



Commissioners

KARL ZOBRIST  
Chair

KENNETH McCLURE

HAROLD CRUMPTON

M. DIANNE DRAINER  
Vice Chair

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
573-526-5695 (TT)

CECIL I. WRIGHT  
Executive Secretary

SAM GOLDAMMER  
Director, Utility Operations

GORDON L. PERSINGER  
Director, Policy & Planning

KENNETH J. RADEMAN  
Director, Utility Services

DONNA M. KOLILIS  
Director, Administration

DALE HARDY ROBERTS  
Chief Administrative Law Judge

DAN JOYCE  
General Counsel

April 10, 1997

**FILED**

**APR 10 1997**

**MISSOURI  
PUBLIC SERVICE COMMISSION**

Mr. Cecil I. Wright  
Executive Secretary  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

RE: Information Regarding Water System Boil Order  
KMB Utility Corporation - Davis Water System  
Case Nos. WR-97-100 and SR-97-101

Dear Mr. Wright:

I am submitting this letter for placement in the case papers of the above-referenced consolidated docket as a result of the *Notice of Ex Parte Contact* (Notice) that the Commission issued on April 3, 1997. Please consider this letter as the Commission Staff's response to that Notice.

I am providing the original and fourteen copies of this letter to be "file stamped", filed and distributed according to normal procedures. I am also providing copies of the letter to the appropriate company representatives and the Office of the Public Counsel.

### Background

As set out in the Notice, Commissioner Harold Crumpton received a telephone call from a Mr. Donald Shrader on April 1 regarding a "boil order" at a water system owned and operated by KMB Utility Corporation (KMB). The system involved is near Wappapello, Missouri and is commonly called KMB's "Davis System". Besides Mr. Shrader's call to Commissioner Crumpton, I also received a telephone voice-mail message from a Davis System customer on April 1 regarding this matter.

After I became aware of the call to Commissioner Crumpton, and received the message from the other Davis System customer, I asked James Merciel of the Water & Sewer Department Staff to investigate this situation and to report on the results of his investigation. The following section describes the investigation that Mr. Merciel conducted.

Mr. Cecil I. Wright  
Re: Case Nos. WR-97-100 and SR-97-101  
April 9, 1997  
Page 2 of 2

Staff's Investigation

On April 1, Mr. Merciel contacted Mr. John Hill at the Department of Natural Resources' (DNR) Poplar Bluff regional office and asked if the DNR had requested that KMB issue a boil order for its Davis System. Mr. Hill informed Mr. Merciel that the DNR had requested KMB to issue a "precautionary" boil water order for the Davis System and that the boil order was still in effect. The DNR requested KMB to issue this boil order due to a loss of water pressure in the Davis System, which was caused by failure of the system's two high service pumps. The boil order was precautionary in nature because the situation leading up to its issuance did **not** involve bad water samples.

Mr. Hill informed Mr. Merciel that the DNR would agree to the lifting of the boil order after at least two water samples from the Davis System had been tested and found acceptable. Mr. Hill said that KMB had already submitted one sample, which had been tested and found acceptable. Mr. Hill also said it was his understanding that KMB planned to submit additional samples for testing very shortly.

In response to calls to KMB's offices, Mr. Dan Dowell (KMB's President) had his secretary contact Mr. Merciel on April 3 to relay information about this situation. The secretary informed Mr. Merciel that KMB had submitted additional water samples for testing earlier in the week, and that the results of the tests were good. As a result, KMB's understanding was that it could lift the boil order, and KMB was arranging for area radio and television stations and newspapers to announce that action. The secretary also said KMB was going to announce the lifting of the boil order with a message in the next bill to the Davis System customers.

As a follow-up to his initial investigation, Mr. Merciel called Mr. Shrader on April 3 and informed him that KMB was lifting the boil order for the Davis System. Mr. Merciel had also contacted the other KMB customer that called in about this matter and given her the information he received from Mr. Hill at the DNR.

To learn if Mr. Dowell had acted appropriately concerning the lifting of the boil order, Mr. Hill of the DNR was contacted again on April 9. It was confirmed that Mr. Dowell was correct in assuming that the boil order could be lifted based upon the good test results received on the additional water samples that KMB had submitted for testing.

Please let me know if the Staff needs to do anything further at this time. Thank you for your attention to this matter.

Sincerely,



Dale W. Johansen - Manager  
Water & Sewer Department

copies: KMB Utility Corporation  
Dan Dowell - President  
Gary W. Duffy - Attorney

Office of the Public Counsel  
John B. Coffman  
William K. Haas - Staff Attorney