

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

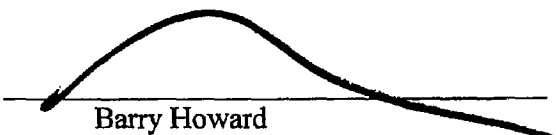
The Staff of the Missouri Public Service Commission,)	
)	
)	
Complainant,)	
)	File No. WC-2010-0227
v.)	
)	
Aspen Woods Apartment Associates, L.L.C.,)	
Barry Howard, Aspen Woods Apartments, Sapal)	
Associates, Sachs Investing Co., Michael Palin,)	
Jerome Sachs, and National Water & Power, Inc.)	
)	
Respondents.)	

AFFIDAVIT

Barry Howard, being duly sworn, hereby deposes and says as follows:

1. I am the Chairman of the Board and Executive Vice President of BPG-GP, LLC, the general partner of BPG Properties, Ltd. ("BPG"). BPG is a diversified real estate fund manager with over 25 million square feet of commercial real estate and over 24,000 apartment units in over 100 multifamily projects located throughout the United States. Aspen Woods Apartments, located in Florissant, MO, is one of those multifamily projects.
2. In my capacity as a member of senior management of BPG, I also hold the title of Chairman of the Board and Executive Vice President of Aspen Woods Apartment Associates, LLC, which is the entity that owns Aspen Woods Apartments.
3. As a member of senior management of BPG, I do not take part in the day to day management of any of the real estate projects, including Aspen Woods Apartments. I have no direct knowledge of the subject matter of the proceeding brought by the Missouri Public Service Commission against Aspen Woods Apartment Associates, LLC.
4. As a matter of administrative convenience, I signed the formation documents for the establishment of Aspen Woods Apartment Associates, LLC, but as stated above I take no part in the day to day operations of the multifamily project that is owned by Aspen Woods Apartment Associates, LLC.

Further, Affiant sayeth not.


Barry Howard

COMMONWEALTH OF PENNSYLVANIA)
) ss.
COUNTY OF PHILADELPHIA)

On this 19th day of March, 2010, before me personally appeared Barry Howard, to me personally known, who, being by me duly sworn, that he did sign the foregoing Affidavit, and acknowledged said instrument to be his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Mary E Roberts
Notary Public

