

Exhibit No.: _____

Issues: Surrebuttal to Testimony of Fisher,
Woods. and White

Witness: Julie Noonan

Sponsoring party: StopAquila.org

Type of Exhibit: Affidavit with exhibits

Case No: EA-2006-0309

Date Prepared: April 18, 2006

1 BEFORE THE PUBLIC SERVICE COMMISSION
2 OF THE STATE OF MISSOURI

3
4 In the matter of the Application of Aquila,)
5 Inc. for Permission and Approval and a)
6 Certificate of Public Convenience and)
7 Necessity Authorizing it to Acquire,)
8 Construct, Install, Own, Operate,)
9 Maintain, and otherwise Control and) Case No. EA-2006-0309
10 Manage Electrical Production and)
11 Related Facilities in Unincorporated)
12 Areas of Cass County, Missouri Near the)
13 Town of Peculiar.)

14
15
16 WRITTEN TESTIMONY OF JULIE NOONAN

17 My name is Julie Noonan. I am an adult and I am competent to make this
18 statement. I live within about 1 1/2 miles of the South Harper Power Plant.

19 QUESTION: What is the purpose of your testimony?

20 ANSWER: To rebut testimony of Warren Wood, Mike Fisher and Jenni Bailey.

21 QUESTION: Mr. Wood and Mr. Fisher spoke about the effect of the
22 South Harper Power Plant on the surrounding area and how the community
23 reacted. Do you know from personal experience how the community reacted?

24 ANSWER: Yes. I was very much involved in gathering petitions against the
25 South Harper Power Plant. I was involved in the petitions previously filed in
26 this case and I was very much involved in getting people signed up in 2006.

1 QUESTION: Are you testifying to support and introduce the
2 STOPAQUILA.ORG membership forms signed by various people?

3 ANSWER: Yes. Accompanying this affidavit you will find copies of
4 STOPAQUILA.ORG membership forms signed by 211 people in 2006.
5 At last count there were 123 adults who signed opposing the plant who
6 also said they lived within two miles of the South Harper Power Plant and
7 a total of 211 people overall who signed in 2006 saying they opposed the plant
8 regardless where they lived. Of those adults signing who indicate
9 they lived within two miles, they reported a total of 221 people in
10 the household. This indicates strong opposition to the power plant.

11 QUESTION: Did you review the list filed by Jenni Bailey?

12 ANSWER: Yes, and many of those people live over two miles away from
13 the plant site. Some live in Cleveland. Some live inside Peculiar. Very few
14 live within two miles of the plant.

15 QUESTION: The documents attached are true copies of those signed
16 membership forms you received?

17 ANSWER: Yes.

18 QUESTION: Do you have any more comments to offer?

19 ANSWER: Yes. Mr. Warren Wood began routing complaints and
20 comments to me in 2004. If he had not started routing these to me,
21 he would have received a lot more input from people about this
22 peaking plant.

23 QUESTION: Does this conclude your testimony?

1 ANSWER: Yes.

2 STATE OF MISSOURI

3 SS.

4 COUNTY OF CASS

5

Julie L Noonan

6 Julie Noona, being first duly sworn, deposes and says that she is the witness who
7 sponsors the accompanying testimony and exhibits entitled "Testimony of
8 Julie Noonan" that said testimony was prepared by her and under her direction
9 and supervision; that if inquiries were made as to the facts in said testimony and
10 schedules, she would respond as therein set forth; and that the aforesaid testimony
11 and exhibits are true and correct to the best of her knowledge, information, and
12 belief.

13

Amy C Boswell

14

NOTARY PUBLIC

15 My commission expires _____



AMY C. BOSWELL
My Commission Expires
February 27, 2010
Cass County
Commission #06845175

Missouri StopAquila.org Membership Form

Membership in StopAquila.org is free. Members of StopAquila.org share the conviction that utility companies, including Aquila Inc., should be required to abide by laws set forth in the states in which they operate. To become a member, simply complete the form. Required fields are **bolded**. Most members agree with the statements below. If you want to become a member and disagree with any of the belief statements, simply mark through the statement that you do not agree with. Your personal information will not be used or distributed except to legal entities requesting verification of StopAquila.org membership.

As a citizen of the State of Missouri, I am concerned about the regulation of utilities and am a member of StopAquila.org. As a member of StopAquila.org, I believe that:

- Utility companies must be required to seek and obtain the zoning and permitting from the appropriate local authority as set forth in the Missouri Constitution prior to building facilities specified in the Constitution.
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- Aquila management should be held accountable for knowingly failing to abide by the applicable laws set forth in the Missouri Constitution, the County of Cass, and the rules and regulations of the Missouri Public Service Commission.

Date

2-9-06

Name

May January

Address

[Redacted]
Benton MO 64408

Phone

[Redacted]

E-Mail

[Redacted]

Provide e-mail if you'd like to be on the StopAquila.org e-mail distribution and receive notification of meetings and other StopAquila.org news.

I am a Registered Voter ☒ Yes ☐ No

I live within two miles of the South Harper Plant and am adversely impacted due to the proximity of the plant to my home. ☒ Yes ☐ No If yes, Total # people impacted in your home (including you) _____

I have not retained private counsel to represent me in matters regarding Aquila ☐ Agree ☐ Disagree

I am interested in or can help with:
☐ Financial contributions for legal expenses ☐ Registering members ☐ Letter writing ☐ Preparation for PSC
☐ I need signs or bumper stickers ☐ Web site ☐ Monitoring Media/Web Sites ☐ Other

Signature

May January
If completing electronically, entry of my name above serves as my official, legal signature

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Date

2/9/06

Name

Suzanne Martfeld

Address

[Redacted]
Peculiar, MO 64078

Phone

[Redacted]

E-Mail

[Redacted]

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I am a Registered Voter ☒ Yes ☐ No

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Suzanne Martfeld

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Date

2-9-06

Name

Della January

Address

[REDACTED]
24 Peculiar Mo 64078

Phone

[REDACTED]

E-Mail

[REDACTED]

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Date

2/8/06

Name

KATHIE Glodowski

Address

[REDACTED]
Peculiar mo 64078

Phone

[REDACTED]

E-Mail

[REDACTED]

Provide e-mail if you'd like to be on the StopAquila.org e-mail distribution and receive notification of meetings and other StopAquila.org news.

I am a Registered Voter ☒ Yes ☐ No

I live within two miles of the South Harper Plant and am adversely impacted due to the proximity of the plant to my home. ☒ Yes ☐ No If yes, Total # people impacted in your home (including you) 3

I have not retained private counsel to represent me in matters regarding Aquila ☒ Agree ☐ Disagree

I am interested in or can help with:

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Signature

Kathie Glodowski
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Date

2-9-2004

Name

Keith F. Meyer

Address

[REDACTED]

Phone

[REDACTED]

E-Mail

[REDACTED]

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I live within two miles of the South Harper Plant and am adversely impacted due to the proximity of the plant to my home. ☒ Yes ☐ No If yes, Total # people impacted in your home (including you) 4

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Date 2/9/06

Name Patricia Eshleman and Tim Eshleman (each members)

Address [REDACTED]

Peuliar, mo 64078

Phone [REDACTED]

E-Mail [REDACTED]

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I am a Registered Voter ☒ Yes ☐ No

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Signature Patricia Eshleman

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I am a resident of Missouri, I am over 18 years old, I am not a member of a utility company, and I am a member of StopAquila.org. As a member of StopAquila.org, I believe that:

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Date

2/9/06

Name

Natalie Stephenson

Address

[Redacted]
Peculiar MO 64078

Phone

[Redacted]

E-Mail

[Redacted]

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I am a Registered Voter ☒ Yes ☐ No

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Natalie Stephenson
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Date Feb 9, 06

Name

Joe and Andrea Hentle

Address

Peculiar MO 64078

Phone

E-Mail

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Signature

Joe Hentle
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Date 2-9-06

Name

Craig & Denise White

Address

[REDACTED]

Phone

[REDACTED]

E-Mail

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Signature

Craig White

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Date 2/9/06

Name Dave Noonan

Address [REDACTED]
Peculiar MO 64078

Phone [REDACTED]

E-Mail [REDACTED]

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Signature [Signature]

If completing electronically, entry of my name above serves as my official, legal signature

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Date 2-9-06

Name Gail Stevens

Address [REDACTED]

Peculiar MO 64078

Phone [REDACTED]

E-Mail [REDACTED]

Provide e-mail if you'd like to be on the StopAquila.org e-mail distribution and receive notification of meetings and other StopAquila.org news.

I am a Registered Voter ☒ Yes ☐ No

I live within two miles of the South Harper Plant and am adversely impacted due to the proximity of the plant to my home. ☒ Yes ☐ No If yes, Total # people impacted in your home (including you) 2

I have not retained private counsel to represent me in matters regarding Aquila ☒ Agree ☐ Disagree

I am interested in or can help with:

☐ Financial contributions for legal expenses ☐ Registering members ☐ Letter writing ☐ Preparation for PSC
☒ I need signs or bumper stickers ☐ Web site ☐ Monitoring Media/Web Sites ☐ Other

Signature Gail Stevens

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Date 2-9-06

Name PAUL TALLEY

Address

RECALIA, MO 64078

Phone

E-Mail

Provide e-mail if you'd like to be on the StopAquila.org e-mail distribution and receive notification of meetings and other StopAquila.org news.

I am a Registered Voter ☒ Yes ☐ No

I live within two miles of the South Harper Plant and am adversely impacted due to the proximity of the plant to my home. ☒ Yes ☐ No If yes, Total # people impacted in your home (including you) 2

I have not retained private counsel to represent me in matters regarding Aquila ☒ Agree ☐ Disagree

I am interested in or can help with:

Financial contributions for legal expenses ☐ Registering members ☐ Letter writing ☐ Preparation for PSC
☒ I need signs or bumper stickers ☐ Web site ☐ Monitoring Media/Web Sites ☐ Other

Signature

Paul Talley
If completing electronically, entry of my name above serves as my official, legal signature

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As a an American citizen of the State of Missouri, I am concerned about the regulation of utilities and am a member of StopAquila.org. As a member of StopAquila.org, I believe that:

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Date Feb 9, 2006

Name Lorane Stanley

Address [REDACTED]
Peculiar, Missouri

Phone [REDACTED]

E-Mail [REDACTED]

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I am a Registered Voter Yes ☒ No

I live within two miles of the South Harper Plant and am adversely impacted due to the proximity of the plant to my home. X Yes No If yes, Total # people impacted in your home (including you) 3

I have not retained private counsel to represent me in matters regarding Aquila X Agree Disagree

I am interested in or can help with:
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I need signs or bumper stickers Web site Monitoring Media/Web Sites Other

Signature Lorane Stanley
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Date Feb 9, 2006

Name Harold Stanley

Address [REDACTED]
Peuliar, Missouri

Phone [REDACTED]

E-Mail [REDACTED]

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I am a Registered Voter Yes X No

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I have not retained private counsel to represent me in matters regarding Aquila X Agree Disagree

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Date 02-09-06

Name Gary & Cheryl (Cherie) Crabtree

Address [REDACTED]
Peculiar MO 64078

Phone [REDACTED]

E-Mail garbtree@planetk.com

Provide e-mail if you'd like to be on the StopAquila.org e-mail distribution and receive notification of meetings and other StopAquila.org news.

I am a Registered Voter ☒ Yes ☐ No

I live within two miles of the South Harper Plant and am adversely impacted due to the proximity of the plant to my home. ☒ Yes ☐ No If yes, Total # people impacted in your home (including you) 2

I have not retained private counsel to represent me in matters regarding Aquila ☒ Agree ☐ Disagree

I am interested in or can help with:

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☐ I need signs or bumper stickers ☐ Web site ☐ Monitoring Media/Web Sites ☐ Other

Signature Gary Crabtree Cheryl Crabtree
If completing electronically, entry of my name above serves as my official, legal signature

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Date

2/9/06

Name

Lisa McCord

Address

[REDACTED]

Peculiar MO 64078

Phone

[REDACTED]

E-Mail

[REDACTED]

Provide e-mail if you'd like to be on the StopAquila.org e-mail distribution and receive notification of meetings and other StopAquila.org news.

I am a Registered Voter ☒ Yes ☐ No

I live within two miles of the South Harper Plant and am adversely impacted due to the proximity of the plant to my home. ☒ Yes ☐ No If yes, Total # people impacted in your home (including you) 3

I have not retained private counsel to represent me in matters regarding Aquila ☒ Agree ☐ Disagree

I am interested in or can help with:

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☐ I need signs or bumper stickers ☐ Web site ☒ Monitoring Media/Web Sites ☐ Other

Signature

Lisa McCord

If completing electronically, entry of my name above serves as my official, legal signature

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Date 2/9/06

Name Robert Martin

Address 222 S. 1st St.
Peckham, MO 64078

Phone 417-571-1212

E-Mail _____

Provide e-mail if you'd like to be on the StopAquila.org e-mail distribution and receive notification of meetings and other StopAquila.org news.

I am a Registered Voter ☒ Yes _____ No

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I am interested in or can help with:

☒ Financial contributions for legal expenses _____ Registering members _____ Letter writing _____ Preparation for PSC
☒ I need signs or bumper stickers _____ Web site _____ Monitoring Media/Web Sites _____ Other _____

Signature Robert Martin

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Date

2/9/06

Name

Deb Murray

Address

[Redacted Address]

Peoria Mo 64078

Phone

[Redacted Phone]

E-Mail

[Redacted E-Mail]

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Signature

Deb Murray

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Date 2/9/06

Name Julie Noonan

Address [REDACTED] Lucille Ln
Peculiar MO 64078

Phone [REDACTED] 779-4119

E-Mail [REDACTED] Julie.Noonan@comcast.net

Provide e-mail if you'd like to be on the StopAquila.org e-mail distribution and receive notification of meetings and other StopAquila.org news.

I am a Registered Voter ☒ Yes ☐ No

I live within two miles of the South Harper Plant and am adversely impacted due to the proximity of the plant to my home. ☒ Yes ☐ No If yes, Total # people impacted in your home (including you) 3

I have not retained private counsel to represent me in matters regarding Aquila ☒ Agree ☐ Disagree

I am interested in or can help with:

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Signature Julie L Noonan
If completing electronically, entry of my name above serves as my official, legal signature

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Date 8/9/06

Name Vicki Roe

Address [REDACTED]
Peculiar Mo 64078

Phone [REDACTED]

E-Mail [REDACTED]

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I am a Registered Voter ☒ Yes ☐ No

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I have not retained private counsel to represent me in matters regarding Aquila ☒ Agree ☐ Disagree

I am interested in or can help with:

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Signature Vicki A. Roe
If completing electronically, entry of my name above serves as my official, legal signature

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Date

2-4-2006

Name

Carole L. Meyer

Address

[Redacted]
Peculiar, MO 64078

Phone

[Redacted]

E-Mail

[Redacted]

Provide e-mail if you'd like to be on the StopAquila.org e-mail distribution and receive notification of meetings and other StopAquila.org news.

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I have not retained private counsel to represent me in matters regarding Aquila ☒ Agree ☐ Disagree

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☐ I need signs or bumper stickers ☐ Web site ☐ Monitoring Media/Web Sites ☐ Other

Signature

Carole L. Meyer

If completing electronically, entry of my name above serves as my official, legal signature

Dave and Julie Noonan

From: Brenda Hunt [motherhenof4@casstel.net]
Sent: Thursday, February 16, 2006 12:17 PM
To: stop_Aquila@yahoo.com
Subject: Emailing: McMemForm

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- Aquila management should be held accountable for knowingly failing to abide by the applicable laws set forth in the Missouri Constitution, the County of Cass, and the rules and regulations of the Missouri Public Service Commission.

Click on **then** and **then** complete the form on your E-Mail and send the completed form to **stop_Aquila@yahoo.com**. Sorry for the inconvenience but, we are currently working on submitting the forms from the Website.

Name [Randy and Brenda Hunt]
Address [REDACTED]
City [Peculiar] **State** [MO] **Zip** [64078]
Phone [REDACTED] **E-Mail** [motherhenof4@casstel.net]

Provide e-mail if you'd like to be on the StopAquila.org e-mail distribution and receive notification of meetings and other StopAquila.org news.

I am a Registered Voter ☒ Yes ☐ No

I am willing for my name and information to be provided to the PSC ☒ Yes ☐ No

I am interested in or can help with:

- ☐ Financial contributions for legal expenses ☐ Registering members ☐ Letter writing
☐ Preparation for PSC ☐ I need signs or bumper stickers ☐ Web site ☐ Other

Signature [REDACTED]

If completing electronically, entry of my name above serves as my official, legal signature

Reset [REDACTED]

4/18/2006

Missouri StopAquila.org Membership Form

Membership in StopAquila.org is free. Members of StopAquila.org share the conviction that utility companies, including Aquila Inc., should be required to abide by laws set forth in the states in which they operate. To become a member, simply complete the form. Required fields are bolded. Most members agree with the statements below. If you want to become a member and disagree with any of the belief statements, simply mark through the statement that you do not agree with. Your personal information will not be used or distributed except to legal entities requesting verification of StopAquila.org membership.

As a citizen of the State of Missouri, I am concerned about the regulation of utilities and am a member of StopAquila.org. As a member of StopAquila.org, I believe that:

- Utility companies must be required to seek and obtain the zoning and permitting from the appropriate local authority as set forth in the Missouri Constitution prior to building facilities specified in the Constitution.
- Utility companies must abide by the rules and regulations of the Missouri Public Service Commission.
- Rate payers should not be asked or required to subsidize facilities that are not truly needed to ensure power. A utility that purposefully divests itself of facilities and contracts for power is not justified in claiming "need" for a new facility if the need appears to be associated with divestiture from existing resources.
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- Aquila management should be held accountable for knowingly failing to abide by the applicable laws set forth in the Missouri Constitution, the County of Cass, and the rules and regulations of the Missouri Public Service Commission.

Date 2-11-06

Name Nick Norman

Address [REDACTED]

Phone [REDACTED]

E-Mail [REDACTED]

Provide e-mail if you'd like to be on the StopAquila.org e-mail distribution and receive notification of meetings and other StopAquila.org news.

I am a Registered Voter ☒ Yes ☐ No

I live within two miles of the South Harper Plant and am adversely impacted due to the proximity of the plant to my home. ☒ Yes ☐ No If yes, Total # people impacted in your home (including you) 3

I have not retained private counsel to represent me in matters regarding Aquila ☒ Agree ☐ Disagree

I am interested in or can help with:

☐ Financial contributions for legal expenses ☒ Registering members ☐ Letter writing ☐ Preparation for PSC
☐ I need signs or bumper stickers ☐ Web site ☐ Monitoring Media/Web Sites ☐ Other

Signature [Signature]

If completing electronically, entry of my name above serves as my official, legal signature

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Date 2-15-06

Name Kerrie Locke

Address ~~1100 S. Scottsdale Terr.~~
Peculiar, MO. 64078

Phone ~~816-893-1111~~

E-Mail _____

Provide e-mail if you'd like to be on the StopAquila.org e-mail distribution and receive notification of meetings and other StopAquila.org news.

I am a Registered Voter ☒ Yes _____ No

I live within two miles of the South Harper Plant and am adversely impacted due to the proximity of the plant to my home. ☒ Yes _____ No If yes, Total # people impacted in your home (including you) _____

I am interested in or can help with:
____ Financial contributions for legal expenses _____ Registering members _____ Letter writing _____ Preparation for PSC
____ I need signs or bumper stickers _____ Web site _____ Monitoring Media/Web Sites _____ Other _____

Signature Kerrie Locke
If completing electronically, entry of my name above serves as my official, legal signature

E-mail completed forms to: noonan@casstel.net

Donations or paper forms may be sent to: StopAquila.org
c/o Della January
PO Box 391
Peculiar, MO 64078

For donations, please make checks payable to: Gerry Eftink

Thank you for your support!

Missouri StopAquila.org Membership Form

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Date 3/17/06

Name David Moha

Address [REDACTED]
PECULIAR, MO 64078

Phone [REDACTED]
E-Mail [REDACTED]

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Signature [Signature]
If completing electronically, entry of my name above serves as my official, legal signature

E-mail completed forms to: noonan@casstel.net

Donations or paper forms may be sent to: StopAquil.org
c/o Della January
PO Box 391
Peculiar, MO 64078

For donations, please make checks payable to: Gerry Eftink

Thank you for your support!