

**BEFORE THE RATE COMMISSION OF THE
METROPOLITAN ST. LOUIS SEWER DISTRICT**

**MAY 26, 2011 FIRST DISCOVERY REQUEST
OF THE RATE COMMISSION**

**Metropolitan St. Louis Sewer District Response
AMENDMENT
TO
QUESTIONS # 38 AND # 39**

ISSUE: WASTEWATER RATE CHANGE PROPOSAL

WITNESS: METROPOLITAN ST. LOUIS SEWER DISTRICT

SPONSORING PARTY: RATE COMMISSION

DATE PREPARED: JUNE 10, 2011

**Metropolitan St. Louis Sewer District
2350 Market Street
St. Louis, Missouri 63103**

**BEFORE THE RATE COMMISSION
OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT**

For Consideration of a Wastewater)
Rate Change Proposal by the Rate)
Commission of the Metropolitan)
St. Louis Sewer District)

**MAY 26, 2011 FIRST DISCOVERY REQUEST
OF THE RATE COMMISSION**

**Metropolitan St. Louis Sewer District Response
AMENDMENT
TO
QUESTIONS # 38 AND # 39**

Pursuant to §§ 7.280 and 7.290 of the Charter Plan of the Metropolitan St. Louis Sewer District (the “Charter Plan”), Operational Rule 3(5) and Procedural Schedule §§ 17 (b)(i) and (ii) of the Rate Commission of the Metropolitan St. Louis Sewer District (“Rate Commission”), the Metropolitan St. Louis Sewer District (“District”) thereby amends responses to Questions # 38 and # 39 to the Metropolitan St. Louis Sewer District Rate Commission May 26, 2011 First Discovery Request for additional information and answers regarding the Rate Change Notice dated May 10, 2011 (the “Rate Change Notice”).

**MAY 26, 2011 FIRST DISCOVERY REQUEST
OF THE RATE COMMISSION**

**Metropolitan St. Louis Sewer District Response
AMENDMENT
TO
QUESTIONS # 38 AND # 39**

38. Please describe any current or threatened enforcement proceeding of the United States EPA or the MDNR regarding other wastewater facilities within the State of Missouri.

RESPONDER: Susan Myers, MSD General Counsel

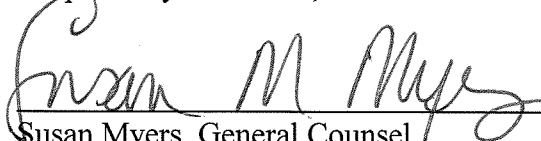
RESPONSE: At this time, MSD is not privy to any current or threatened legal proceedings involving the United States EPA or the MDNR regarding other wastewater facilities within the State of Missouri.

39. Please describe any current or threatened enforcement proceeding of the United States EPA or the MDNR or state environmental agencies regarding the wastewater facilities of the 50 largest wastewater facilities in the United States.

RESPONDER: Susan Myers, MSD General Counsel

RESPONSE: At this time, MSD is not privy to any current or threatened legal proceedings involving the United States EPA or any State environmental agencies regarding the 50 largest wastewater facilities in the United States. The District is aware of other wastewater facilities across the country currently under enforcement based on executed Consent Decrees. The list of these cities is very long. A partial list of these cities may be found in Jeff Theerman's response to Question 25 (page 7) of his Direct Testimony. The MDNR has only been involved in those cities located in Missouri.

Respectfully submitted,



Susan Myers, General Counsel
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 10th day of June, 2011:

An electronic copy of the foregoing instrument was emailed to the Secretary of the Rate Commission c/o jfenton@stlmsd.com

SECRETARY OF RATE COMMISSION: Ms. Nancy Bowser
Secretary of Rate Commission
Metropolitan St. Louis Sewer District
2350 Market Street
St. Louis, MO 63103-2555
robowser@swbell.net

At the request of Rate Commission Counsel, one paper original and associated Exhibits are held at the Rate Commission office for Commissioner review.

An electronic copy of the foregoing instrument was emailed and one paper copy and associated Exhibits were couriered to:

RATE COMMISSION LEGAL COUNSEL: Lisa O. Stump, Esq.
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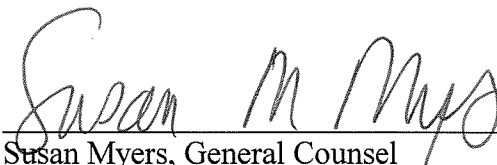
BARNES JEWISH HOSPITAL:

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Jan Zimmerman

From: Janice Fenton
Sent: Tuesday, June 07, 2011 4:51 PM
To: Lisa Stump; John Fox Arnold; William Stannard; Lisa Langeneckert; Keith Barber; Deborah Johnson; Alan Tucker; ramreco@sbcglobal.net; dmvuylsteke@bryancave.com; john.kindschuh@bryancave.com; randy.Meyer@covidien.com; Brad Goss; Eric Schneider; George Liyeos; George Tomazi; Glenn Koenen; Ida Casey; Jackie Maciekowicz; John Stein; Leonard Toenjes; Mike O'Connell; Mike Seidel; Nancy Bowser; Paul Brockmann; Ralph Wafer; Tom Post
Cc: Jeff Theerman; Jan Zimmerman; Karl Tyminski; Jonathon Sprague; Susan Myers; Brian Hoelscher
Subject: MSD Response to Discovery Request Dated 5/26/01

The MSD Response to the Discovery Request dated 5/26/11 and the Exhibits have also been placed on the Rate Commission Public Record Repository. Use the following to access the Repository:

1. File Location: <ftp://ftp.stlmsd.com/>
2. ID: RateComPub
3. Password: R@t3Pub50

Thank you.

Janice Fenton
Sr. Office Associate
Metropolitan St. Louis Sewer District
(314) 768-6228