

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

In the Matter of Missouri-American	)	
Water Company's Request for Authority	)	
to Implement a General Rate Increase	)	Case No. WR-2008-0311
for Water and Sewer Service Provided	)	
in Missouri Service Areas	)	

**INTERVENORS CITY OF RIVERSIDE AND MISSOURI GAMING  
COMPANY'S MOTION FOR LEAVE TO SUPPLEMENT  
REBUTTAL TESTIMONY OF DONALD E. JOHNSTONE**

COME NOW intervenors City of Riverside and Missouri Gaming Company, and move the Commission pursuant to 4 CSR 240-2.130(8) for leave to supplement the Rebuttal Testimony of Donald E. Johnstone filed on their behalf. Specifically, intervenors seek to supplement the aforesaid rebuttal testimony to add the affidavit of Donald E. Johnstone, attached hereto, verifying his testimony. In support of this motion, intervenors state the following:

1. On September 30, 2008, pursuant to the Commission-ordered deadline, intervenors City of Riverside and Missouri Gaming Company filed the rebuttal testimony of their expert witness, Donald E. Johnstone.
2. Due to Mr. Johnstone's traveling on business and lack of access to a notary on September 30, 2008, his rebuttal testimony was filed without an affidavit.
3. Attached hereto is the affidavit of Mr. Johnstone affirming the veracity of his testimony, as required by 4 CSR 240-2.130(6).

WHEREFORE, intervenors City of Riverside and Missouri Gaming Company pray the Commission for its Order granting them leave to supplement the Rebuttal Testimony of Donald E. Johnstone with his attached affidavit and for such other and further relief as the Commission deems just and proper.

Respectfully submitted,

**ARMSTRONG TEASDALE LLP**

s/Matthew D. Turner

Joseph P. Bednar      MO # 33921  
Matthew D. Turner    MO # 48031  
3405 West Truman Boulevard, Suite 210  
Jefferson City, MO 65109  
(573) 634-7146  
(573) 636-8457 (fax)  
jbednar@armstrongteasdale.com  
mturner@armstrongteasdale.com

**ATTORNEYS FOR INTERVENORS  
CITY OF RIVERSIDE AND MISSOURI  
GAMING COMPANY**

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing was sent to each of the following by electronic mail on this 2<sup>nd</sup> day of October, 2008:

Byron E. Francis  
E-mail: [bfrancis@armstrongteasdale.com](mailto:bfrancis@armstrongteasdale.com)

Office of General Counsel  
E-mail: [GenCounsel@psc.mo.gov](mailto:GenCounsel@psc.mo.gov)

Jacqueline U. Levey  
E-mail: [jlevey@armstrongteasdale.com](mailto:jlevey@armstrongteasdale.com)

James M. Fischer  
E-mail: [jfisherpc@aol.com](mailto:jfisherpc@aol.com)

Joe Bednar  
E-mail: [jbednar@armstrongteasdale.com](mailto:jbednar@armstrongteasdale.com)

Larry W. Dority  
E-mail: [lawdority@sprintmail.com](mailto:lawdority@sprintmail.com)

John McClelland  
E-mail: [jmccllelland@armstrongteasdale.com](mailto:jmccllelland@armstrongteasdale.com)

Keith Krueger  
E-mail: [keithkrueger@psc.mo.gov](mailto:keithkrueger@psc.mo.gov)

Kent Lowry  
E-mail: [klowry@armstrongteasdale.com](mailto:klowry@armstrongteasdale.com)

Lewis Mills / Christina Baker  
E-mail: [opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov)

David Woodsmall  
E-mail: [dwoodsmall@fcplaw.com](mailto:dwoodsmall@fcplaw.com)

Lisa Langeneckert  
E-mail: [llangeneckert@spvg.com](mailto:llangeneckert@spvg.com)

Jeremiah D. Finnegan  
E-mail: [jfinnegan@fcplaw.com](mailto:jfinnegan@fcplaw.com)

Mark W. Comley  
E-mail: [comleym@ncrpc.com](mailto:comleym@ncrpc.com)

Stuart Conrad  
E-mail: [stucon@fcplaw.com](mailto:stucon@fcplaw.com)

Michael A. Evans  
E-mail: [mevans@hstly.com](mailto:mevans@hstly.com)

Dean Cooper  
E-mail: [dcooper@brydonlaw.com](mailto:dcooper@brydonlaw.com)

Sherrie A. Schroder  
E-mail: [saschroder@hstly.com](mailto:saschroder@hstly.com)

William R. England, III  
E-mail: [trip@brydonlaw.com](mailto:trip@brydonlaw.com)

Marc Ellinger  
E-mail: [mellinger@blitzbardgett.com](mailto:mellinger@blitzbardgett.com)

Diana M. Vuylsteke  
E-mail: [dmvuylsteke@bryancave.com](mailto:dmvuylsteke@bryancave.com)

Ed Grubb  
E-mail: [Ed.Grubb@mawc.com](mailto:Ed.Grubb@mawc.com)

Steven Reed  
E-mail: [steven.reed@psc.mo.gov](mailto:steven.reed@psc.mo.gov)

John Reichart  
E-mail: [john.reichart@amwater.com](mailto:john.reichart@amwater.com)

s/Matthew D. Turner  
Matthew D. Turner