



4. Section 393.145.1 authorizes the Commission to seek the appointment of a receiver for a water corporation or a sewer corporation in certain circumstances. It provides in full as follows:

If, after hearing, the commission determines that any sewer or water corporation that regularly provides service to eight thousand or fewer customer connections *is unable or unwilling to provide safe and adequate service, has been actually or effectively abandoned by its owners*, or has defaulted on a bond, note or loan issued or guaranteed by any department, office, commission, board, authority or other unit of state government, the commission may petition the circuit court for an order attaching the assets of the utility and placing the utility under the control and responsibility of a receiver. The venue of such cases shall, at the option of the commission, be in the circuit court of Cole County or in the circuit court of the county in which the utility company has its principal place of business. (Emphasis supplied.)

5. The Company's conduct satisfies each of the statutory bases for the appointment of a receiver that are set forth in italics in Paragraph 4 hereof, specifically that the Company is unable or unwilling to provide safe and adequate service to its customers and that Randy Clifford, its sole officer and director, has actually or effectively abandoned the Company.

6. On June 26, 2006, Randy Clifford sent a letter dated June 21, 2006 to the customers of the Company, in which he admitted that the Company was unable or unwilling to provide safe and adequate service, in that it intended to "reduce services" in the following manner: discontinue chlorination of the water supply; disconnect the Company's only two telephone numbers; cease to continuously monitor the water system for low water pressure; and suspend indefinitely its water meter replacement, sewer main cleaning and man hole inspection programs. (A true and accurate copy of the Company's June 21, 2006 letter is attached hereto as Exhibit B, and is incorporated herein by reference.)

7. Also in the Company's June 21, 2006 letter attached hereto as Exhibit B, Randy Clifford admitted that the Company was unable or unwilling to provide safe and adequate service

by advising its customers that "...all drinking water should be vigorously boiled for fifteen (15) minutes and allowed to cool before drinking..." and that "...should a breakdown in the system occur, the company is financially unable to make any repairs." Finally, Hickory Hills' customers were warned that "...other more drastic measures may need to be implemented."

8. On June 29, 2006, the Missouri Department of Natural Resources (MDNR) advised Hickory Hills by letter to continue to disinfect the water and that a failure to do so could affect the health of Hickory Hills' customers and would be in violation of Missouri Public Drinking Water Regulation 10 CSR 60-3.010(1)(D). (A true and accurate copy of the MDNR's June 29, 2006 letter is attached hereto as Exhibit C, and is incorporated herein by reference.)

9. Subsequent communications between MDNR and Hickory Hills resulted in Hickory Hills' commitment to continue chlorination of the Hickory Hills water supply. (See, Affidavit of John MacEachen, attached hereto as Exhibit D and incorporated herein by reference.)

10. On July 19, 2006, the Missouri Public Service Commission (PSC) advised Hickory Hills' customers by letter that both the PSC and MDNR had communicated with Hickory Hills and had secured Mr. Randy Clifford's affirmation that he had never ceased to chlorinate the water supply, and that he would continue to chlorinate the water supply. (A true and accurate copy of the PSC's July 19, 2006 letter is attached hereto as Exhibit E and incorporated herein by reference.)

11. Mr. Randy Clifford has informed Staff that he is unable or unwilling to continue to provide safe and adequate service to the customers of Hickory Hills. (See, Affidavit of James M. Russo, attached hereto as Exhibit F and incorporated herein by reference.)

12. Mr. Randy Clifford states that the demands of new employment, emotional stress

and physical stress render him unable to continue to provide safe and adequate service to the customers of Hickory Hills. (See, Affidavit of Randy Clifford, attached hereto as Exhibit G and incorporated herein by reference.)

13. The foregoing agreed and stipulated facts evidence that the Company is unable or unwilling to provide safe and adequate service and that its sole officer and director has actually or effectively abandoned the Company and, pursuant to Section 393.145.1 - .9, the Commission is vested with the authority to:

a. Determine (after hearing) that the Company is a sewer or water corporation that regularly provides service to eight thousand or fewer customer connections, and

b. Determine (after hearing) that the Company is unable or unwilling to provide safe and adequate service and has been actually or effectively abandoned by its sole officer and director, and

c. Determine (after hearing) that control of and responsibility for the Company should not, in the best interests of its customers, be returned to its sole officer and director, and

d. Order the Commission's General Counsel to Petition the Circuit Court of Cole County for an order attaching the assets of the Company and placing the Company under the control and responsibility of a receiver and direct the receiver to transfer by sale or liquidate the assets of the Company in the manner provided by law, and

e. Appoint an Interim Receiver for the Company. The Company, Public Counsel and Staff respectfully recommend Gary Cover of Clinton, Missouri as a responsible person knowledgeable in the operations of utilities, and

f. Determine the compensation of the Interim Receiver and require the Interim Receiver to give bond, and to operate the Company so as to preserve the assets of the Company

and to serve the best interests of its customers, pursuant to the law.

14. In the event the Commission accepts the specific terms of this Stipulation and enters the Consent Order as requested, the Company, Public Counsel and Staff waive, but only with respect to the issues explicitly resolved herein, their following respective rights pursuant to 536.070, 536.080 and 386.500: to call and examine witnesses; to cross-examine opposing witnesses; to introduce exhibits other than those attached hereto; to present oral arguments or written briefs; and to seek rehearing. The Company, Public Counsel and Staff agree to cooperate with each other in presenting this Stipulation to the Commission for final approval, and will take no action, direct or indirect, in opposition to final approval of this Stipulation.

15. The Staff shall have the right to provide, at any Agenda meeting at which this Stipulation is noticed to be considered by the Commission, whatever oral explanation the Commission requests, provided that the Staff shall, to the extent reasonably practicable, provide the Company and Public Counsel with advance notice of the date of said Agenda meeting. Staff's oral explanation shall be subject to public disclosure, except to the extent it refers to matters that are privileged or protected from disclosure pursuant to any protective order issued in this case.

16. This Stipulation is the result of extensive communication between the Company, Public Counsel and Staff and the terms of this Stipulation are interdependent; however, the agreements expressed herein are limited solely to the issues described herein.

17. If the Commission does not approve this Stipulation and enter the Consent Order as requested, this Stipulation shall become null and void and the Company, Public Counsel and Staff shall not be bound by the terms hereof.

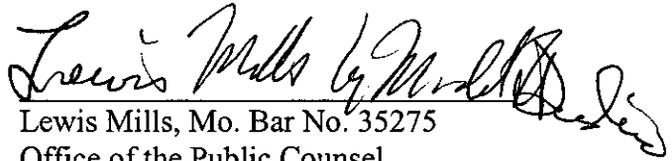
18. The Company, Public Counsel and Staff respectfully submit that this Stipulation

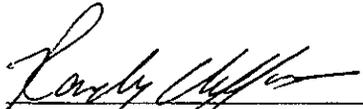
is presented to the Commission with the intent of lawfully resolving a matter that might otherwise consume considerable time and resources to obtain a substantially similar result. Therefore, the Company, Public Counsel and Staff respectfully request that the Commission docket this matter for discussion and decision at the earliest possible Agenda meeting.

**WHEREFORE**, the Company, Public Counsel and Staff respectfully request that the Commission issue an order approving this Unanimous Stipulation and Consent Order.

Respectfully submitted,

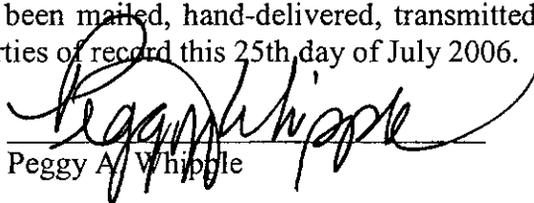
  
Peggy A. Whipple, Mo. Bar No. 54758  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102  
(573) 526-6715  
(573) 751-9285 (fax)  
e-mail: peggy.whipple@psc.mo.gov  
Attorney for the Staff of the  
Missouri Public Service Commission

  
Lewis Mills, Mo. Bar No. 35275  
Office of the Public Counsel  
P.O. Box 7800  
Jefferson City, MO 65102-7800  
(573) 751-5565  
(573) 751-5562 (fax)  
e-mail: opcservice@ded.mo.gov  
Attorney for the  
Office of the Public Counsel

  
Randy Clifford, Officer and Director  
Hickory Hills Water & Sewer Co., Inc.  
300 Independence Avenue, P.O. Box 297  
Tipton, MO 65081

### CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronic mail to all counsel and/or parties of record this 25th day of July 2006.

  
Peggy A. Whipple

Robin Carnahan Secretary of State  
 2006 ANNUAL REGISTRATION REPORT  
 BUSINESS

**File Number: 200603190528  
 00170799**  
**Date Filed: 01/31/2006**  
**Robin Carnahan**  
**Secretary of State**

REPORT DUE BY: 04/30/2006

ANNUAL REPORT MONTH:  
January

00170799  
 HICKORY HILLS WATER & SEWER CO., INC.  
 RANDY L. CLIFFORD  
 MORGAN & INDEPENDENCE, POB 297  
 TIPTON, MO 65081

1 PRINCIPAL PLACE OF BUSINESS OR CORPORATE HEADQUARTERS:  
300 INDEPENDENCE AVE, P. O. BC (Required)  
 STREET  
 TIPTON, MO 65081  
 CITY/STATE ZIP

2 If changing the registered agent and/or registered office address, please check the appropriate box(es) and fill in the necessary information.  
 The new registered agent  
**IF CHANGING THE REGISTERED AGENT, AN ORIGINAL WRITTEN CONSENT FROM THE NEW REGISTERED AGENT MUST BE ATTACHED AND FILED WITH THIS REGISTRATION REPORT.**  
 The new registered office address  
**Must be a Missouri address, PO Box alone is not acceptable. This section is not applicable for Banks, Trusts and Foreign Insurance.**

OFFICERS		BOARD OF DIRECTORS	
NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE). <u>(MUST LIST PRESIDENT AND SECRETARY BELOW)</u> <b>A</b>		NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE). <u>(MUST LIST AT LEAST ONE DIRECTOR BELOW)</u> <b>B</b>	
<u>PRES</u>	RANDY CLIFFORD (Required)	<u>NAME</u>	RANDY CLIFFORD (Required)
STREET/RT	300 INDEPENDENCE AVE., P. O. BOX 297	STREET/RT	300 INDEPENDENCE AVE. P O BOX 297
CITY/STATE/ZIP	TIPTON, MO 65081	CITY/STATE/ZIP	TIPTON, MO 65081
V-PRES	.....	NAME	.....
STREET/RT	.....	STREET/RT	.....
CITY/STATE/ZIP	.....	CITY/STATE/ZIP	.....
<u>SECY</u>	RANDY CLIFFORD (Required)	NAME	.....
STREET/RT	300 INDEPENDENCE AVE, P O BOX 297	STREET/RT	.....
CITY/STATE/ZIP	TIPTON, MO 65081	CITY/STATE/ZIP	.....
TREAS	.....	NAME	.....
STREET/RT	.....	STREET/RT	.....
CITY/STATE/ZIP	.....	CITY/STATE/ZIP	.....

NAMES AND ADDRESSES OF ALL OTHER OFFICERS AND DIRECTORS ARE ATTACHED

4 The undersigned understands that false statements made in this report are punishable for the crime of making a false declaration under Section 575.060 RSMo. Photocopy or stamped signature not acceptable.

**Authorized party or officer sign here** RANDY CLIFFORD (Required)

Please print name and title of signer: RANDY CLIFFORD / PRESIDENT  
 NAME TITLE

REGISTRATION REPORT FEE IS:  
 \_\_\_ \$20.00 If filed on or before 4/30  
 \_\_\_ \$35.00 If filed on or before 5/31  
 \_\_\_ \$50.00 If filed on or before 6/30  
 \_\_\_ \$65.00 If filed on or before 7/31

**WHEN THIS FORM IS ACCEPTED BY THE SECRETARY OF STATE, BY LAW IT WILL BECOME A PUBLIC DOCUMENT AND ALL INFORMATION PROVIDED IS SUBJECT TO PUBLIC DISCLOSURE**

E-MAIL ADDRESS (OPTIONAL) \_\_\_\_\_

**REQUIRED INFORMATION MUST BE COMPLETE OR THE REGISTRATION REPORT WILL BE REJECTED**  
 MAKE CHECK PAYABLE TO DIRECTOR OF REVENUE

RETURN COMPLETED REGISTRATION REPORT AND PAYMENT TO THE SECRETARY OF STATE - P.O. BOX 1366, JEFFERSON CITY, MO 65102

**Exhibit A**

SOS Home :: Business Services :: Business Entity Search

- Search**
- By Business Name
  - By Charter Number
  - By Registered Agent
  - For New Corporations  
Verify
  - Verify Certification  
Annual Report
  - File Online  
File Fictitious Name  
Registration
  - File Online  
File LLC Registration
  - File Online  
Online Orders
  - Register for Online  
Orders
  - Order Good Standing
  - Order Certified Documents

Search Type: Starting With Search Criteria: Hickory Hills Water

Search Date: 6/29/2006 Search Time: 10:06

Click on the Business Entity Name or Charter Number to view more information.

Business Entity Name	Charter Number	Type	Status	Entity Creation Date
HICKORY HILLS WATER & SEWER CO., INC.	00170799	General Business	Good Standing	8/2/1974

Records Returned 1 to 1

SOS Home :: Business Services :: Business Entity Search

- Search**
- By Business Name
  - By Charter Number
  - By Registered Agent
  - For New Corporations
  - Verify**
  - Verify Certification
  - Annual Report
  - File Online
  - File Fictitious Name
  - Registration
  - File Online
  - File LLC Registration
  - File Online
  - Online Orders
  - Register for Online
  - Orders
  - Order Good Standing
  - Order Certified Documents

**Filed Documents**

Date: 6/29/2006 (Click above to view filed documents that are available.)

**Business Name History**

Name	Name Type
HICKORY HILLS WATER & SEWER CO., INC.	Legal

**General Business - Domestic - Information**

Charter Number: 00170799  
 Status: Good Standing  
 Entity Creation Date: 8/2/1974  
 State of Business.: MO  
 Expiration Date: Perpetual  
 Last Annual Report Filed Date: 1/31/2006  
 Last Annual Report Filed: 2006  
 Annual Report Month: January

**Registered Agent**

Agent Name: RANDY L. CLIFFORD  
 Office Address: MORGAN & INDEPENDENCE, POB 297 TIPTON MO 65081

Mailing Address:

- Search**
- By Business Name
  - By Charter Number
  - By Registered Agent
  - For New Corporations
  - Verify**
  - Verify Certification Annual Report
  - File Online  
File Fictitious Name Registration
  - File Online  
File LLC Registration
  - File Online  
Online Orders
  - Register for Online Orders
  - Order Good Standing
  - Order Certified Documents

### Registered Agent Information

Agent Name     **RANDY L. CLIFFORD**

#### Businesses that this Agent Represents ...

Click on the Business Entity Name or Charter Number to view more information.

Business Entity Name	Charter Number	Type	Status	Entity Creation Date
HICKORY HILLS WATER & SEWER CO., INC.	00170799	General Business	Good Standing	8/2/1974

Records Returned 1 to 1

*Please note this may not be a complete list of companies represented by this agent. Data from the old system has many duplicate entities. So we will need to combine all information about an entity into one record.*

CRAR  
MAY/3/1999  
6083060001

REBECCA McDOWELL COOK, Secretary Of State  
1999 ANNUAL REGISTRATION REPORT  
(Business)

CHECK # 1788  
AMOUNT: 15  
NKB

THIS REPORT IS DUE BY: 04/15/99

NOTE: TO CHANGE REGISTERED AGENT OR OFFICE SHOWN DIRECTLY BELOW, REQUEST FORM #59 FROM THE SECRETARY OF STATE.

WE SHOW YOUR FISCAL TAX YEAR AS:	
BEG. MONTH	END MONTH
01/01	12/31
1 IF YOUR FISCAL TAX YEAR IS DIFFERENT:	
BEG. MONTH	END MONTH

00170799  
HICKORY HILLS WATER & SEWER CO., INC.

% RANDY L. CLIFFORD  
MORGAN & INDEPENDENCE, POB 297  
TIPTON MO 65081

RECEIVED  
FOR DEPARTMENT OF REVENUE  
STATE OF MISSOURI  
BOB HOLDEN, JR. REGISTERER  
REBECCA McDOWELL COOK  
SECRETARY OF STATE  
SECRETARY OF STATE

2	YOUR LAST ANNUAL REPORT WAS MARKED <u>NO</u> regarding whether your corporation is liable for franchise tax. ( A corporation is liable for franchise tax if line 6a or 6b on the franchise tax report is more than \$200,000. )	If this tax liability has changed for this year, mark "X" in this box. <input type="checkbox"/>
---	---	---

3	PRINCIPAL PLACE OF BUSINESS OR CORPORATE HEADQUARTERS:	MORGAN & INDEPENDENCE STREET TIPTON MO 65081 CITY/STATE	ZIP
---	--	--	-----

4	NAMES AND BUSINESS OR RESIDENCE ADDRESSES OF OFFICERS: (MUST HAVE A PRESIDENT AND A SECRETARY; WILL ASSUME PRESIDENT IS ALSO SECRETARY, IF SECRETARY IS NOT LISTED.)	NAMES AND BUSINESS OR RESIDENCE ADDRESSES OF BOARD OF DIRECTORS: (MUST HAVE ONE DIRECTOR; IF NOT LISTED, WILL ASSUME DIRECTORS ARE THE SAME AS OFFICERS)
	PRES <u>RANDY L CLIFFORD</u> STREET/RT <u>MORGAN &amp; INDEPENDENCE</u> CITY/STATE/ZIP <u>TIPTON MO 65081</u> V-PRES <u>MATTHEW CLIFFORD</u> STREET/RT <u>MORGAN &amp; INDEPENDENCE</u> CITY/STATE/ZIP <u>TIPTON MO 65081</u> SECY <u>KAY E. CLIFFORD</u> STREET/RT <u>MORGAN &amp; INDEPENDENCE</u> CITY/STATE/ZIP <u>TIPTON, MO 65081</u> TREAS <u>KAY E. CLIFFORD</u> STREET/RT <u>MORGAN &amp; INDEPENDENCE</u> CITY/STATE/ZIP <u>TIPTON MO</u>	NAME <u>RANDY L CLIFFORD</u> STREET/RT <u>MORGAN &amp; INDEPENDENCE</u> CITY/STATE/ZIP <u>TIPTON, MO 65081</u> NAME <u>KAY E. CLIFFORD</u> STREET/RT <u>MORGAN &amp; INDEPENDENCE</u> CITY/STATE/ZIP <u>TIPTON, MO 65081</u> NAME <u>MATTHEW CLIFFORD</u> STREET/RT <u>MORGAN &amp; INDEPENDENCE</u> CITY/STATE/ZIP <u>TIPTON MO 65081</u> NAME _____ STREET/RT _____ CITY/STATE/ZIP _____

ATTACH NAMES AND ADDRESSES OF ALL OTHER OFFICERS AND DIRECTORS

5	The undersigned understands that false statements made in this report are punishable for the crime of making a false declaration under Section 575.060 RSMo 1986
	OFFICER SIGN HERE >>> <u>Randy L. Clifford</u> Officer signing must be listed in box 24 above or on attached list.

6	ATTACHED IS THE REGISTRATION FEE OF:	00170799
	<input checked="" type="checkbox"/> \$45.00 If filed on or before due date <input type="checkbox"/> \$60.00 If within 30 days after due date <input type="checkbox"/> \$75.00 If within 60 days after due date <input type="checkbox"/> \$90.00 If within 90 days after due date Corporation will be administratively dissolved if report is not filed.	98 0802974 AG 0416997 AG 0413998



COMPLETE THE BOXES OR FORM WILL BE RETURNED  
(BOXES 3, 4, AND 5 ARE REQUIRED)  
RETURN AND MAKE CHECK PAYABLE TO SECRETARY OF STATE

CRAR  
APR/27/2000  
6083 045001

REBECCA McDOWELL COOK, Secretary Of State  
2000 ANNUAL REGISTRATION REPORT  
(Business)

CHECK # 1605  
AMOUNT: 45.10

THIS REPORT IS DUE BY: 04/15/00

00170799  
HICKORY HILLS WATER & SEWER CO., INC.

Z RANDY L. CLIFFORD  
MORGAN & INDEPENDENCE, POB 297  
TIPTON MO 65081

RECEIVED

MAR 27 2000

Rebecca McDowell Cook  
SECRETARY OF STATE

1	OUR RECORDS SHOW YOUR FISCAL TAX YEAR AS:	
	BEG. MONTH	END MONTH
	01/01	12/31
1	INDICATE IF YOUR FISCAL TAX YEAR HAS CHANGED:	
	BEG. MONTH	END MONTH

IMPORTANT NOTE: TO CHANGE REGISTERED AGENT OR OFFICE SHOWN DIRECTLY ABOVE, REQUEST FORM #59 FROM THE SECRETARY OF STATE. CHANGES MADE TO THIS FORM ARE NOT EFFECTIVE TO CHANGE THE REGISTERED AGENT OR OFFICE.

2	PRINCIPAL PLACE OF BUSINESS OR CORPORATE HEADQUARTERS:	MORGAN & INDEPENDENCE
		STREET TIPTON MO 65081
		CITY/STATE ZIP

3	NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE) OF OFFICERS: (MUST HAVE A PRESIDENT AND A SECRETARY; WILL ASSUME PRESIDENT IS ALSO SECRETARY, IF SECRETARY IS NOT LISTED.)	NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE) OF BOARD OF DIRECTORS. (MUST HAVE ONE DIRECTOR. IF NOT LISTED, WILL ASSUME DIRECTORS ARE THE SAME AS OFFICERS.)
	PRES. RANDY L. CLIFFORD	NAME RANDY L. CLIFFORD
	STREET/RT. MORGAN & INDEPENDENCE	STREET/RT. MORGAN & INDEPENDENCE
	CITY/STATE/ZIP TIPTON, MO 65081	CITY/STATE/ZIP TIPTON, MO 65081
	V-PRES. MATTHEW CLIFFORD	NAME KAY E. CLIFFORD
	STREET/RT. MORGAN & INDEPENDENCE	STREET/RT. MORGAN & INDEPENDENCE
	CITY/STATE/ZIP TIPTON, MO 65081	CITY/STATE/ZIP TIPTON, MO 65081
	SECY. KAY E. CLIFFORD	NAME MATTHEW CLIFFORD
	STREET/RT. MORGAN & INDEPENDENCE	STREET/RT. MORGAN & INDEPENDENCE
	CITY/STATE/ZIP TIPTON, MO 65081	CITY/STATE/ZIP TIPTON, MO 65081
	TREAS. KAY E. CLIFFORD	NAME
	STREET/RT. MORGAN & INDEPENDENCE	STREET/RT.
	CITY/STATE/ZIP TIPTON, MO 65081	CITY/STATE/ZIP

ATTACH NAMES AND ADDRESSES OF ALL OTHER OFFICERS AND DIRECTORS

4	The undersigned understands that false statements made in this report are punishable for the crime of making a false declaration under Section 575.060 RSMo 1986
	OFFICER SIGN HERE >>> <i>Randy Clifford</i>
	Original signature of officer listed above required. Photocopy or stamped signature not acceptable.

5	ATTACHED IS THE REGISTRATION FEE OF:	00170799
	<input checked="" type="checkbox"/> \$45.00 If filed on or before due date	99 0802974
	<input type="checkbox"/> \$60.00 If within 30 days after due date	AG 0413998
	<input type="checkbox"/> \$75.00 If within 60 days after due date	AG 0413999
	<input type="checkbox"/> \$90.00 If within 90 days after due date	
	Corporation will be administratively dissolved if report is not filed.	



CORPORATE E-MAIL ADDRESS (optional) \_\_\_\_\_

COMPLETE THE BOXES OR FORM WILL BE RETURNED  
RETURN AND MAKE CHECK PAYABLE TO SECRETARY OF STATE

P.O. BOX 1366, JEFFERSON CITY, MO 65102

CRAR  
APR/13/2001  
6083 014001

MATT BLUNT, Secretary Of State  
2001 ANNUAL REGISTRATION REPORT  
(Business)

CHECK #: 1746  
AMOUNT: 45.00

B.W.

THIS REPORT IS DUE BY: 04/15/01

00170799  
HICKORY HILLS WATER & SEWER CO., INC.

% RANDY L. CLIFFORD  
MORGAN & INDEPENDENCE, POB 297  
TIPTON MO 65081

OUR RECORDS SHOW YOUR FISCAL TAX YEAR AS:	
BEG. MONTH	END MONTH
01/01	12/31
INDICATE IF YOUR FISCAL TAX YEAR HAS CHANGED:	
BEG. MONTH	END MONTH

IMPORTANT NOTE: TO CHANGE REGISTERED AGENT OR OFFICE SHOWN DIRECTLY ABOVE, REQUEST FORM #59 FROM THE SECRETARY OF STATE. CHANGES MADE TO THIS FORM ARE NOT EFFECTIVE TO CHANGE THE REGISTERED AGENT OR OFFICE.

RECEIVED

MAR 27 2001

Matt Blunt  
SECRETARY OF STATE

2	PRINCIPAL PLACE OF BUSINESS OR CORPORATE HEADQUARTERS:	Morgan & Independence
		STREET TIPTON MO 65081 CITY/STATE ZIP

3	NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE) OF OFFICERS: (MUST HAVE A PRESIDENT AND A SECRETARY; WILL ASSUME PRESIDENT IS ALSO SECRETARY, IF SECRETARY IS NOT LISTED.)	NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE) OF BOARD OF DIRECTORS. (MUST HAVE ONE DIRECTOR. IF NOT LISTED, WILL ASSUME DIRECTORS ARE THE SAME AS OFFICERS.)
	PRES. Randy L. Clifford	NAME Randy L. Clifford
	STREET/RT. Morgan & Independence	STREET/RT. Morgan & Independence
	CITY/STATE/ZIP Tipton MO 65081	CITY/STATE/ZIP Tipton MO 65081
	V-PRES. Matthew Clifford	NAME Kay E. Clifford
	STREET/RT. Morgan & Independence	STREET/RT. Morgan & Independence
CITY/STATE/ZIP Tipton MO 65081	CITY/STATE/ZIP Tipton MO 65081	
SEC'Y. Kay E. Clifford	NAME Matthew Clifford	
STREET/RT. Morgan & Independence	STREET/RT. Morgan & Independence	
CITY/STATE/ZIP Tipton MO 65081	CITY/STATE/ZIP Tipton MO 65081	
TREAS. Kay E. Clifford	NAME	
STREET/RT. Morgan & Independence	STREET/RT.	
CITY/STATE/ZIP Tipton MO 65081	CITY/STATE/ZIP	

ATTACH NAMES AND ADDRESSES OF ALL OTHER OFFICERS AND DIRECTORS

4	The undersigned understands that false statements made in this report are punishable for the crime of making a false declaration under Section 575.060 RSMo 1986
	OFFICER SIGN HERE: <u>Kay Clifford</u>

Original signature of officer listed above required. Photocopy or stamped signature not acceptable.

5	ATTACHED IS THE REGISTRATION FEE OF:	00170799
	— \$45.00 If filed on or before due date	00 0802974
	— \$60.00 If within 30 days after due date	AG 0413999
	— \$75.00 If within 60 days after due date	AG 0327000
	— \$90.00 If within 90 days after due date	

Corporation will be administratively dissolved if report is not filed.



CORPORATE E-MAIL ADDRESS (optional) \_\_\_\_\_

COMPLETE THE BOXES OR FORM WILL BE RETURNED  
RETURN AND MAKE CHECK PAYABLE TO SECRETARY OF STATE

P.O. BOX 1366, JEFFERSON CITY, MO 65102

CRAR  
APR/30/2002  
8042 013001

MATT BLUNT, Secretary Of State  
2002 ANNUAL REGISTRATION REPORT  
(Business)

CHECK #: 1879  
AMOUNT: 45.  
18

WHEN THIS FORM IS ACCEPTED BY THE SECRETARY OF STATE, BY LAW IT WILL BECOME A PUBLIC DOCUMENT AND ALL INFORMATION PROVIDED IS SUBJECT TO PUBLIC DISCLOSURE.

THIS REPORT IS DUE BY: 04/15/02

00170799  
HICKORY HILLS WATER & SEWER CO., INC.

OUR RECORDS SHOW YOUR FISCAL TAX YEAR AS:	
BEG. MONTH	END MONTH
01/01	12/31
INDICATE IF YOUR FISCAL TAX YEAR HAS CHANGED:	
BEG. MONTH	END MONTH

% RANDY L. CLIFFORD  
MORGAN & INDEPENDENCE, POB 297  
TIPTON MO 65081

IMPORTANT NOTE: TO CHANGE REGISTERED AGENT OR OFFICE SHOWN DIRECTLY ABOVE, REQUEST FORM #59 FROM THE SECRETARY OF STATE. CHANGES MADE TO THIS FORM ARE NOT EFFECTIVE TO CHANGE THE REGISTERED AGENT OR OFFICE.

RECEIVED

APR 12 2002

Matt Blunt  
SECRETARY OF STATE

2	PRINCIPAL PLACE OF BUSINESS OR CORPORATE HEADQUARTERS:	MORGAN & INDEPENDENCE
		STREET TIPTON MO 65081
		CITY/STATE ZIP

3	NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE) OF OFFICERS: (MUST HAVE A PRESIDENT AND A SECRETARY; WILL ASSUME PRESIDENT IS ALSO SECRETARY, IF SECRETARY IS NOT LISTED.)	
	PRES	RANDY L. CLIFFORD
	STREET/RT	MORGAN & INDEPENDENCE
	CITY/STATE/ZIP	TIPTON MO 65081
	V-PRES	MATTHEW CLIFFORD
	STREET/RT	MORGAN & INDEPENDENCE
	CITY/STATE/ZIP	TIPTON MO 65081
	SECY	KAY E. CLIFFORD
STREET/RT	MORGAN & INDEPENDENCE	
CITY/STATE/ZIP	TIPTON MO 65081	
TREAS	KAY E. CLIFFORD	
STREET/RT	MORGAN & INDEPENDENCE	
CITY/STATE/ZIP	TIPTON MO 65081	

NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE) OF BOARD OF DIRECTORS. (MUST HAVE ONE DIRECTOR. IF NOT LISTED, WILL ASSUME DIRECTORS ARE THE SAME AS OFFICERS.)	
NAME	
STREET/RT	
CITY/STATE/ZIP	
NAME	
STREET/RT	
CITY/STATE/ZIP	
NAME	
STREET/RT	
CITY/STATE/ZIP	
NAME	
STREET/RT	
CITY/STATE/ZIP	

ATTACH NAMES AND ADDRESSES OF ALL OTHER OFFICERS AND DIRECTORS

4 The undersigned understands that false statements made in this report are punishable for the crime of making a false declaration under Section 575.060 RSMo 1986

OFFICER SIGN HERE X Kay Clifford

Original signature of officer listed above required. Photocopy or stamped signature not acceptable.

5	ATTACHED IS THE REGISTRATION FEE OF:	00170799
	<input checked="" type="checkbox"/> \$45.00 If filed on or before due date	01 0802974
	<input type="checkbox"/> \$60.00 If within 30 days after due date	AG 0413999
	<input type="checkbox"/> \$75.00 If within 60 days after due date	AG 0327001
	<input type="checkbox"/> \$90.00 If within 90 days after due date	
Corporation will be administratively dissolved if report is not filed.		



CORPORATE E-MAIL ADDRESS (optional) \_\_\_\_\_

COMPLETE THE BOXES OR FORM WILL BE RETURNED  
RETURN AND MAKE CHECK PAYABLE TO SECRETARY OF STATE

P.O. BOX 1366, JEFFERSON CITY, MO 65102

**2003**  
**Matt Blunt Secretary of State**  
**ANNUAL REGISTRATION REPORT**  
**(Business)**

**RECEIVED**

APR 01 2003

*Matt Blunt*  
 SECRETARY OF STATE

**THIS REPORT IS DUE BY: 04/15/2003**

00170799  
 HICKORY HILLS WATER & SEWER CO., INC.  
 Randy L. Clifford  
 Morgan & Independence, POB 297  
 Tipton, MO 65081

<b>CURRENT FISCAL YEAR IS:</b>	
YEAR 2003	MONTH/DAY 01/01
<b>CHANGE FISCAL YEAR TO:</b>	
CALENDAR <input type="checkbox"/>	BEGIN MONTH/DAY _ / _

2	PRINCIPAL PLACE OF BUSINESS OR CORPORATE HEADQUARTERS:	<u>Morgan &amp; Independence</u>
	STREET	<u>Tipton, MO 65081</u>
	CITY/STATE	<u>MO 65081</u>

3

If changing the registered agent and/or registered office address, please check the appropriate box(es) and fill in the necessary information.

The new registered agent

**IF CHANGING THE REGISTERED AGENT, AN ORIGINAL WRITTEN CONSENT FROM THE NEW REGISTERED AGENT MUST BE ATTACHED AND FILED WITH THIS REGISTRATION REPORT.**

The new registered office address

Must be a Missouri address, PO Box alone is not acceptable. This section is not applicable for Banks, Trusts and Foreign Insurance.

4

**OFFICERS**

NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE). PRESIDENT AND SECRETARY REQUIRED.

PRES Randy L. Clifford  
 STREET/RT Morgan & Independence  
 CITY/STATE/ZIP Tipton, MO 65081

V-PRES Matthew Clifford  
 STREET/RT Morgan & Independence  
 CITY/STATE/ZIP Tipton, MO 65081

SEC'Y Kay E. Clifford  
 STREET/RT Morgan & Independence  
 CITY/STATE/ZIP Tipton, MO 65081

TREAS Kay E. Clifford  
 STREET/RT Morgan & Independence  
 CITY/STATE/ZIP Tipton, MO 65081

**BOARD OF DIRECTORS**

NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE). AT LEAST ONE DIRECTOR IS REQUIRED.

NAME Randy L. Clifford  
 STREET/RT Morgan & Independence  
 CITY/STATE/ZIP Tipton, MO 65081

NAME Kay E. Clifford  
 STREET/RT Morgan & Independence  
 CITY/STATE/ZIP Tipton, MO 65081

NAME \_\_\_\_\_  
 STREET/RT \_\_\_\_\_  
 CITY/STATE/ZIP \_\_\_\_\_

NAME \_\_\_\_\_  
 STREET/RT \_\_\_\_\_  
 CITY/STATE/ZIP \_\_\_\_\_

5

The undersigned understands that false statements made in this report are punishable for the crime of making a false declaration under Section 575.060 RSMo 1986

**OFFICER SIGN HERE** x Kay Clifford

Original signature of officer listed above required. Photocopy or stamped signature not acceptable.

INFORMATION PROVIDED IS SUBJECT TO PUBLIC DISCLOSURE

6

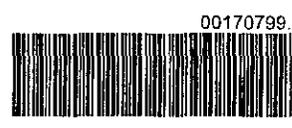
**ATTACHED IS THE REGISTRATION FEE OF:**

\$45.00 If filed on or before the due date

\$60.00 If within 30 days after due date

\$75.00 If within 60 days after due date

\$90.00 If within 90 days after due date



**FOR OFFICIAL USE ONLY**

Check # 2004

Amount: \$45

Filer's Initials: RC

01 AG AG

CORPORATE E-MAIL ADDRESS \_\_\_\_\_

**REQUIRED INFORMATION MUST BE COMPLETE OR THE REGISTRATION REPORT WILL BE REJECTED**  
**MAKE CHECK PAYABLE TO SECRETARY OF STATE**  
 RETURN COMPLETED REGISTRATION REPORT AND PAYMENT TO THE SECRETARY OF STATE - P.O. BOX 1366, JEFFERSON CITY, MO 65102

Matt Blunt Secretary of State  
 2004 ANNUAL REGISTRATION REPORT  
 BUSINESS

File Number: 200414522714  
 00170799  
 Date Filed: 04/15/2004  
 Matt Blunt  
 Secretary of State

REPORT DUE BY: 04/30/2004

ANNUAL REPORT MONTH:  
January

00170799  
 HICKORY HILLS WATER & SEWER CO., INC.  
 RANDY L. CLIFFORD  
 MORGAN & INDEPENDENCE, POB 297  
 TIPTON, MO 65081

PRINCIPAL PLACE OF BUSINESS OR  
 CORPORATE HEADQUARTERS:  
Morgan & Independence  
 STREET  
Tipton mo 65081  
 CITY/STATE ZIP

If changing the registered agent and/or registered office address, please check the appropriate box(es) and fill in the necessary information.  
 The new registered agent  
 IF CHANGING THE REGISTERED AGENT, AN ORIGINAL WRITTEN CONSENT FROM THE NEW REGISTERED AGENT MUST BE ATTACHED AND FILED WITH THIS REGISTRATION REPORT.  
 The new registered office address  
 Must be a Missouri address, PO Box alone is not acceptable. This section is not applicable for Banks, Trusts and Foreign Insurance.

OFFICERS		BOARD OF DIRECTORS	
NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE). (MUST LIST PRESIDENT AND SECRETARY BELOW) A		NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE). (MUST LIST AT LEAST ONE DIRECTOR BELOW) B	
<u>PRES</u>	<u>Randy L. Clifford</u>	<u>NAME</u>	<u>Randy L. Clifford</u>
<u>STREET/RT</u>	<u>Morgan &amp; Independence</u>	<u>STREET/RT</u>	<u>Morgan &amp; Independence</u>
<u>CITY/STATE/ZIP</u>	<u>Tipton mo 65081</u>	<u>CITY/STATE/ZIP</u>	<u>Tipton mo 65081</u>
<u>V-PRES</u>	<u>Matthew Clifford</u>	<u>NAME</u>	<u>Kay E. Clifford</u>
<u>STREET/RT</u>	<u>Morgan &amp; Independence</u>	<u>STREET/RT</u>	<u>Morgan &amp; Independence</u>
<u>CITY/STATE/ZIP</u>	<u>Tipton mo 65081</u>	<u>CITY/STATE/ZIP</u>	<u>Tipton mo 65081</u>
<u>SECY</u>	<u>Kay E. Clifford</u>	<u>NAME</u>	
<u>STREET/RT</u>	<u>Morgan &amp; Independence</u>	<u>STREET/RT</u>	
<u>CITY/STATE/ZIP</u>	<u>Tipton mo 65081</u>	<u>CITY/STATE/ZIP</u>	
<u>TEAS</u>	<u>Kay E. Clifford</u>	<u>NAME</u>	
<u>STREET/RT</u>	<u>Morgan &amp; Independence</u>	<u>STREET/RT</u>	
<u>CITY/STATE/ZIP</u>	<u>Tipton mo 65081</u>	<u>CITY/STATE/ZIP</u>	

NAMES AND ADDRESSES OF ALL OTHER OFFICERS AND DIRECTORS ARE ATTACHED

The undersigned understands that false statements made in this report are punishable for the crime of making a false declaration under Section 575.060 RSMo. Photocopy or stamped signature not acceptable.

4 Authorized party or officer sign here Kay Clifford

Please print name and title of signer: KAY Clifford 1 sec/TREA.  
 NAME TITLE

REGISTRATION REPORT FEE IS:  
 \$45.00 If filed on or before 4/30  
 \$60.00 If filed on or before 5/31  
 \$75.00 If filed on or before 6/30  
 \$90.00 If filed on or before 7/31

WHEN THIS FORM IS ACCEPTED BY THE SECRETARY OF STATE, BY LAW IT WILL BECOME A PUBLIC DOCUMENT AND ALL INFORMATION CONTAINED HEREIN IS SUBJECT TO PUBLIC DISCLOSURE

State of Missouri  
 Annual Report - General Business 1 Page(s)



T0412610842

REQUIRED INFORMATION M...  
 RETURN COMPLETED REGISTRATION REPORT AND PAYMENT TO THE SECRETARY OF STATE, 16, JEFFERSON CITY, MO 65102

Robin Carnahan Secretary of State  
 2005 ANNUAL REGISTRATION REPORT  
 BUSINESS

File Number: 200510117526  
 00170799  
 Date Filed: 04/05/2005  
 Robin Carnahan  
 Secretary of State

\* SECTION 1, 3 & 4 ARE REQUIRED

REPORT DUE BY: 04/30/2005

ANNUAL REPORT MONTH:  
January

00170799  
 HICKORY HILLS WATER & SEWER CO., INC.  
 RANDY L. CLIFFORD  
 MORGAN & INDEPENDENCE, POB 297  
 TIPTON, MO 65081

PRINCIPAL PLACE OF BUSINESS OR CORPORATE HEADQUARTERS: \*  
 1 Morgan & Independence  
 STREET  
Tipton MO 65081  
 CITY/STATE ZIP

If changing the registered agent and/or registered office address, please check the appropriate box(es) and fill in the necessary information.  
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OFFICERS		BOARD OF DIRECTORS *	
NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE). (MUST LIST PRESIDENT AND SECRETARY BELOW) A		NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE). (MUST LIST AT LEAST ONE DIRECTOR BELOW) B	
<u>PRES</u>	<u>Randy L. Clifford</u>	<u>NAME</u>	<u>Randy L. Clifford</u>
STREET/RT	<u>Morgan &amp; Independence</u>	STREET/RT	<u>Morgan &amp; Independence</u>
CITY/STATE/ZIP	<u>Tipton MO 65081</u>	CITY/STATE/ZIP	<u>Tipton MO 65081</u>
<u>V-PRES</u>	<u>Matthew Clifford</u>	NAME	<u>Kay E. Clifford</u>
STREET/RT	<u>Morgan &amp; Independence</u>	STREET/RT	<u>Morgan &amp; Independence</u>
CITY/STATE/ZIP	<u>Tipton MO 65081</u>	CITY/STATE/ZIP	<u>Tipton MO 65081</u>
<u>SECY</u>	<u>Kay E. Clifford</u>	NAME	.....
STREET/RT	<u>Morgan &amp; Independence</u>	STREET/RT	.....
CITY/STATE/ZIP	<u>Tipton MO 65081</u>	CITY/STATE/ZIP	.....
<u>TREAS</u>	<u>Kay E. Clifford</u>	NAME	.....
STREET/RT	<u>Morgan &amp; Independence</u>	STREET/RT	.....
CITY/STATE/ZIP	<u>Tipton MO 65081</u>	CITY/STATE/ZIP	.....

NAMES AND ADDRESSES OF ALL OTHER OFFICERS AND DIRECTORS ARE ATTACHED

The undersigned understands that false statements made in this report are punishable for the crime of making a false declaration under Section 575.060 RSMo. Photocopy or stamped signature not acceptable. \*

4  Authorized party or officer sign here Kay E Clifford

Please print name and title of signer: KAY E CLIFFORD 1 secy/treas  
 NAME TITLE

REGISTRATION REPORT FEE IS:  
 \$45.00 If filed on or before 4/30  
 \$60.00 If filed on or before 5/31  
 \$75.00 If filed on or before 6/30  
 \$90.00 If filed on or before 7/31

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E-MAIL ADDRESS (OPTIONAL) \_\_\_\_\_

State of Missouri  
 Annual Report - General Business 1 Page(s)

IF NOT ACCEPTED BY THE SECRETARY OF STATE, THE REGISTRATION REPORT WILL BE REJECTED  
 RETURN TO THE SECRETARY OF STATE - P.O. BOX 1366, JEFFERSON CITY, MO 65102



HICKORY HILLS WATER & SEWER COMPANY, INC.  
P.O. BOX 297  
TIPTON, MO 65081  
660-433-5366

June 21, 2006,

**Customer Notice:**

Early in the year 2004 HHW&S received notice from the Missouri Department of Natural Resources (DNR) that the Company was not meeting certain State regulations in regards to water testing and was required to change its operating procedures and become compliant. Later in the year the Company's Wastewater Discharge Permit was re-issued and it included changes to operating procedures and requirements to make improvements. During the year, the Company also sought, from the Missouri Public Service Commission (PSC), and was granted water and sewer rate increases. The new rates were based on operating expenses incurred during the year 2003. The rate case settlement also included requirements to add additional improvements to service. In each case the Company purchased additional equipment and supplies, increased testing, and/or took other steps to comply with the increased regulations. The Company followed PSC procedures by incurring the expense of providing the services and then applying for rate increases to recover the costs.

Since the beginning of the year 2004 the Company's operating expense debt has increased by approximately \$6000.00. The owners have experienced a net loss of approximately \$15,000.00 in uncompensated services rendered. The Company simply cannot continue to operate in this manner. When any business is in a position where revenues do not meet expenses the company either makes changes to correct the revenues and expenses problem or closes. State regulations prohibit this business from closing. Therefore this company must either increase revenues or cut costs and since the PSC has ruled that the Company must reduce rather than increase water revenue's the Company's only option is to reduce costs. Unfortunately, to reduce cost the Company must reduce services. Effective June 30, 2006, the Company will discontinue chlorination of the water supply. The Company recommends, that as of June 30, all drinking water should be vigorously boiled for fifteen (15) minutes and allowed to cool before drinking. This practice should continue until such time that the DNR can certify that the water is safe to drink in the absence of chlorination. In addition to the above service reduction, the 573-796-4060 and 573-353-6155 phone numbers will be disconnected. With the absence of phone service, the Company will no longer be able to continuously monitor the water system for low water pressure. The company will also suspend its water meter replacement, sewer main cleaning and man hole inspection programs. In its current state, should a breakdown in the system occur, the company is financially unable to make any repairs.

If these attempts at cost savings prove to be insufficient, other more drastic measures may need to be implemented.

Sincerely,

  
Randy Clifford, President

KEVIN - WE WERE NOTIFIED BY

RANDY CLIFFORD TODAY, 6/26/06,  
THAT HE MAILED THIS LETTER  
TO HICKORY HILLS CUSTOMERS.

June 21, 2006

Draft customer notice:

Early in the year 2004 HHW&S received notice from the Missouri Department of Natural Resources (DNR) that the Company was not meeting certain State regulations in regards to water testing and was required to change its operating procedures and become compliant. Later in the year the Company's Wastewater Discharge Permit was re-issued and it included changes to operating procedures and requirements to make improvements. During the year, the Company also sought, from the Missouri Public Service Commission (PSC), and was granted water and sewer rate increases. The new rates were based on operating expenses incurred during the year 2003. The rate case settlement also included requirements to add additional improvements to service. In each case the Company purchased additional equipment and supplies, increased testing, and/or took other steps to comply with the increased regulations. The Company followed PSC procedures by incurring the expense of providing the services and then applying for rate increases to recover the costs.

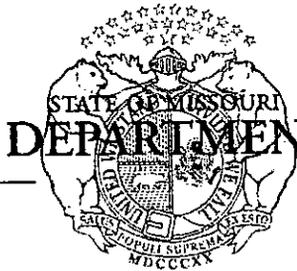
Bob  
6/26/06

Since the beginning of the year 2004 the Company's operating expense debt has increased by approximately \$6000.00. The owners have experienced a net loss of approximately \$15,000.00 in uncompensated services rendered. The Company simply cannot continue to operate in this manner. When any business is in a position where revenues do not meet expenses the company either makes changes to correct the revenues and expenses problem or closes. State regulations prohibit this business from closing. Therefore this company must either increase revenues or cut costs and since the PSC has ruled that the Company must reduce rather than increase water revenue's the Company's only option is to reduce costs. Unfortunately, to reduce cost the Company must reduce services. Effective June 30, 2006, the Company will discontinue chlorination of the water supply. The Company recommends, that as of June 30, all drinking water should be vigorously boiled for fifteen (15) minutes and allowed to cool before drinking. This practice should continue until such time that the DNR can certify that the water is safe to drink in the absence of chlorination. In addition to the above service reduction, the 573-796-4060 and 573-353-6155 phone numbers will be disconnected. With the absence of phone service, the Company will no longer be able to continuously monitor the water system for low water pressure. The company will also suspend its water meter replacement, sewer main cleaning and man hole inspection programs. In its current state, should a breakdown in the system occur, the company is financially unable to make any repairs.

If these attempts at cost savings prove to be insufficient, other more drastic measures may need to be implemented.

Sincerely,

Randy Clifford, President



Matt Blunt, Governor • Doyle Childers, Director

## DEPARTMENT OF NATURAL RESOURCES

[www.dnr.mo.gov](http://www.dnr.mo.gov)

3.200 Hickory Hills Water and Sewer  
Moniteau County  
PWS #3036043

June 29, 2006

Mr. Randy Clifford, Owner  
Hickory Hills Water and Sewer  
P. O. Box 297  
Tipton, MO 65081

Dear Mr. Clifford:

We have received a copy of a letter that you reportedly mailed stating that you intend to stop disinfecting the water dispensed to the Hickory Hills water customers in an effort to cut operating costs. We strongly recommend that you continue to disinfect the water because stopping disinfection could affect the health of the system water customers.

Our information on the water source is very limited but what information we do have indicates that the well may not have been constructed to meet public drinking water standards. The records indicate the well at Hickory Hills Water & Sewer was drilled in 1966. Missouri Public Drinking Water Regulation 10 CSR 60-3.010(1)(D) requires a community water system to provide disinfection with an effective contact time for wells used as a source of supply that were constructed prior to October 1, 1979 and that do not meet public drinking water construction standards. Thus, Hickory Hills Water & Sewer Company must provide disinfection with an effective contact time and failure to provide disinfection or to maintain the minimum required disinfectant levels are violations of the regulations.

Wells that are not constructed to department standards are vulnerable to contamination and the threat varies widely. Whether the well is contaminated at any one time depends on the weather and other conditions. Consequently, any one water sample collected from the well does not provide enough information to declare the water safe because it does not tell if the water will be contaminated in the future. The only way to know this is with daily bacteria sampling for the life



Exhibit C

Mr. Randy Clifford  
June 29, 2006  
Page 2

of the well. Even then, daily sampling does not adequately protect the public because it tells us after the fact that the water was contaminated. For this reason, the department will not make a determination as to the safety of the water without disinfection.

Regardless of the regulatory requirements, you are liable for the quality of the water dispensed to the public. If someone should get sick from consuming your water, the consequences could be personally and financially devastating.

If you have any questions or comments concerning this matter, please contact Mr. Everett Baker at (660) 385-8000 in the Northeast Regional Office, 1709 Prospect Drive, Macon, MO 63552.

Sincerely,

NORTHEAST REGIONAL OFFICE



G. Irene Crawford  
Regional Director

GIC/ebd

c: Mr. Jerry Scheible, Public Service Commission  
Moniteau County Health Department  
Public Drinking Water Branch

**AFFIDAVIT OF JOHN MACEACHEN**

STATE OF MISSOURI    )  
                                  )  
COUNTY OF COLE     )

Case No. WR-2006-0250 et al.

**COMES NOW** John MacEachen, employee of the Missouri Department of Natural Resources (MDNR), being of lawful age and after being duly sworn, states:

1. Missouri Public Drinking Water Regulation 10 C.S.R. 60-3.010(1)(D)2.D requires a community water system to provide disinfection with an effective contact time for wells used as a source of supply that were constructed prior to October 1, 1979 and that do not meet public drinking water construction standards or where construction cannot be verified by the owner.

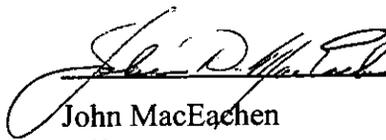
2. The well serving Hickory Hills was constructed prior to October 1, 1979. The well supplies water to the public.

3. The construction of the Hickory Hills well cannot be confirmed as compliant with recommended public water supply construction standards.

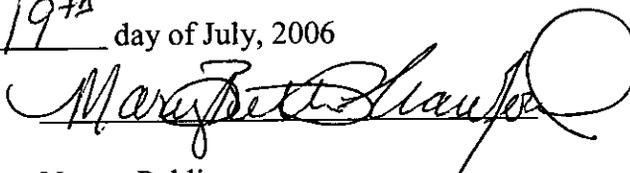
4. The Hickory Hills water system supplying water to the public must provide disinfection with effective contact time to be eligible for award of a Permit to Dispense.

5. MDNR has informed Mr. Randy Clifford, owner of Hickory Hills Water and Sewer Company of the provisions of 10 C.S.R. 60-3.010(1)(D)2.D, and Mr. Clifford has informed MDNR that he intends to continue chlorination of the Hickory Hills water supply.

6. I have knowledge of the matters set forth above, and they are true and correct to the best of my knowledge, information and belief.

  
John MacEachen  
Affiant

Subscribed and sworn to before me this 19<sup>th</sup> day of July, 2006

  
Notary Public

My Commission Expires: June 22, 2007



MARYBETH P. CRAWFORD  
Cole County  
My Commission Expires  
June 22, 2007



Commissioners

JEFF DAVIS  
Chairman

CONNIE MURRAY

STEVE GAW

ROBERT M. CLAYTON III

LINWARD "LIN" APPLING

*Missouri Public Service Commission*

POST OFFICE BOX 360  
JEFFERSON CITY MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.mo.gov>

WESS A. HENDERSON  
Executive Director

DANA K. JOYCE  
Director, Administration

ROBERT SCHALLENBERG  
Director, Utility Services

WARREN WOOD  
Director, Utility Operations

COLLEEN M. DALE  
Secretary/Chief Regulatory Law Judge

KEVIN A. THOMPSON  
General Counsel

July 19, 2006

MEMORANDUM

TO: Customers of Hickory Hills Water & Sewer Company, Inc.

FROM: Dale W. Johansen – Manager  
Water & Sewer Department  
/s/ Dale W. Johansen

SUBJECT: Chlorination of Hickory Hills Water System

On about June 26, 2006, Mr. Randy Clifford mailed a letter to the customers of Hickory Hills Water & Sewer Company, Inc. (Company) stating, among other things, that the Company was going to stop chlorinating the water supply on June 30, 2006.

Representatives of the Public Service Commission's Water & Sewer Department have discussed this matter with Mr. Clifford, and with representatives of the Department of Natural Resources (DNR). During the conversations with Mr. Clifford, he informed the Staff representatives that *he has not stopped chlorinating* the water supply and that *he will not stop chlorinating* the water supply. In addition, representatives of the DNR have informed Mr. Clifford that he must continue chlorinating the water supply because the well was drilled prior to the time that the current water well construction standards were put in place.

If you have any questions regarding this matter, please feel to contact the PSC's Water & Sewer Department using the information set out below.

Missouri Public Service Commission  
Attn: Water & Sewer Department  
P.O. Box 360  
Jefferson City, MO 65102  
Phone: Jim Russo @ (573) 751-7494  
Fax: (573) 751-1847  
E-Mail: [water.sewer@psc.mo.gov](mailto:water.sewer@psc.mo.gov)

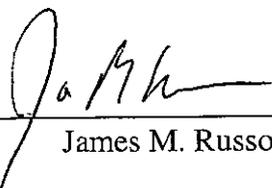
Exhibit E

AFFIDAVIT OF JAMES M. RUSSO

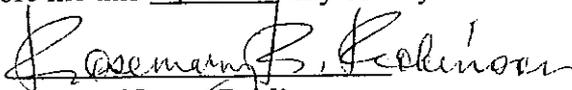
STATE OF MISSOURI    )  
                                  ) ss  
COUNTY OF COLE     )

Case No. WR-2006-0250, et al.

James M. Russo, of lawful age, on my oath states: (1) that I am the Rate and Tariff Supervisor of the Water & Sewer Department of the Missouri Public Service Commission; (2) that Mr. Randy Clifford of Hickory Hills Water & Sewer Company, Inc. (Company) has informed me that he is presently chlorinating the water system of the Company and plans to continue the chlorination of the system; (3) Hickory Hills Water and Sewer Company provides service to fewer than eight thousand customer connections; (4) Mr. Randy Clifford of Hickory Hills Water & Sewer Company has informed me that he is unable or unwilling to provide safe and adequate service; and (5) that I have knowledge of the matters set forth above, and that they are true and correct to the best of my knowledge, information and belief.

  
James M. Russo

Subscribed and sworn to before me this 18<sup>th</sup> day of July 2006.

  
Notary Public

My Commission Expires: 9-23-2008

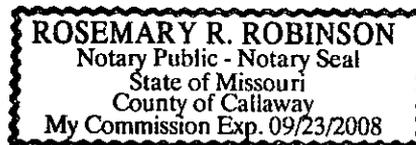


Exhibit F

**AFFIDAVIT OF RANDY CLIFFORD**

STATE OF MISSOURI    )  
                                  )  
COUNTY OF COLE        )

Case No. WR-2006-0250 et al.

COMES NOW Randy Clifford, owner of Hickory Hills Water and Sewer, being of lawful age and after being duly sworn, states:

1. I, Randy Clifford, am an officer and director of Hickory Hills Water and Sewer.

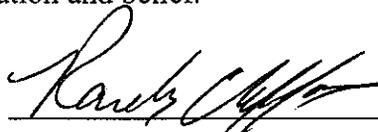
2. I, Randy Clifford, have obtained new employment, with hours of work that make it difficult for me to continue to operate Hickory Hills Water and Sewer.

3. Having continued responsibility for the day-to-day operation and maintenance of Hickory Hills Water and Sewer has caused me emotional stress.

4. The physical demands of running Hickory Hills Water and Sewer have increased with advancing age, to the point of causing me additional stress.

5. I, Randy Clifford, and Hickory Hills Water and Sewer have never ceased chlorination of the water supplied to the public. I do not intend to take any affirmative steps to discontinue chlorination of the water.

6. I have knowledge of the matters set forth above, and they are true and correct to the best of my knowledge, information and belief.

  
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Randy Clifford  
Affiant

Subscribed and sworn to before me this 25<sup>th</sup> day of July, 2006

Rosemary R. Robinson

Notary Public

My Commission Expires: 9-23-2008

