

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

THE STAFF OF THE MISSOURI PUBLIC)
SERVICE COMMISSION,)
)
V.) Files Nos. WC-2011-0253
) and SC-2011-0254
DENNIS KALLASH, et al.,)
RESPONDENTS.)

**ANSWER TO COMPLAINT ON BEHALF
OF ALL RESPONDENTS**

COME NOW Respondents, by and through counsel James D. Burlison, and for their Answer to Complainant's Complaint, state as follows:

1. In answer to paragraph 1 of Complainant's Complaint the allegation is denied.
2. Respondents admit the allegations contained in paragraph 2 of the Complaint.
3. Respondents admit the allegations contained in paragraph 3 of the Complaint.
4. Respondents admit the allegations contained in paragraph 4 of the Complaint.
5. Respondents admit the allegations contained in paragraph 5 of the Complaint.
6. Respondents admit the allegations contained in paragraph 6 of the Complaint.
7. Respondents admit the allegations contained in paragraph 7 of the Complaint.

COUNT I

8. Respondents reallege their responses to paragraphs 1 through 7 as is set forth herein.
9. Respondents admit the allegations contained in paragraph 9 of the Complaint.
10. Respondents admit the allegations contained in paragraph 10 of the Complaint.
11. Respondents deny the allegations contained in paragraph 11 of the Complaint.
12. Respondents admit the allegations contained in paragraph 12 of the Complaint.
13. Respondents admit the allegations contained in paragraph 13 of the Complaint.
14. Respondents admit the allegations contained in paragraph 14 of the Complaint.
15. Respondents admit the allegations contained in paragraph 15 of the Complaint.
16. Respondents admit the allegations contained in paragraph 16 of the Complaint.

17. Respondents are without sufficient knowledge as to the truth or falsity of the allegations contained in paragraph 17 of the Complaint and thus the same are denied.

18. Respondents admit the allegations contained in paragraph 18 of the Complaint.

WHEREFORE, Respondents respectfully request the Commission find that Bennington, Inc. is exempt from the Commission's jurisdiction and the matter be dismissed.

COUNT II

19. Respondents reallege their responses to paragraphs 1 through 18 as is set forth herein.

20. Respondents admit the allegations contained in paragraph 20 of the Complaint.

21. Respondents admit the allegations contained in paragraph 21 of the Complaint.

22. Respondents admit the allegations contained in paragraph 22 of the Complaint.

23. Respondents admit the allegations contained in paragraph 23 of the Complaint.

24. Respondents admit the allegations contained in paragraph 24 of the Complaint.

25. Respondents admit the allegations contained in paragraph 25 of the Complaint.

26. Respondents admit the allegations contained in paragraph 26 of the Complaint.

27. Respondents admit the allegations contained in paragraph 27 of the Complaint.

28. Respondents are without sufficient knowledge as to the truth or falsity of the allegations contained in paragraph 28 of the Complaint and thus the same are denied.

29. Respondents admit the allegations contained in paragraph 29 of the Complaint.

WHEREFORE, Respondents respectfully request the Commission find that Bennington Water, Inc. is exempt from the Commission's jurisdiction and the matter be dismissed.

COUNT III

30. Respondents reallege their responses to paragraphs 1 through 29 as is set forth herein.

31. Respondents admit the allegations contained in paragraph 31 of the Complaint.

32. Respondents admit the allegations contained in paragraph 32 of the Complaint.

33. Respondents deny the allegations contained in paragraph 33 of the Complaint.

34. Respondents deny the allegations contained in paragraph 34 of the Complaint.

35. Respondents deny the allegations contained in paragraph 35 of the Complaint.

36. Respondents admit the allegations contained in paragraph 36 of the Complaint.

37. Respondents admit the allegations contained in paragraph 37 of the Complaint.
38. Respondents admit the allegations contained in paragraph 38 of the Complaint.
39. Respondents admit the allegations contained in paragraph 39 of the Complaint.
40. Respondents admit the allegations contained in paragraph 40 of the Complaint.
41. Respondents deny the allegations contained in paragraph 41 of the Complaint.
42. Respondents admit the allegations contained in paragraph 42 of the Complaint.
43. Respondents admit the allegations contained in paragraph 43 of the Complaint.
44. Respondents admit the allegations contained in paragraph 44 of the Complaint.
45. Respondents deny the allegations contained in paragraph 45 of the Complaint.
46. Respondents deny the allegations contained in paragraph 46 of the Complaint.
47. Respondents deny the allegations contained in paragraph 47 of the Complaint.

WHEREFORE, Respondents respectfully request the Commission find that Dennis Kallash is exempt from the Commission's jurisdiction and the matter be dismissed.

COUNT IV

48. Respondents reallege their responses to paragraphs 1 through 47 as is set forth herein.
49. Respondents admit the allegations contained in paragraph 49 of the Complaint.
50. Respondents admit the allegations contained in paragraph 50 of the Complaint.
51. Respondents deny the allegations contained in paragraph 51 of the Complaint.
52. Respondents deny the allegations contained in paragraph 52 of the Complaint.
53. Respondents deny the allegations contained in paragraph 53 of the Complaint.
54. Respondents admit the allegations contained in paragraph 54 of the Complaint.
55. Respondents admit the allegations contained in paragraph 55 of the Complaint.
56. Respondents admit the allegations contained in paragraph 56 of the Complaint.
57. Respondents admit the allegations contained in paragraph 57 of the Complaint.
58. Respondents admit the allegations contained in paragraph 58 of the Complaint.
59. Respondents deny the allegations contained in paragraph 59 of the Complaint.
60. Respondents admit the allegations contained in paragraph 60 of the Complaint.
61. Respondents admit the allegations contained in paragraph 61 of the Complaint.

62. Respondents admit the allegations contained in paragraph 62 of the Complaint.
63. Respondents deny the allegations contained in paragraph 63 of the Complaint.
64. Respondents deny the allegations contained in paragraph 64 of the Complaint.
65. Respondents deny the allegations contained in paragraph 65 of the Complaint.

WHEREFORE, Respondents respectfully request the Commission find that Toni Kallash is exempt from the Commission's jurisdiction and the matter be dismissed.

COUNT V

66. Respondents reallege their responses to paragraphs 1 through 65 as is set forth herein.
67. Respondents admit the allegations contained in paragraph 67 of the Complaint.
68. Respondents admit the allegations contained in paragraph 68 of the Complaint.
69. Respondents admit the allegations contained in paragraph 69 of the Complaint.
70. Respondents admit the allegations contained in paragraph 70 of the Complaint.
71. Respondents deny the allegations contained in paragraph 71 of the Complaint.
72. Respondents deny the allegations contained in paragraph 72 of the Complaint.
73. Respondents deny the allegations contained in paragraph 73 of the Complaint.

WHEREFORE, Respondents respectfully request the Commission find that Bennington, Inc. is exempt from the Commission's jurisdiction and the matter be dismissed.

COUNT VI

74. Respondents reallege their responses to paragraphs 1 through 73 as is set forth herein.
75. Respondents admit the allegations contained in paragraph 75 of the Complaint.
76. Respondents admit the allegations contained in paragraph 76 of the Complaint.
77. Respondents admit the allegations contained in paragraph 77 of the Complaint.
78. Respondents admit the allegations contained in paragraph 78 of the Complaint.
79. Respondents deny the allegations contained in paragraph 79 of the Complaint.
80. Respondents admit the allegations contained in paragraph 80 of the Complaint.
81. Respondents admit the allegations contained in paragraph 81 of the Complaint.
82. Respondents admit the allegations contained in paragraph 82 of the Complaint.
83. Respondents admit the allegations contained in paragraph 83 of the Complaint.

84. Respondents admit the allegations contained in paragraph 84 of the Complaint.
85. Respondents deny the allegations contained in paragraph 85 of the Complaint.
86. Respondents admit the allegations contained in paragraph 86 of the Complaint.
87. Respondents admit the allegations contained in paragraph 87 of the Complaint.
88. Respondents admit the allegations contained in paragraph 88 of the Complaint.
89. Respondents deny the allegations contained in paragraph 89 of the Complaint.
90. Respondents deny the allegations contained in paragraph 90 of the Complaint.
91. Respondents deny the allegations contained in paragraph 91 of the Complaint.
92. Respondents admit the allegations contained in paragraph 92 of the Complaint.

WHEREFORE, Respondents respectfully request the Commission find that Dennis Kallash is exempt from the Commission's jurisdiction and the matter be dismissed.

COUNT VII

93. Respondents reallege their responses to paragraphs 1 through 92 as is set forth herein.
94. Respondents admit the allegations contained in paragraph 94 of the Complaint.
95. Respondents admit the allegations contained in paragraph 95 of the Complaint.
96. Respondents admit the allegations contained in paragraph 96 of the Complaint.
97. Respondents admit the allegations contained in paragraph 97 of the Complaint.
98. Respondents deny the allegations contained in paragraph 98 of the Complaint.
99. Respondents admit the allegations contained in paragraph 99 of the Complaint.
100. Respondents admit the allegations contained in paragraph 100 of the Complaint.
101. Respondents admit the allegations contained in paragraph 101 of the Complaint.
102. Respondents admit the allegations contained in paragraph 102 of the Complaint.
103. Respondents admit the allegations contained in paragraph 103 of the Complaint.
104. Respondents deny the allegations contained in paragraph 104 of the Complaint.
105. Respondents admit the allegations contained in paragraph 105 of the Complaint.
106. Respondents admit the allegations contained in paragraph 106 of the Complaint.
107. Respondents admit the allegations contained in paragraph 107 of the Complaint.
108. Respondents deny the allegations contained in paragraph 108 of the Complaint.

109. Respondents deny the allegations contained in paragraph 109 of the Complaint.
110. Respondents deny the allegations contained in paragraph 110 of the Complaint.
111. Respondents admit the allegations contained in paragraph 111 of the Complaint.

WHEREFORE, Respondents respectfully request the Commission find that Dennis Kallash is exempt from the Commission's jurisdiction and the matter be dismissed.

COUNT VIII

112. Respondents reallege their responses to paragraphs 1 through 111 as is set forth herein.
113. Respondents admit the allegations contained in paragraph 113 of the Complaint.
114. Respondents admit the allegations contained in paragraph 114 of the Complaint.
115. Respondents admit the allegations contained in paragraph 115 of the Complaint.
116. Respondents admit the allegations contained in paragraph 116 of the Complaint.
117. Respondents deny the allegations contained in paragraph 117 of the Complaint.
118. Respondents deny the allegations contained in paragraph 118 of the Complaint.
119. Respondents deny the allegations contained in paragraph 119 of the Complaint.
120. Respondents admit the allegations contained in paragraph 120 of the Complaint.


WHEREFORE, Respondents respectfully request the Commission find that Bennington Water, Inc. is exempt from the Commission's jurisdiction and the matter be dismissed.

McILROY and MILLAN

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CERTIFICATE OF MAILING

Copy of the foregoing served via the EFIS System this 17 day of March, 2011 to Samuel D. Ritchie, Associate Counsel, Attorney for the Staff of the Missouri Public Service Commission, Attorney for Complainant.


Malaine P. Hagemeyer