a RDE Water Company shall respond to Staff's outstanding data requests no later than July 30, 2019.
3. This order shall be effective when issued.

BY THE COMMISSION



Morris L. Woodruff

Morris L. Woodruff
Secretary

Silvey, Chm., Kenney, Hall, Rupp, and
Coleman, CC., concur.

Woodruff, Chief Regulatory Law Judge

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 10th day of July 2019.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

July 10, 2019

File/Case No. WO-2019-0247

**Missouri Public Service
Commission**

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opc@psc.mo.gov

**Missouri Public Service
Commission**

Mark Johnson
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
mark.johnson@psc.mo.gov

RDE Water Company

Legal Department
1770 North Deffer Drive, Ste. 4
Nixa, MO 65714

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

Sincerely,



**Morris L. Woodruff
Secretary**

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