

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

The Staff of the Missouri Public Service Commission,	)	
	)	
	)	
Complainant,	)	
	)	
vs.	)	Case No. WC-2015-0011
	)	
Ridge Creek Development, L.L.C., and	)	
Mike Stoner and Denise Stoner,	)	
	)	
Respondents.	)	

**ANSWER TO STAFF COMPLAINT**

Come now Respondents, Ridge Creek Development, L.L.C, Mike Stoner and Denise Stoner, by and through counsel, and submit their answer and response to the Staff Complaint paragraph by paragraph as follows:

1. Paragraph 1 is an executive introduction to and description of the complaint's contents, and contains conclusions of law to which Respondents are not required to respond by denial or otherwise. If the Commission deems an answer is required to paragraph 1, Respondents deny the same.

2. Admitted.

3. The principal place of business of Ridge Creek Development, L.L.C. is 18499 Highway 133, Dixon, Missouri. Except as otherwise denied herein, Respondents admit paragraph 3.

4. Admitted.

5. Complainant cites and quotes from statutes of the State of Missouri to which no answer or other response is required from Respondents. The statutes of the state speak for

themselves. Respondents admit that the Commission has powers, duties and authority as provided in state law. Otherwise, Respondents deny each and every other allegation of paragraph 5.

6. Complainant cites and quotes from rules of the Commission in paragraph 6 to which no answer or other response is required from Respondents. The rules of the Commission speak for themselves. Respondents admit that the complainant is the Staff of the Missouri Public Service Commission but each and every other allegation of paragraph 6 is denied.

7. Complainant cites and quotes from statutes of the State of Missouri to which no answer or other response is required from Respondents. The statutes of the state speak for themselves. Respondents admit that the laws of the state of Missouri permit agencies to assess penalties as authorized or provided therein, but otherwise Respondents deny each and every other allegation of paragraph 7.

## **COUNT I**

8. Respondents admit that Exhibit B and Exhibit C are true and correct copies of the original. Respondents deny each and every other allegation of paragraph 8.

9. Respondents admit that Staff corresponded with Michael Stoner, and admit that a staff representative met with Michael and Denise Stoner on July 21, 2014. Respondents admit that based upon information and belief, no permit from the Missouri Department of Natural Resources is required for the wells and distribution system referred to in the complaint. Except as otherwise admitted herein, Respondents deny each and every allegation of Paragraph 9.

10. Complainant cites and quotes from statutes of the State of Missouri to which no answer or other response is required from Respondents. The statutes of the state speak for

themselves. Respondents admit that “water corporation” is statutorily defined but otherwise, Respondents deny each and every other allegation of paragraph 10.

11. Complainant cites and quotes from statutes of the State of Missouri to which no answer or other response is required from Respondents. The statutes of the state speak for themselves. Respondents admit that the Commission has jurisdiction over public utilities as provided by state law but otherwise, Respondents deny each and every other allegation of paragraph 11.

12. Complainant cites and quotes from statutes of the State of Missouri to which no answer or other response is required from Respondents. The statutes of the state speak for themselves. Respondents admit that permission from the Commission is required for public utilities to offer services but otherwise, Respondents deny each and every other allegation of paragraph 12.

13. Complainant describes the holding or rulings of Missouri courts, the same being conclusions of law to which no answer or other response is required from Respondents. To the extent the Commission deems a response or answer is required, Respondents deny the same.

14. Denied.

15. Denied.

## **COUNT II**

16. Respondents reassert and adopt by reference as if fully set forth each and every answer or defense contained in paragraphs 1 through 15 of this Answer.

17. Respondents admit that based upon information and belief, no permit from the Missouri Department of Natural Resources is required for the wells and distribution system referred to in the complaint. Respondents deny each and every other allegation of paragraph 17.

18. Denied.

### **COUNT III**

19. Respondents reassert and adopt by reference as if fully set forth each and every answer or defense contained in paragraphs 1 through 18 of this Answer.

20. Complainant cites and quotes from statutes of the State of Missouri to which no answer or other response is required from Respondents. The statutes of the state speak for themselves. Respondents admit that the Commission has powers, duties and authority as provided in state law. Otherwise, Respondents deny each and every other allegation of paragraph 20.

21. Denied.

22. Respondents deny all other allegations, statements, and declarations contained in all paragraphs of Staff's complaint including all allegations, statements and declarations contained in any prayer for relief, not specifically admitted herein.

WHEREFORE, having fully answered and otherwise responded to all counts of Staff's complaint, Respondents Ridge Creek Development, L.L.C, Mike Stoner and Denise Stoner respectfully request that Staff's complaint be dismissed and Respondents discharged.

Respectfully submitted,

/s/ Mark W. Comley

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Attorneys for Ridge Creek Development, L.L.C.,  
Mike Stoner and Denise Stoner

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was sent via email, on this 2<sup>nd</sup> day of September, 2014, to Kevin Thompson at [kevin.thompson@psc.mo.gov](mailto:kevin.thompson@psc.mo.gov); General Counsel's Office at [staffcounsel@psc.mo.gov](mailto:staffcounsel@psc.mo.gov); and Office of Public Counsel at [opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov).

/s/ Mark W. Comley