

Petitioners Exhibit No. 47
Case No(s). WC-2007-0303
Date 10-30-07 Rptr gas

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Missouri Public
Service Commission

TO: Mark Ludwig

FACSIMILE NUMBER: 636-7119

RE: Quail Valley

DATE: December 21, 2006

FROM: Marc H. Ellinger

NUMBER OF PAGES INCLUDING TRANSMITTAL FORM: 4

COMMENTS:

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PERSONS TO CONTACT: Kimberly Williams or Sherry Brenner

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December 21, 2006

VIA FACSIMILE 636-7119 & U.S. MAIL

Mark Ludwig
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RE: Quail Valley

Dear Mark:

Thank you for the copy of the report by Greg Haug regarding the Quail Valley Wastewater Treatment Facility. I have had an opportunity to review this report and confer with my client regarding the report, underlying facts therein, and conclusions. A number of the bullet points contained in Mr. Haug's cover letter, dated September 14, 2006, raise concerns that need to be addressed prior to any resolution in the Quail Valley area.

First, Mr. Haug has "census data" showing 229 people within the Quail Valley Subdivision. As you are aware, the Missouri Department of Natural Resources uses a standard of 3.7 persons per household. Mr. Haug's census data recommendation is 2.97 persons per home. Aqua Missouri relies upon the Missouri Department of Natural Resources standard due to the volatility of census data. Obviously with homeowners potentially changing there is no ability to control the 229 person number related in Mr. Haug's report. Due to the inability control this number and the volatility therein, Aqua Missouri will not accept the census data and will instead defer to the Missouri Department of Natural Resources standard of 3.7 persons per household.

With respect to a number of the flow information data items contained in Mr. Haug's report, there are issues unaddressed in his conclusions and calculations. For example, there are significant InI (in flow and infiltration) issues at the Quail Valley Wastewater Treatment Facility. InI occurs at the septic tanks, connections, clean outs and lift station and can run 30% over the water usage flow figures. InI directly impacts the number of gallons running through the treatment facility at any given time. Similarly, the flow information used by Mr. Haug is based upon instantaneous grabs as opposed to more consistent composite data. The entire set of conclusions is based upon four grabs,

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two before and two after the clean out of the septic tanks. More detailed and conclusive flow information would be required to properly evaluate the loading of the treatment facility. Some of the information regarding water usage also seems to have some inherent conflicts. For example, the "actual January" water usage information indicates 75 homes from the water company; however, the census data references 77 homes. The actual plant flow numbers he uses in Table 1 appear to use 78 homes. This inconsistency does call into question the actual flow data for the Wastewater Treatment Facility.

The infrastructure concerns in Quail Valley are also not addressed. The system has four inch SDR-35 piping and Mr. Haug's engineering report does not reference what volumes may be carried in that size pipe. Additionally, lift, station size and pump sizes need to be evaluated to determine what volumes they can carry for purposes of determining if any expansion is available.

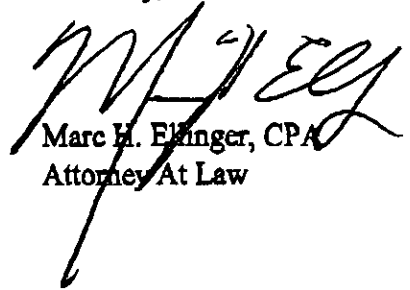
The septic tanks at Quail Valley are controlled and owned by the individual landowners. The septic tanks have an enormous impact upon the influent at the treatment facility. Based upon Mr. Haug's letter and your representations, the Homeowners Association has modified its Bylaws to require septic tanks be pumped a minimum of once every three years. However, this schedule may not be sufficient depending upon the usage levels for various individual landowners. The amended Bylaws do not appear to authorize Aqua Missouri to test the various septic tanks and pump them or order and compel pumping at times when necessary inside of the three year period. This type of change would require unanimous approval by all landowners within the Quail Valley Subdivision.

Finally, it is my understanding that when Mr. Storey first approached Aqua Missouri his request was to hook up one lot at a time and determine the effect of a single hookup upon the treatment facility before another one. Now, based upon Mr. Haug's report, your representations, and my understanding of where Mr. Storey is at, that original proposal of his is now changed and he is now seeking to connect multiple units at one time, for the purpose of selling such lots as opposed to building upon them as he had originally represented. While my client was willing to allow a single hookup and evaluate effects and then allow another hookup, dependent upon those effects, it is now being asked to authorize multiple hookups due to the reasons referenced above and the capacity of the existing facility. Mr. Storey is acting as a developer and under the terms of Aqua Missouri's Tariff expansion requirements of the treatment facility must be paid for by Mr. Storey prior to any connections being made.

Please note that while my client has attempted to work with Mr. Storey those offers should not be construed as any waiving of its rights under its Tariff and Missouri law. Please contact me to discuss these issues and how to proceed with this matter.

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Sincerely,

A handwritten signature in black ink, appearing to read "M. H. Ellinger", is written over the typed name and title.

Marc H. Ellinger, CPA
Attorney At Law

MHE:krw

c: Tena Hale-Rush