

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED

OCT 03 2002

Missouri Public  
Service Commission

In the Matter of Foxfire Utility )  
Company Water Rate Increase )  
Request )

Case No. WR-2002-1162  
Tariff File 2002 00557 (water)

And )

In the Matter of Foxfire Utility )  
Company Sewer Rate Request )

Case No. SR-2002-1163  
Tariff File 2002 00556 (sewer)

**OFFICE OF THE PUBLIC COUNSEL'S NOTICE OF FILING OF  
CUSTOMER LETTERS REGARDING PROPOSED RATE INCREASES**

COMES NOW, the Office of the Public Counsel, and respectfully provides the Missouri Public Service Commission with the attached customer letters regarding Foxfire Utility Company's proposed rate increase. These letters are filed with the Commission pursuant to the Commission's Order of August 20, 2002. Public Counsel respectfully submits that these letters represent the opinions of the Company's customers regarding the proposed rate increase, and that, if a local public hearing had been held, it is likely that the customers would have expressed these same opinions in that forum. Public Counsel therefore, asks the Commission to give these opinions the same consideration that it would grant to opinions expressed in a local public hearing.

WHEREFORE, Public Counsel respectfully requests that this Commission review the attached letters and consider the opinions of these customers in determining how to decide these cases.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

By: 

M. Ruth O'Neill (#49456)

Assistant Public Counsel

PO Box 7800

Jefferson City, MO 65102

(573) 751-1304

(573) 751-5562 FAX

[roneill@ded.state.mo.us](mailto:roneill@ded.state.mo.us)

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed or hand-delivered to the following this 3<sup>rd</sup> day of October 2002:

**GENERAL COUNSEL**

Missouri Public Service Commission

PO Box 360

Jefferson City MO 65102

**GARAH F HELMS**

Foxfire Utility Company

323 Fox Creek Road

Jefferson City MO 65101



M. Ruth O'Neill

# **ATTACHMENT**

**Case Nos. WR-2002-1162**  
**and SR-2002-1163**

**CONSUMER COMPLAINT LETTERS**

FILE COPY

September 30, 2002

Ruth O'Neill, Assistant Public Council  
Office of the Public Council  
P.O. Box 7800  
Jefferson City, MO 65102

Dear Ruth,

This letter is in regards to a projected rate increase by Foxfire Utilities. The area where I live (Arrowhead Lake Estates) is a very poor area. Most of the residents are like me - retired with low incomes.

Before Foxfire bought the water system here, our water bill was <sup>120.00</sup> ~~\$100.00~~ per year. A large part of the lines were installed incorrectly. They were put in the ground without proper covering and the motion of our rocky ground causes a lot of leaks. Because of this the owner wanted to unload it. Foxfire purchased the system, probably at a good discount, and after discovering the problem with many leaks, want us, the customers, to pay more to correct the mistake they made in buying it.

Like I said, this is a poor area and I don't think everyone here can afford the rate increase. For what its worth, this is my response.

Sincerely

  
Norman L. Campbell  
(660) 438-2688

OCT 02 2002

**O'Neill, Ruth**

**From:** DBentzin@aol.com  
**Sent:** Tuesday, October 01, 2002 10:57 AM  
**To:** roneill@ded.state.mo.us  
**Subject:** Foxfire Rate Increase Response

9/30/02

Ref: Foxfire Utility Co. Ltr of 10/21/02

To: Ruth O'Neill, Assistant Public Counsel

FM: Don & Lois Bentzin      Part time Address  
 198-11 Skyline DR.      (Current address until 10/21/02)  
 Lake Arrowhead Estates  
 (660) 438 0034

Full Time Residence  
 1617 Melrose Ave  
 Chula Vista, CA 91911 (619) 426 2525

In response to the referenced letter from Foxfire Utilities Co., we'd like to make the following comments:

1. First of all, the rates for part time residents went from \$50 a year to \$228.80 a year, an increase of 457.6 % when Foxfire took over. Now approx 2 years later they are asking for another increase of 90 cents per month. Foxfire is saying it is a small increase, but if you look at the increase from before they took over, its another 21.6 % increase . We do not agree with the new need for an increase in rates.
  2. Foxfire took over providing the water utilities for Arrowhead Estates approx 2 year ago. In all of their letters that they have sent to customers or letters to the Public Counsel Commission, they have stated in their letter that they are providing water and sewer services. I'd like to make it clear to the Commission that Foxfire does not provide any sewer services to any of Arrowhead Estate customers.
  3. After approx.first year after taking over the water utilities, Foxfire declared that Arrowhead had more repairs than anticipated, and wanted to increase the rates to compensate for those repairs. Why should the customer pay for something that Foxfire should have anticipated inthe first place. When you buy a used car from some one, who pays for the repairs? Naturally its the new buyer, not the old.
  4. Services have not been up to standard since take over. This year in May when we came down to our part time residence at Arrowhead Estates, our water turn on/off valve was locked up and we couldn't use the water. When Foxfire was called, they initially said the water was turned off/locked because of not paying monthly water bill. When we told them that we paid at least 3 months in advance they found their mistake/problem and someone had to be called to unlock the water valve. That someone was Jim Hayes. This happens to be the same people that initially put in the water system that Foxfire took over and also declared was done incorrectly. Here's my thought, why were our rates increased 457% when the same person that was doing the maintenance prior to Foxfire take over is still doing the repairs? (Except then, let me remind you, that I was paying \$50 per year for the same services)
- Another service comment. In June we had a water leak from in the main water supply line, our front yard was flooded. It is not known how long the water had been leaking prior to our discovery. When Foxfire was called about the leak, Foxfire had Jim Hayes come up and access the problem. Jim said it was the main water line that was leaking and it would be 2 or 3 days before he could get to it. Upon returning a week later, the leak was fixed, but the lawn area had rocks and mounds of dirt that were left after the repair. I ended up paying someone this September to level out the area and remove rocks. Again, why are we paying higher rates when Foxfire is not actually doing the work.
6. In talking with permanent residents, they are saying that the only thing they have noticed after the take over is that more chlorine has been added to the water. Those that I have talked to, including ourselves, are buying bottled water to drink because of the high chlorine content in the Foxfire water.
  7. Part-time residents are being forced to pay approx. the same yearly fees as are charged to the full-time residents. According to Foxfire, if you have your water turned off, you cannot have it turned back on until at least 1 year after you had it turned off. This is ridiculous! I suggested/recommended that Foxfire think about initiating a turn on and turn off fee for part time residents but as far as I know, nothing has become of this

10/01/2002

suggestion. Thus I'm forced to pay the monthly fee even though I don't use the water 80% of the year.

8. Please try to bear in mind that a very large percentage of the people who live in this area are older retired people living on fixed incomes. This is creating a hardship for them. Perhaps the rates should not be a blanket increase but based on the economic status of each area.

V/R,  
Don R. Bentzin

PS I am also adding an attachment to this e-mail with the comment in Microsoft Word should that be an option for you to use to get a copy of this.

10/01/2002

To: Ruth O'Neill,

FILE COPY

I am writing in regard to the proposed rate increase. We have currently been paying \$19.00 monthly. We are only there to use the water for a few times during the summer & not at all in the winter & spring months. My request is that we should not have to pay for the months we do not use water. Thank you for taking this in to consideration.

Sincerely  
Charles Watson

Lot 16 Arrowhead Lake Est. Rt 2 Unit  
Service ID: ALF-16-14 acc# SB0039

SEP 3 0 2007

September 23, 2002

**FILE COPY**

Mr. & Mrs. Karl Krueger  
1122 Modoc Street  
Seaside, CA 93955

Office of the Public Counsel  
Attn: Ruth O'Neill  
P.O. Box 7800  
Jefferson City, MO 65102

Re: Proposed Foxfire Utility rate increase.

Ms O'Neill

We want to vehemently protest the proposed increase in the water and sewer fees at Lantern Bay Condominiums in Branson, MO.

Mr. Helms obviously made a bad business decision when he purchased the water and sewer plant at Lantern Bay, but it was his decision. If the expansion of the property didn't happen and give him the income or profit he expected, that's the risk he took when he bought the system. It is not the responsibility of the owners to give him money to bail him out of a bad business decision. If he is dissatisfied with the level of income, than he should sell the system for what he paid for it.

The water and sewer rates are some of the highest in the area and should be frozen at their present level.

Sincerely



Karl Krueger  
28 Lantern Bay Road #4  
Branson, MO 65616

cc: Randy Hubbs  
Missouri Public Service Commission  
Water and Sewer Department  
P.O. Box 360  
Jefferson City, MO 65102

SEP 30 2002

FILE COPY

Ruth O'Neil  
 Assistant to the Public Council  
 Office of the Public Council  
 P.O. Box 7800  
 Jefferson City, Mo. 65102

Fax # 573-751-5562

Dear Mam:

This letter is in regards to your letter of request concerning my comments on the water service & charges since the purchase of the company by; Exire Utilities. Since the change, my rates have been raised 38% as a part timer. The only improvement I know of was to add chlorine to the water. I know that (as I understand it) we are not under the inside water only restriction that we were, if that is correct? That part is appreciated however that is quite a large raise for a part time resident who lives below. As you know most of the residents here are on fixed income, including myself, therefore raises in cost of living present a problem. Any consideration by your office concerning this problem would be greatly appreciated.

Sincerely,

Arrowhead Estates  
 P.O. #2 Box 126-A  
 Edwards, Mo. 65326

L. Wayne C. Henley  
 660-438-8787

FILE COPY

Foxfire Utility Company  
323 Fox Creek Rd.  
Jefferson City, MO 65109  
(573) 632-6007, (573) 632-6475 or 1-866-224-2035  
Fax (573) 632-6057 E-Mail: wms@socket.net

August 21, 2002

Dear Foxfire Customer:

In order to make your opinion known regarding the proposed rates for Foxfire Utility Company the Missouri Public Service Commission has ordered that the Office of Public Counsel collect and submit customer written comments by September 30, 2002. If you would like to voice an opinion regarding the proposed rate increase, or the quality of service you receive from Foxfire, please mail or FAX your written comments on or before September 30, 2002 to:

Ruth O'Neill, Assistant Public Counsel  
Office of the Public Counsel  
P. O. Box 7800  
Jefferson City, Mo. 65102  
FAX: 573-751-5562

The Office of the Public Counsel will be filing your written comments with the Commission on October 4, 2002.

If you have previously written to the Office of the Public Counsel, and have made your opinions known, you may rely on the prior letter. That letter will be included in the filing to the Commission if you choose not to send another letter.

Sincerely,

*Joy Helms*  
Joy Helms

Randy Hubbs  
Missouri Public Service Commission  
Water and Sewer Department  
PO Box 360  
Jefferson City, MO 65102

Office of the Public Counsel  
Attn: Ruth O'Neill  
PO Box 7800  
Jefferson City, MO 65102

THE RATES FOR THIS UTILITY ARE TOO HIGH  
TO BEGIN WITH. THERE SHOULD NOT BE  
ANOTHER INCREASE!

Ruth O'Neill, assistant Public Counsel  
Office of the Public Counsel  
PO Box 7800  
Jefferson City, MO 65102

**FILE COPY**

September 13, 2002

Dear Ms. O'Neill,

I will try to be brief. I do not support the proposed increase by Foxfire Utility. I own Unit # 5 in Building 8 of Lantern Bay. My largest water bill this year was in July wherein my wife and I used 6,000 units. My total bill from Foxfire for water and sewer under the current pricing system was \$72.23. My son's home is in Ozark, MO and he uses the Ozark Water system. His usage for the same month was 21,500 units and his bill for water and sewer was \$81.70.

The above numbers don't make sense to me as they currently exist. Then to ask for the increase that has little or no identified justification seems utterly ridiculous. I have talked to other retirees at Lantern Bay who often use little or no water at all when they are traveling. Their current minimum monthly bill for water and sewer is \$31.20. With the proposed increase, this amount would be near \$60 dollars.

I would strongly urge the public counsel to deny the proposed increase. Indeed, I would truly like to voice my objection in an open forum. Maybe we could better understand the situation from both sides. Thank you for your time in this matter.

Mr. and Mrs Harold W. Meyers Jr.



SEP 17 2002

September 15, 2002

**FILE COPY**

Office of the Public Counsel  
P.O. Box 7800  
Jefferson City, MO 65102

Attn: Ruth O'Neill, Assistant Public Counsel

Re: Foxfire Utility Company, Water and Sewer Rate Increase

Dear Ms. O'Neill

This letter is to serve as an addendum to my last letter dated July 23, 2002, and my first letter dated February 16, 2002.

To articulate...the bottom line is...each and every one of us, owners and renters, who pay these water/sewer bills, are appalled at the current rates, let alone the proposed increase. We are avidly against it!

As you know...I have done my own survey over the past several months, and you are correct....there are no apples for apples....I have called every condominium resort comparable to Lantern Bay, in Stone and Taney County. Everyone I have talked to has been willing to share their business, and a lot of them have had increases this year, due to being put on City Sewer, but remaining on well water. Their increases have yet to reach our "current" water/sewer rates, let alone the proposed increase...the empathy has been good in respect to our effort of contesting....but it doesn't pay the bill....

As for the quality of the water here...not anyone that I have talked to, drinks the water....they all buy bottled water. I would like to know if the water I am drinking is unsafe...

It all boils down to....that it is up to the integrity and mercy of the decision makers. We all have discussed signing a petition, protesting the rate increase, but, it is obvious already, that everyone of us are adamantly against it! At our current rates...we are much higher than anyone else...even after all their water/sewer rate increases this year!

In closing, this debate has gone on for three quarters of a year, and it is time for closure and resolution....the added stress to our daily lives has not been healthy.

Respectfully,



Donna Jean (D.J.) Chappell

SEP 18 2002

# FILE COPY

Dear Counsel,  
When we first bought the place at Annewand, like est. the Service for water was \$60.00 per year, which was enough for, not over 1,000 gallons of water used per year. Since Payne bought out the water Service, it got ridiculous with \$9.60 per month. This is far the same 1,000 gallons per year used. The Service is no better than before which is not a big factor when you are only there on weekends or maybe a few days at a time.

SEP 13 2002

I think that a Person should not have to Pay for water when they are not using water

We had a conversation with Payne about this in the Past, and they said it would cost \$250.00 to have a meter put in with is another ridiculous Statement. The water shut off is only about 16 inches under ground. They also said if a Person had Service shut off you would have to leave it off for a period of one year or Pay the

P.S. Take note of  
the Stamp on the  
letter. It is not  
a Stamp from some  
of the Government  
of the Country

Memo Summer  
1109 Radio ST  
Cannetta Md. 64633  
1-660-542-3189

The \$19.00 per month  
is more than we  
pay for water, electric  
and gas bills.

\$19.00 per month  
I thought they  
was simple. The  
American dream is  
to work long hours  
and have a little  
engagement in life  
without somebody  
getting in and taking  
from you.

9.10.2002  
**FILE COPY**

Dear Ruth O'neil:

writing in Regards of the letter  
that came in August.

About the rate Increase,  
for water service at Lot  
298 Arrowhead Lake Est.

Foxfire is a lot higher  
for just water, than the  
surrounding area. Some gets  
road maintenance also.

~~water~~ water is all we get  
no sewer or garbage.

Here where I live I  
get water, sewer & garbage  
less than what, I pay to  
Foxfire

Sincerely  
Marnie Owens

P.S.

I think the price  
I pay is unfair

SEP 13 2002

FILE COPY

To whom it may concern,

I can not believe that people that dont live in there home's, have to pay for someone else's water usage. I for one dont live in my house, I have made it be known how I feel by phone call's. I happen to know other people in other resorts that dont pay anything like what we pay. I just dont think you should have to pay for water you dont use.

Thank you -

Vivian Arupper  
RT2 Box 130 D-2  
Edwards mo  
65326

SEP 12 2006

FILE COPY

I have been a customer on  
this water system for 12 years.  
Before it was sold to this company,  
my water was #120 year.  
Now it is #224 year. The  
quality of service and water  
has not improved, or will  
improve.  
There have been numerous  
water leaks in the system,  
and not always repaired  
quickly or good. Air and  
rust are in the system  
after repair.  
I believe the rate is high  
enough for the service we  
get. water pressure is  
low.

John Smith

SEP 11 2002

**FILE COPY**

9-6-02

To Whom It May Concern:

I appreciate the opportunity to express my views with regard to the Foxfire Utility water rate. Owning a trailer in Arrowhead, I am a part time weekend fisherman from April thru Oct. I am there approximately 40 days of the year using minimal water.

My current rate of \$19.00/mo. works out to be about \$5.70 a day. A full time customer pays \$22.28/mo. or about \$0.73 a day.

Looking for a fair and equitable rate, I remain

Yours Truly,

Michael T. Banks  
8702 E. Barnister Rd.  
K.C., Mo. 64134

SEP 10 2002

DONNA PIERPOINT  
219 SOUTH ALCO AVENUE  
MARYVILLE, MISSOURI 64468

Ruth O'Neill, Assistant Public Counsel  
Office of the Public Counsel  
P.O. Box 7800  
Jefferson City, MO 65102

Dear MS. O'Neill,

I own unit 4 building 20 at Lantern Bay.

I have read the Proposed Rates for sewer. This would be a burden for me. At this time I use my Condo only once or twice a month just on weekends. \$40.22 monthly charge when I might not even use the sewer or water is not fair. Some months we do not make it to down for a weekend.

I know the proposed rate of increase is out of line with other utility companies in the Branson area.

I know the increases rate will be a burden to those who live fulltime at Lantern Bay and those who rent and own.

A copy of my last bill is enclosed my service for 7/15/02 to 8/18/02 they reported I had used 6000 for my water. During the period 4/12/02 to 5/16/02 was 3000 used.

The proposed cost already is out of line.

Please consider the reason Foxfire wants a rate of increase.

I am told more development is to take place and it would be to Foxfire 's benefit to increase rates for sewer and water. I believe they are trying to increase rates before development takes place.

I attempted to call Foxfire and discuss my bill for 7/15/02 to 08/18/02. I left a message and no one returned my call.

Sincerely,

 09-04-02  
Donna Pierpoint

Foxfire Utility Company  
 323 FOX CREEK RD, JEFFERSON CITY, MO 65109-  
 Phone: 573-632-6007 or 573-632-6475  
 TOLL FREE NUMBER 1-866-224-2035



Service at 20 LANTERN BAY #4  
 Service ID 52004 Account LB0343  
 Service Previous Current Usage Amount  
 WATER 281000 284000 3000 12.65  
 SEWER 25.17  
 PRIMACY FEE 0.00

*Paid CK 1/6/03*

Service 06/19/02 to 07/15/02  
 Amount due after due date 42.82

Prior	Cur Amt	Total
0.00	37.82	37.82

03

Foxfire Utility Company  
 323 FOX CREEK RD, JEFFERSON CITY, MO 65109-  
 Phone: 573-632-6007 or 573-632-6475  
 TOLL FREE NUMBER 1-866-224-2035

*Paid 8-29-02 CK 1/6/05*

Service at 20 LANTERN BAY #4  
 Service ID 52004 Account LB0343  
 Service Previous Current Usage Amount  
 WATER 284000 290000 6000 21.89  
 SEWER 50.34  
 PRIMACY FEE 0.00

Service 07/15/02 to 08/18/02  
 Amount due after due date 77.23

Prior	Cur Amt	Total
0.00	72.23	72.23

Foxfire Utility Company  
 323 FOX CREEK RD, JEFFERSON CITY, MO 65109-  
 Phone: 573-632-6007 or 573-632-6475  
 TOLL FREE NUMBER 1-866-224-2035  
 Perform spring maintenance on plumbing fixtures!  
 Check for leaks and breaks.



Service at 20 LANTERN BAY #4  
 Service ID 52004 Account LB0343  
 Service Previous Current Usage Amount  
 WATER 279000 280000 1000 9.57  
 SEWER 16.78  
 PRIMACY FEE 0.00

*Paid 05-23-02 CK 1-58-04*

Service 04/12/02 to 05/16/02  
 Amount due after due date 31.35

Prior	Cur Amt	Total
0.00	26.35	26.35

03

Foxfire Utility Company  
 323 FOX CREEK RD, JEFFERSON CITY, MO 65109-  
 Phone: 573-632-6007 or 573-632-6475  
 TOLL FREE NUMBER 1-866-224-2035  
 June bill includes \$2.00 DNR Fee which is remitted  
 directly from Foxfire Utility Co to DNR. Thank you.



Service at 20 LANTERN BAY #4  
 Service ID 52004 Account LB0343  
 Service Previous Current Usage Amount  
 WATER 280000 281000 1000 9.57  
 SEWER 16.78  
 PRIMACY FEE 2.00

*Paid CK 1/6/04 06/30/02*

Service 05/16/02 to 06/19/02  
 Amount due after due date 33.35

Prior	Cur Amt	Total
0.00	28.35	28.35

64462+2031

Foxfire Utility Company  
 323 FOX CREEK RD, JEFFERSON CITY, MO 65109-  
 Phone: 573-632-6007 or 573-632-6475  
 NEW TOLL FREE NUMBER 1-866-224-2035



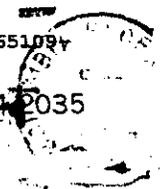
Service at 20 LANTERN BAY #4  
 Service ID 52004 Account LB0343  
 Service Previous Current Usage Amount  
 WATER 279000 279000 0 9.57  
 SEWER 16.78  
 PRIMACY FEE 0.00

*3-24-02 Paid CK 1-5-06*

Service 02/13/02 to 03/20/02  
 Amount due after due date 31.35

Prior	Cur Amt	Total
0.00	26.35	26.35

Foxfire Utility Company  
 323 FOX CREEK RD, JEFFERSON CITY, MO 65109-  
 Phone: 573-632-6007 or 573-632-6475  
 NEW TOLL FREE NUMBER 1-866-224-2035



Service at 20 LANTERN BAY #4  
 Service ID 52004 Account LB0343  
 Service Previous Current Usage Amount  
 WATER 279000 279000 0 9.57  
 SEWER 16.78  
 PRIMACY FEE 0.00

*14-25-02 Paid*

Service 03/20/02 to 04/12/02  
 Amount due after due date 31.35

Prior	Cur Amt	Total
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Cover Sheet

September 5, 2002

To: Office of the Public Counsel  
Attn: Ruth O'Neill  
PO Box 7800  
Jefferson City, MO 65102

From: Richard Boatright  
612 Barwick Place  
Willard, MO 65781

RE: Foxfire Utility Company's request for rate increase

Pages including cover sheet: 4

Richard Boutright  
612 Barwick Place  
Willard. MO 65781

September 5, 2002

Office of the Public Counsel  
PO Box 7800  
Jefferson City, MO 65102  
FAX: 573-751-5562

Dear Ruth O'Neill,

*I am writing in regard to the proposed rate increase that Foxfire Utility has applied for.*

*This is the second letter I have written to your office but I feel so strongly about this issue that I feel I must again write.*

*I will not pretend to know all of Foxfire's business, but with today's scandals of cooperate greed I can truly say that I distrust companies who not only want to raise the rates of their products or services but do not give an accounting as to its' justification.*

*Know one knows better than the lower end working class the shape of the economy. It is taking two and three jobs per household to keep up with expenses.*

*My condo at Lantern Bay was an attempt for my family to have a second income. I have only owned this property a little over a year. The tenants have always paid the utilities until this summer. I was shocked to see the cost of the water/sewer bills; they were higher than the electric bill (these units are all electric) even running the air conditioner!*

*I have installed new low water usage toilets, and made sure that there are not any plumbing leaks in the unit, but that hasn't seemed to help with the bill.*

*Enclosed is a copy of the last three months hills compared to those of my own home in Willard. Willard doesn't have a waste facility of our own and our rates are higher as we pump it to Springfield's waste facility.*

*I have filled our pool, watered the lawn and washed cars. The condo is an upper unit with no outside faucet, you can't wash your car, there is no lawn or flowers to water, nothing but the everyday usage for bathing and laundry. As you can see it varies greatly from month to month. I don't know if it is read monthly or just estimated, but at any rate it is ridiculously high.*

*The quality of the water is ok, but terribly hard. It builds up in a hurry and is hard to clean.*

*If this rate is increased, I feel that it will greatly affect the value of not only my property but that of the whole Lantern Bay community. It will make renting almost impossible and a very difficult selling problem.*

*So I ask you, please **do not** grant a rate increase to Foxfire Utility Company. If your office finds justification for this increase, I hope that we will be notified in detail of your findings.*

*Thank you for the opportunity to voice my opinion on this subject. I will wait to here the outcome of this issue in the near future.*

*Respectfully yours,  
Richard Boatright*

*You may email me at [sawdust1rb@aol.com](mailto:sawdust1rb@aol.com) with any questions or for conformation of your receipt of this correspondence.*

323 FOX CREEK RD, JEFFERSON CITY, MO 65109  
 Phone 573-632-6007 or 573-632-6478  
**TOLL FREE NUMBER 1-866-224-2035**  
 June bill includes \$2.00 DNR Fee which is remitted directly from Foxfire Utility Co to DNR. Thank you.

PM  
 JUL 11 2002  
 1052

P.O. BOX 187 PHONE 742-3033  
 WILLARD, MO 65781  
**ADDRESS CORRECTION REQUESTED**  
 DATE METER READ 5/20/02 ACCOUNT NO. 8044200.00

Service at 8 LANTERN BAY #6  
 Service ID 50806 Account LB0708  
 Service Previous Current Usage Amount  
 WATER 269000 275000 6000 21.89  
 SEWER 50.34  
 PRIMACY FEE 2.00

Service 05/22/02 to 06/19/02  
 Amount due after due date 89.23

Prior 10.00 Cur Amt 74.23 Total 84.23

05770149792

TYPE OF SERVICE	METER READINGS		USAGE	CHARGES
	PAST	PRESENT		
WA	851	857	6	10.63
SE				19.94
TX				0.25

CITY HALL CLOSED 5/27  
 NATIONAL TRAILS DAY JUNE 1  
 TOTAL DUE NOW 30.82

DUE AFTER 6/10/02 33.90

SEE REVERSE FOR CODE EXPLANATION

**CITY OF WILLARD UTILITIES**

P.O. BOX 187 PHONE 742-3033  
 WILLARD, MO 65781  
**ADDRESS CORRECTION REQUESTED**  
 DATE METER READ 5/20/02 ACCOUNT NO. 8044200.00

Foxfire Utility Company  
 323 FOX CREEK RD, JEFFERSON CITY, MO 65109  
 Phone: 573-632-6007 or 573-632-6478  
**TOLL FREE NUMBER 1-866-224-2035**

PM  
 JUL 11 2002  
 1052

Service at 8 LANTERN BAY #6  
 Service ID 50806 Account LB0708  
 Service Previous Current Usage Amount  
 WATER 275000 276000 1000 9.57  
 SEWER 16.78  
 PRIMACY FEE 0.00

Service 06/19/02 to 07/15/02  
 Amount due after due date 31.35

Prior 0.00 Cur Amt 26.35 Total 26.35

03

TYPE OF SERVICE	METER READINGS		USAGE	CHARGES
	PAST	PRESENT		
WA	857	873	16	19.93
SE				19.94
TX				0.47

READ THE CITY NEWSLETTER FOR ALL THE NEWS ABOUT THE FOURTH OF JULY  
 TOTAL DUE NOW 40.34

DUE AFTER 7/10/02 44.37

SEE REVERSE FOR CODE EXPLANATION

**CITY OF WILLARD UTILITIES**

P.O. BOX 187 PHONE 742-3033  
 WILLARD, MO 65781  
**ADDRESS CORRECTION REQUESTED**  
 DATE METER READ 7/20/02 ACCOUNT NO. 8044200.00

Foxfire Utility Company  
 323 FOX CREEK RD, JEFFERSON CITY, MO 65109  
 Phone: 573-632-6007 or 573-632-6478  
**TOLL FREE NUMBER 1-866-224-2035**

Service at 8 LANTERN BAY #6  
 Service ID 50806 Account LB0708  
 Service Previous Current Usage Amount  
 WATER 276000 289000 13000 43.45  
 SEWER 109.07  
 PRIMACY FEE 0.00

Service 07/15/02 to 08/18/02  
 Amount due after due date 157.52

Prior 0.00 Cur Amt 152.52 Total 152.52

TYPE OF SERVICE	METER READINGS		USAGE	CHARGES
	PAST	PRESENT		
WA	873	884	11	15.28
SE				20.32
EL	4	6	5	1.84
TX				0.34

WILLARD RECREATION CENTER GRAND OPENING AUG 16-17 - COME JOIN US!  
 TOTAL DUE NOW 37.78

DUE AFTER 8/10/02 41.56

THE UNIVERSITY OF KANSAS HOSPITAL **FILE COPY**  
 KU MED CENTER

FACSIMILE TRANSMITTAL SHEET

TO: <i>Ruth O'Neil</i>	FROM: Melissa Chrisman
COMPANY: <i>Asst. Public Counsel</i>	DATE: <i>9/3/02</i>
FAX NUMBER: <i>573-751-5562</i>	TOTAL NO. PAGES INCL COVER: <i>3</i>
PHONE NUMBER: <i>573-632-4475</i>	PHONE# 913-588-5845
RE: <i>Complaint</i>	FAX# 913-588-5822 / 913-588-8310

 URGENT FOR REVIEW PLEASE REPLY

Attention:

The information include in this facsimile is for the exclusive and personal use of the above-named Recipient (s). If you are not the designated recipient or a person authorized to deliver this document, or if you have obtained it in error, be advised that any reading, distribution, use or duplication of it be expressly prohibited. If you have received this transmission by mistake, please notify us by the telephone or return by mail.

NOTES:

*Complaint letter attached  
 Against Fox Fire Utility  
 Company!*

SEP 03 2002

**FILE COPY**

**Foxfire Utility Company**  
**323 Fox Creek Rd.**  
**Jefferson City, MO 65109**  
**(573) 632-6007, (573) 632-6475 or 1-866-224-2035**  
**Fax (573) 632-6057 E-Mail : wms@socket.net**

August 21, 2002

Dear Foxfire Customer:

In order to make your opinion known regarding the proposed rates for Foxfire Utility Company the Missouri Public Service Commission has ordered that the Office of Public Counsel collect and submit customer written comments by September 30, 2002. If you would like to voice an opinion regarding the proposed rate increase, or the quality of service you receive from Foxfire, please mail or FAX your written comments on or before September 30, 2002 to:

Ruth O'Neill, Assistant Public Counsel  
Office of the Public Counsel  
P. O. Box 7800  
Jefferson City, Mo. 65102  
FAX: 573-751-5562

The Office of the Public Counsel will be filing your written comments with the Commission on October 4, 2002.

**If you have previously written to the Office of the Public Counsel, and have made your opinions known, you may rely on the prior letter. That letter will be included in the filing to the Commission if you choose not to send another letter.**

Sincerely,

*Joy Helms*  
Joy Helms

Randy Hubbs  
Missouri Public Service Commission  
Water and Sewer Department  
PO Box 360  
Jefferson City, MO 65102

Office of the Public Counsel  
Attn: Ruth O'Neill  
PO Box 7800  
Jefferson City, MO 65102

SEP 03 2002

**FILE COPY**

To Whom It May Concern:

I am writing this letter to voice complaint against the Foxfire Utility Company in Jefferson City, MO., My husband and I have called on several occasions and we always get the answering service, and we always get you can leave your name and number and they will have someone call us back. we have yet to get a phone call and that was over two months ago. We live in Blue Springs, MO we have to call long distance when we call and never get to talk to anyone. For instance I called this morning @9:24 a.m. on 9/3/2002 and get the answering service. I have a bill that is showing due on 9/6/2002 and I do not know if the people that were renting this property have paid this bill or not. My husband Matt and I do not like this company, we think they need regular hours of 8:00 a.m. to 4:30 p.m. so when you call you can talk to someone besides the answering service, that is who you always get. That is not a way to run a business. I do not think the water should increase in price also, I think it is high enough. especially for people that are only there part time should not have to pay the regular price, like the people that live there all the time, and due to the POOR SERVICE IN ANSWERING PROBLEMS AND PHONE CALLS REGARDING BILLS., this should be taken into consideration before they raise the price of the water.

Thanks,



Melissa Chrisman

3905 NW Hidden Pointe Drive

Blue Springs, MO 64015

816-228-8186 home

913-588-5845 work

SEP 09 2002

**FILE COPY**

August 30, 2002,

Office of the Public Counsel  
Ruth O'Neill, Asst. Public Counsel  
P.O. Box 7800  
Jefferson City, MO 65102

RE: Foxfire Utility Company Rate Increase

Dear Ruth,

I am writing to protest the water rate increase requested by Foxfire Utility Company. I am not a permanent resident of Benton County. I have a cabin at the Arrowhead Lake Estates and my water usage is very limited. I am only there about four months out of a year. Last year the cabin was only used about 6 weekends out of four months. Before Foxfire Utility Company bought out the Arrowhead Water, I was paying \$60.00 a year. I had no problem with this.

Now Foxfire Utility Company comes in and purchased the water rights and is charging \$19.00 a month whether you use water or not. They say they are making improvements and everyone has to pay for them. So far I have seen no improvements. My water pressure is not better, the water now has a repugnant odor and we have a septic system not a sewer system. Foxfire Utility Company sent out a letter to its customers and in it it mentioned customer rate for water sewer service. I feel I am being charged for something that I do not have or use. As far as I can see, they are using the existing water lines and I have a shut-off valve outside of my cabin that I myself shut-off every fall. Foxfire Utility does not have to shut-off my water or turn it on in the spring. I have no water meter to monitor my water usage and feel there should be some method to charge per gallon rather than this outrageous fee. I also have no option to disconnect for the off-season at the lake, this does not seem right to charge me when I am not even there for 7 months!

They do not do anything different than before they purchased Arrowhead Water. I feel having to pay \$19.00 a month is outrageous for the amount of water I use. Foxfire Utility says it has a different rate for part-time customers, but the rate for part-time is only \$3.54 less than full-time. I should only pay for the months that I am there at the cabin and actually using water. Besides that, I live in Kansas City and pay \$37.00 a month for water, curb and gutter, and garbage pick-up. To me this cost for water that Foxfire is charging is too high, way too high.

I feel this \$19.00 a month charge is unrealistic and there should be a lower rate adjustment for seasonal residents. I also feel the request for an even higher rate is absolutely unmerited.

Sincerely,



Kathleen M. Mahan  
8548 N. Robinhood Avenue  
Kansas City, MO 64154

SEP 03 2002

8-29-02

# FILE COPY

DEAR RUTH O'NEIL

I HAVE A WEEKEND HOME IN ARROWHEAD LAKE EST.  
I USED TO PAY \$65 A YEAR FOR MY WATER. NOW WITH  
FOXFIRE I AM PAYING \$285 A YEAR.

MY PROBLEM IS THAT THE QUALITY OF THE WATER  
IS VERY POOR, IT HAS A VERY STRONG SMELL TO IT, TO THE  
EXTENT THAT I ONLY USE IT FOR THE TOILET AND WASHING  
DISHES. I DONT DRINK IT OR BATH IN IT, IT SEEMS LIKE  
ALOT TO PAY FOR THE USE OF A TOILET

Paul Mendolia  
LOT 180 ARROWHEAD LAKE EST.  
RT 2 UNIT 9 ALE 180-9  
ACCOUNT # SB 0089

SEP 03 2002

FILE COPY

3040 E. Rocklyn Rd.  
Springfield, MO 65804  
Aug. 28, 2002

Ruth O'Neill, Asst. Public Counsel  
Office of the Public Counsel  
PO Box 7800  
Jefferson City, Mo 65102

Dear Ms. O'Neill:

Regarding the rate increase requested by Foxfire Utility Co. for the Lantern Bay properties in Branson, Mo., we are very much opposed.

We own a condo at Lantern Bay as a second home and have been very satisfied with the service up to date. However, it appears the percentage of increase is exorbitant. Their own statement shows a proposed increase of 110% for water and 139% for sewer which is unreasonable.

Very truly yours,



Morris Carter

AUG 30 2002

**FILE COPY**

**Foxfire Utility Company**  
323 Fox Creek Rd.  
Jefferson City, MO 65109  
**(573) 632-6007, (573) 632-6475 or 1-866-224-2035**  
**Fax (573) 632-6057 E-Mail: wms@socket.net**

August 21, 2002

Dear Foxfire Customer:

In order to make your opinion known regarding the proposed rates for Foxfire Utility Company the Missouri Public Service Commission has ordered that the Office of Public Counsel collect and submit customer written comments by September 30, 2002. If you would like to voice an opinion regarding the proposed rate increase, or the quality of service you receive from Foxfire, please mail or FAX your written comments on or before September 30, 2002 to:

Ruth O'Neill, Assistant Public Counsel  
Office of the Public Counsel  
P. O. Box 7800  
Jefferson City, Mo. 65102  
FAX: 573-751-5562

The Office of the Public Counsel will be filing your written comments with the Commission on October 4, 2002.

**If you have previously written to the Office of the Public Counsel, and have made your opinions known, you may rely on the prior letter. That letter will be included in the filing to the Commission if you choose not to send another letter.**

Sincerely,

*Joy Helms*  
Joy Helms

Randy Hubbs  
Missouri Public Service Commission  
Water and Sewer Department  
PO Box 360  
Jefferson City, MO 65102

Office of the Public Counsel  
Attn: Ruth O'Neill  
PO Box 7800  
Jefferson City, MO 65102

*I'm against raising the rates; because I'm a widowed 85 year old  
and my income is limited.*  
*Melba J. Halespie*

AUG 27 2002

Aug. 5-02

I live at White Branch  
about 2 miles so of course no

"Benton County"

I got this disturbing letter  
about rate increase, I don't  
feel this in warrant for this

type raise.  
we were promised new water  
service (no) this didn't happen +  
I don't know. We owned  
this property since 1982 things

haven't changed much.  
I'm on a fixed income can't  
afford this unjust type of

rate increase.  
water service hasn't change.

Kathy Suckin (over)

AUG 08 2002

THE COPY

notes

doodles

If you have any

lists Questions  
Write me

Rt 3 Box 511B  
Warsaw, Mo 65355

660-438-2786

stuff

doodles

No Rate Increase

Please

**OZARK ELECTRIC & APPLIANCE**

1038 E. Main Street • Warsaw, Missouri 65355 • Phone (660) 438-6818 • Toll-Free 1 (888) 457-5023  
www.ozarkelectric-appl.com • email: ozrkelec@lakeozark.net

309 Burnwick Road  
Richmond, Virginia 23227  
gmcnpp@hotmail.com

FILE COPY

July 22, 2002

Office of the Public Counsel  
Attn: Ruth O'Neill  
P.O. Box 7800  
Jefferson City, MO 65102

Dear Ms O'Neill,

I understand that Foxfire Utility Company is seeking a rate increase for water and sewer. As an owner of a condominium at Lantern Bay Resort, I strongly object to this. The current rates are already too high. The proposed rates are absolutely prohibitive. This is unreasonable and unbearable.

In the wake of Enron, I find it incredible that Mr. Helm would even request a rate increase. I understand the facts show that he is already benefitting quite well from this investment.

Please, please vote against this proposed increase.

Thank you for your consideration.

Sincerely,



Marilyn C. Nelson, co-owner  
Building 9, Unit 6  
Lantern Bay

JUL 25 2002

16 July 2002

8222 Arbor Street  
Omaha, Nebraska 68124

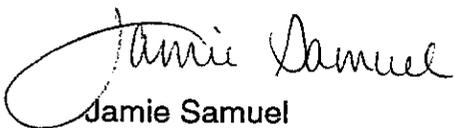
Office of the Public Counsel  
Ms. Ruth O'Neill  
P.O. Box 7800  
Jefferson City, MO 65102

Dear Ms. O'Neill:

I am writing this letter regarding my concerns for the Foxfire Utility Company attempts to increase our water and sewer bills. First of all, his initial increase request was ridiculous. After the investigation of the company's books, records and operations by the Public Service Commission, an increase was recommended at a much lower rate. What justification does Foxfire have for an increase? Will Foxfire's customer service improve? I have owned property at Lantern Bay for four years now and Foxfire Utility is the only company that I have had issues with. Foxfire claims a payment I mailed from Omaha, Nebraska did not reach them and they were going to charge me for a late payment and disconnect my service. I told them from the very beginning that I put another check in the mail to them. I contacted them NUMEROUS times over this issue because of their threats by sending me "shut-off" notices. From my payment record, they could tell I paid my bills on time each and every month. And, just recently, I called Foxfire because I had not received a statement, to which my call was answered by someone from an answering service, and it took **three** days for them to return my call. I dread any contact I have to make with Foxfire.

Please rethink allowing Foxfire to increase their rates. I know the company is not losing any money.

Sincerely,

  
Jamie Samuel

FILE COPY

July 19, 2002

Office of the Public Counsel,

As home owners at Lantern Bay,  
we are very much opposed to a raise of  
this magnitude, by Goffie Utility Co.

We believe that Goffie is unfairly  
requesting more funds than needed to  
supply us their service

Please review the facts thoroughly  
before making a decision.

Thank you,  
Mr. & Mrs. H. J. Fuller

JUL 22 2002

From the desk of . . . . .

Kim Bolin  
kbolin@mail.state.mo.us  
(573) 751-5566

Foxfire

Rob and Barb Witemann  
Rt 2 Box 114EB  
Edwards, MO 65326  
660-438-7257 → either is fine

Allen Hudson  
R.R. # 2 Box 119AE  
Edwards, MO 65326  
660-438-2119 →  
e-mail - Bullboy@socket.net  
~~##~~ or  
alimbethie@msn.net

DJ Shepell  
28 Latern Bay Unit 2  
Branson, MO

} letter sent



STATE OF MISSOURI  
OFFICE INFORMATION MEMO

DATE \_\_\_\_\_ TIME  AM  PM

TO	DEPARTMENT OR DIVISION
FROM	DEPARTMENT OR COMPANY
PHONE NO.	RECEIVED BY

- Called/was here to see you     Wants to see you     Will call again  
 Wants you to call     URGENT     Returned your call  
 Prepare for my signature     For your information     Review  
 Take necessary action     For your signature     As requested

REMARKS/MESSAGES

- Electric is also high  
 - Wears two pairs of Sweats  
 Works 60 hrs a week  
 "Red rooster"

MO 999-9002 (5-86)



STATE OF MISSOURI  
OFFICE INFORMATION MEMO

DATE \_\_\_\_\_ TIME  AM  PM

TO 1	DEPARTMENT OR DIVISION
FROM	DEPARTMENT OR COMPANY
PHONE NO.	RECEIVED BY

- Called/was here to see you     Wants to see you     Will call again  
 Wants you to call     URGENT     Returned your call  
 Prepare for my signature     For your information     Review  
 Take necessary action     For your signature     As requested

REMARKS/MESSAGES

Talk Michelle at PSC  
 Local Public Hearings  
 Rt 2 Box 114EB  
 Edwards, MO  
 65326

MO 999-9002 (5-86)



STATE OF MISSOURI  
OFFICE INFORMATION MEMO

DATE	TIME <input type="checkbox"/> AM <input type="checkbox"/> PM
TO	DEPARTMENT OR DIVISION
FROM <i>DS</i>	DEPARTMENT OR COMPANY
PHONE NO.	RECEIVED BY

- Called/was here to see you     Wants to see you     Will call again  
 Wants you to call     URGENT     Returned your call  
 Prepare for my signature     For your information     Review  
 Take necessary action     For your signature     As requested

REMARKS/MESSAGES

*lived 4 years foxfire*  
*Unit 2 Building 28*  
*opposed to rate increase*  
*water rates already outrageous*  
*has problems sometimes*  
*sometimes brown*

MO 999-9002 (5-86)



STATE OF MISSOURI  
OFFICE INFORMATION MEMO

DATE	TIME <input type="checkbox"/> AM <input type="checkbox"/> PM
TO	DEPARTMENT OR DIVISION
FROM <i>Barb Wietenmann</i>	DEPARTMENT OR COMPANY
PHONE NO. <i>608-660-438</i>	RECEIVED BY <i>7257</i>

- Called/was here to see you     Wants to see you     Will call again  
 Wants you to call     URGENT     Returned your call  
 Prepare for my signature     For your information     Review  
 Take necessary action     For your signature     As requested

REMARKS/MESSAGES

*Ros S Wietenmann Jr*  
*Arrowhead resort*  
*in Edwards*  
*\$250 connect fee*  
*\$50 a year*

MO 999-9002 (5-86)

D J Thepell

28 Latern Bay Unit 2

Branson, MO

\$175,000

Rick wants

\$2 mil

Rick got into with her

- Only flushes toilet

Once a day

- Takes 1 bath a day - works  
not sweaty  
too

- Only runs dishwasher once a yr

Developer  
Built an RV Park

Foxfire

\$22.29

Want to increase

25.29

no change in service

- little water pressure

Water lines freeze

60% of full-time

are probably ~~33~~ SS

fixed-income

Archive Kavanaugh house

- Had 40 psi during  
week

- But pressure goes down  
on weekends

- No sewer system

Just septic tanks

- No meters

- No service

- Only have been out 1  
time last .

Signature Page

26  
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1. *Mr. M. H. Williams*

2. *James Henderson*

3. *Robert B. Williams*

4. *Robert B. Williams*

5. *Robert B. Williams*

6. *Robert B. Williams*

7. *Robert B. Williams*

8. *Robert B. Williams*

9. *Robert B. Williams*

10. *Robert B. Williams*

11. *Robert B. Williams*

12. *Robert B. Williams*

13. *Robert B. Williams*

14. *Robert B. Williams*

15. *Robert B. Williams*

16. *Robert B. Williams*

17. *Robert B. Williams*

18. *Robert B. Williams*

19. *Robert B. Williams*

20. *Robert B. Williams*

21. *Robert B. Williams*

22. *Robert B. Williams*

**FILE COPY**

**Dave March  
3815 W Woodland  
Springfield, MO 65807**

**Missouri Public Service Commission**

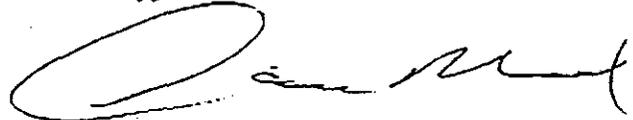
**Water and Sewer Department P O Box 360  
Jefferson City, MO 65102**

**Re: Lantern Bay 26-6 Foxfire Utility Company**

**Dear Sirs:**

**This letter is a request for you to vote NO on the Requested Rate Increase for Foxfire Utility Company at Lantern Bay Resort in Branson, Missouri. Granting this increase would place an extreme burden on the owners and renters at Lantern Bay. Our water and sewer bills are already extremely high, and granting an increase to essentially double the water and sewer bills would place us out of the marketplace on renting or selling our units. Already our bills are higher than many of the condo complexes in this area. People will not choose to rent or buy at a complex where their water bill could amount to \$200.00 per month, and electric is in addition to that. Please take this into consideration when making your decision, and vote NO on the requested increase.**

**Thank You,**



**Dave March**

**FILE COPY**

Sandra March  
3815 W Woodland  
Springfield, MO 65807

Missouri Public Service Commission

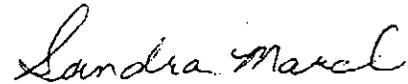
Water and Sewer Department P O Box 360  
Jefferson City, MO 65102

Re: Lantern Bay 26-4 Foxfire Utility Company

Dear Sirs:

This letter is to express my concern about the requested Rate Increase for Foxfire Utility Company at Lantern Bay Resort in Branson, Missouri. Granting this increase would place an extreme burden on the owners and renters at Lantern Bay. Our water and sewer bills are already extremely high, and granting an increase to essentially double the water and sewer bills would place us out of the marketplace on renting or selling out units. Already our bills are higher than many of the condo complexes in this area. People will not choose to rent or buy at a complex where their water bill could bankrupt them. It should not be up to the owners of Lantern Bay to entirely support the foxfire Utility Company. Please take this into consideration when making your decision, and vote NO on the requested increase.

Thank You,



Sandra March

2130 NORTH GRANT  
LIBERAL, KANSAS 67901  
624-7191

**RICHARD A. FARMER, D.D.S.**  
CHARTERED  
PRACTICE LIMITED TO ORTHODONTICS

**FILE COPY**  
1620 EAST KANSAS  
GARDEN CITY, KANSAS 67846  
276-8446

July 18, 2002

Office of Public Council  
Attn: Ruth O'Neill  
P.O. Box 7800  
Jefferson City, MO 65102

Dear Ms O'Neill,

I have a question regarding the proposed rate increase at the Lantern Bay Condominium project.

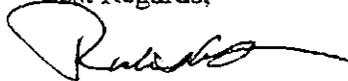
In 1993 I bought six condominiums in that project as an investment. At this point it appears that was a poor business decision. In 1994 Mr. Helms bought the water and sewer systems in that project. At this point it appears that was a poor business decision.

Two different individuals make apparent poor business decisions on the same project.

My question to you is whether it is in the public interest to have the public (the condo owners) pay for an individual's poor business decision?

It is my opinion that Mr. Helms should have to wait for his profit just I am going to have to wait for mine. From a selfish point of view, I feel it is unfair for you to penalize me with higher rates in order to bail Mr. Helms out of his predicament.

Best Regards,



Richard A. Farmer  
Owner of units 2,3,4 & 6, Building 5, Lantern Bay Condominiums

**FILE COPY**

Terry Chance, RR 2 Box 137AA1, Edwards, MO 65326  
(660) 438 2225

July 8, 2002

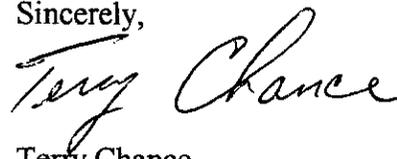
Office of the Public Counsel  
Attn: Ruth O'Neill  
P.O. Box 7800  
Jefferson City, MO 65102

Re: Attached letter received from Foxfire Utility Company

Dear Ms. O'Neill:

1. This is obviously led by and ramrodded by owner's wife's uncle who is on PSC staff.
2. Last year's rate increase "to match competition" went into force with absolutely no improvement in service nor quality nor meter installation.
3. Page two also proposed:
  - (1). Late payment charge—just how big is this proposed blank check. I pay my bills on/or about the 3<sup>rd</sup> day of the month. Twice I received over due bills because Foxfire didn't get their bills mailed.
  - (5). Why "seasonal disconnect?" This benefits the company. People disconnect and drain pipes to protect from freezing. Also you don't do seasonal disconnects or turn ons except for billing and charge amounts proposed which are exorbitant.
  - (6). How can you charge for meters not yet installed? Once Foxfire installs, they are Foxfire's property, not the landowners.
  - (9). NO! Foxfire nor any utility must not have blanket "authority" to dictate legal rental agreement terms that only concern the principals involved in the contract. Please read Missouri and Federal contract law, especially tort law.

Sincerely,



Terry Chance

CC:

Missouri Public Service Commission  
Water and Sewer Department  
P.O. Box 360  
Jefferson City, MO 65102

Representative Delbert Scott  
State Capitol Building  
Room 201W  
Jefferson City, MO 65101

Senator Larry Rohrbach  
State Capitol Building  
Room 221  
Jefferson City, MO 65101

JUL 17 2002

# FOXFIRE UTILITY COMPANY

323 Fox Creek Road  
Jefferson City, Missouri 65109  
Phone (573) 632-6475

July 1, 2002

Dear Customer:

On January 9, 2002, Foxfire Utility Company (Company) submitted a request for permanent increases in its current water rates, under the Missouri Public Service Commission's (Commission) small company rate increase procedure.

By its request, the Company was seeking increases in its customer rates intended to generate an increase in the Company's annual operating revenues for sewer service of \$3,087. The Company believes these increases in its operating revenues are necessary to meet current operating expenses.

As a result of the Company's request, the Staff of the Public Service Commission (Commission Staff) conducted an investigation of the Company's books and records and the Company's operations. Based upon the results of its investigation, the Commission Staff is recommending an increase in the Company's annual operating water revenues of \$3,087.

The Office of the Public Counsel (Public Counsel), a state agency responsible for representing the interests of consumers before the Commission, has reviewed the results of the Commission Staff's investigation. However, the Public Counsel has not yet taken a final position regarding the Commission Staff's recommended increase in the Company's annual operating revenues. Public Counsel has indicated that it will review the responses to this customer notice letter before determining whether to request that the Commission hold a local public hearing.

Set out below is a comparison of the Company's current residential customer water rates, and the Commission Staff's recommended customer rates. A monthly bill comparison, exclusive of any applicable taxes, is also shown.

## Water Service:

	Current	PSC Staff	Amount Increase	Percentage Increase
<u>Full-Time Customer:</u>				
Monthly Charge	\$22.29	\$25.29	\$3.01	13.5%
<u>Part-Time Customer:</u>				
Monthly Charge	\$19.00	\$19.90	\$0.90	4.8%

In addition to the monthly rate and commodity rate changes the following changes are also proposed:

- (1) Late Payment Charge is to be approved;
- (2) A Bad Check Charge of \$20 per bad check is to be approved;
- (3) A Door Collection Charge of \$15, to avoid disconnection is to be approved;
- (4) An Emergency Call Out Charge of \$15 to shut off service where the emergency exists entirely on the customer owned facilities is to be approved;
- (5) A Reconnection of Service for "Seasonal" Disconnects of \$25 plus the monthly customer charge times the number of months "off-system" (not to exceed 9 months) is to be approved;
- (6) The Meter Test Charge increase from \$25 to \$35 is to be approved;
- (7) The Turn-on Charge increase during regular hours from \$10 to \$25 is to be approved;
- (8) The Turn-on Charge increase for after regular hours from \$15 to \$35 is to be approved; and,
- (9) The water service tariff is to be modified by language, which makes the owner of the rented or leased facilities ultimately responsible for the payment of charges incurred by their tenants is to be approved.

Any customer that has questions or comments about the Commission Staff's recommended rate increase should contact the Staff, and/or the Public Counsel, ***within 20 days of the date of this notice.*** To do so, please use the addresses, telephone numbers or fax numbers shown at the bottom of this notice. Depending upon the response to this notice, the Public Counsel may request that the Public Service Commission hold a local public hearing. ***Regardless of whether a local public hearing is held, no increase in rates will take effect without the approval of the Public Service Commission.***

Sincerely,



Mr. Garah F. Helms  
President

Missouri Public Service Commission  
Water and Sewer Department  
P.O. Box 360  
Jefferson City, MO 65102  
Phone: 573/751-3437 or 800/392-4211  
Fax: 573/751-1847

Office of the Public Counsel  
Attn: Ruth O'Neill  
P.O. Box 7800  
Jefferson City, MO 65102  
Phone: 573/751-4857  
Fax: 573/751-5562

FILE COPY

July 15, 2002

Public Service Commission Water and Sewer Department  
P.O. Box 360  
Jefferson City, MO 65102  
Phone: 573-751-3437 or 800-392-4211  
Fax: 573-751-1847

Office of the Public Counsel  
Attn: Ruth O'Neill  
P.O. Box 7800  
Jefferson City, MO 65102  
Phone: 573-751-1304  
Fax: 573-751-5562

*I have received a letter from Foxfire Utility Company again stating that they are still requesting a permanent increase in its current water and sewer rates for Lantern Bay, in Branson Mo.*

*This is the second correspondence that I have sent regarding this issue, the first was dated February 14, 2002 to Missouri Public Service Commission and to Foxfire Utility.*

*I understand that there are certain rising cost to any company, and I feel that any company is entitled to a profit, but I do not feel that, that profit should come unfairly it's consumers.*

*I own a condo there at Lantern Bay. I have kept the condo rented out long term and until this summer have always left the utilities to the renters. This summer the unit has been in short term rental in which the utilities were included in the rent. I was shocked when I saw the first bill. I have included a copy of my bill along with a copy of my bill from Willard Water Company, which is high enough. My residences in Willard, has used water to fill a swimming pool, water lawn and flowers, washed cars, and all the normal water and sewer usage for a normal residence. Our sewer bill is high because Willard does not have a treatment facility; it is pumped to Springfield, but as you can see it is considerably cheaper.*

*The quality of Foxfire water is passable but hard and not the best tasting, I have heard nothing witch tells me that they want to improve the system or quality of the water or sewer systems.*

*It seems that soliciting more customers would make more sense than losing existing ones. If rates continue to rise we will not be able to afford to keep this property nor will a lot of Lantern Bay owners. It will also make renting or selling it very difficult.*

*With ENRON, World.com and other companies that have succumbed to corporate greed I can't but wonder if company needs are ruled by true needs or to keep profits high for CEO's and owners.*

*Over the years I have lost trust in the corporate system, the Government and it's agencies, all I want are the facts, and truth. I would like an opportunity to state my opinion along with the rest*

*of the owners and residence of Lantern Bay in a public meeting. Maybe through a meeting suggestions could be made that would benefit everyone in this situation.*

*I want to express my appreciation that you have not rushed into a decision on this matter, and that you seem to be doing a lot of research into it.*

*Thank you for the opportunity to voice my opinion on this subject and considering my request "Not" to grant a rate increase to Foxfire. I will look forward to hearing more on this issue.*

*Richard Boatright  
612 Barwick Place  
Willard, MO 65781  
Phone: 417-742-4105*

323 FOX CRANK RD, JEFFERSON CITY, MO 65109

Phone: 573-632-6007 or 573-632-6475

TOLL FREE NUMBER 1-888-224-2035

June bill includes \$2.00 DNR Fee which is remitted directly from Foxfire Utility Co to DNR. Thank you.

PM  
L JUN 2002  
2002

Service at 8 LANTERN BAY #6

Service ID 50806 Account LB0708

Service Previous Current Usage Amount

WATER 269000 275000 6000 21.89

SEWER 50.34

PRINACY FEE 2.00

Service 05/22/02 to 06/19/02

Amount due after due date 89.23

Prior Cur Amt Total  
10.00 74.23 84.23

6378148782

P.O. BOX 187 PHONE 742-3033

WILLARD, MO 65781

ADDRESS CORRECTION REQUESTED 6044200.00

DATE METER READ ACCOUNT NO.

TYPE OF SERVICE	METER READINGS		USAGE	CHARGES
	PREV	PRESENT		
IA	857	873	16	19.93
IE				19.94
				0.47

READ THE CITY NEWSLETTER FOR ALL THE NEWS ABOUT THE FOURTH OF JULY

TOTAL DUE NOW 40.34

DUE AFTER 7/10/02 44.37

SEE REVERSE FOR CODE EXPLANATION

**FILE COPY**

**Mark G. Knapp**

1868 W. Finley River Dr.  
Nixa, MO 65714

417-894-1302

July 9, 2002

Office of the Public Council  
Attn: Ruth O'Neill  
POB 7800  
Jefferson City, MO 65102

Dear Ms. O'Neill:

This purpose of this letter is to comment on Foxfire Utility Company's proposed water and sewer rate increases for (their letter to customers dated July 1, 2002).

I, as an owner of two condominiums and as a customer of Foxfire's for over seven years, protest and oppose any increase.

I own a home in Nixa, MO, and my rates are one fourth of what they are asking. I have many friends in Springfield, MO and around the US, and even in Honolulu HI their rates are much lower than the obscene increase Foxfire is asking. I just received bills from them for 8000 gallons - for each unit! **EACH BILL** was almost \$100.00 - and that's **before** any increase.

Foxfire offers no explanation other than they need more money, and I find that to be a poor reason and might question their fiscal management policies if they suddenly need to quadruple their rates. Should I, as a business person, suddenly quadruple my rates, I would lose customers. Unfortunately, when a utility monopoly raises their rates, we must rely on the good graces of our elected and appointed officials to take action.

Sincerely,

Mark G. Knapp

**JUL 15 2002**

**FILE COPY**

P. O. Box 91  
Upland, Ca 91785-0091

July 11, 2002

Missouri Public Service Commission  
Water and Sewer Department  
P. O. Box 360  
Jefferson City, Mo 65102

Dear Sir or Madam:

Are the right questions being asked regarding the request of Foxfire Utility Company to increase it rates?

I believe that Foxfire is requesting that is should be allowed to make sufficients funds to meet your minimum requirements for operating a small utility.

I also believe that the question that should be asked is this: Should the 180 owners at Lantern Bay be required to subsidize the owners of the Utility for their making of a bad business decision?

They purchased the utility from the developer with the hope that 54 more units would be built at the Lantern Bay project and that an additional 30 acres would be developed. This has not happened and it is not the responsibility of the currents owners to pay for the mistakes of the utility company's owners.

Please hold a public hearing on this matter.

Yours very truly,

John H. Orton  
Unit 14-06

cc: Office of the Public Counsel ✓  
Attn: Ruth O'Neill

Foxfire Utility Co  
Lantern Bay POA

JUL 15 2002

July 8, 2002

Office of the Public Counsel  
Attn: Ruth O'Neill  
P.O. Box 7800  
Jefferson City, Mo. 65102

To Whom it may concern:

Our comment about the proposed increase in utility rates for Lantern Bay residents is that the Utility Company has gone overboard and gotten a little greedy with its proposed rate increases. We understand the need for added revenues for the continuation of the services rendered; however, the proposed increase is astronomical. A much smaller increase would be understandable and acceptable.

We are parttime residents of Lantern Bay and have units 26-1 and 26-2 and use on an average of about 4,000 gallons of water per month and do not wish to pay upwards of \$70.00 or more per month under these circumstances.

What is being proposed is at least four times the rate we pay in St. Louis where we live most of the time - and this includes water usage for lawn watering and swimming pool maintenance which we do not have at Lantern Bay. This proposed rate is obviously exorbitant, unfair and unjust.

Concerned Lantern Bay property owners,  
Richard A. Kottemann  
*Richard A. Kottemann*  
Jane F. Kottemann  
*Jane F. Kottemann*  
4733 Stanhope  
St. Louis, Mo. 63128  
314-892-0852

Copies to  
Missouri Public Service Commission

and Richard Kessel  
POA Lantern Bay

JUL 15 2002

# FOXFIRE UTILITY COMPANY

---

323 Fox Creek Road  
Jefferson City, Missouri 65109  
Phone (573) 632-6475

July 1, 2002

Dear Customer:

On January 9, 2002, Foxfire Utility Company (Company) submitted a request for permanent increases in its current water and sewer rates, under the Missouri Public Service Commission's (Commission) small company rate increase procedure.

By its request, the Company was seeking increases in its customer rates intended to generate an increase in the Company's annual operating revenues for water service of \$38,537 and for sewer service of \$48,089. The Company believes these increases in its operating revenues are necessary to meet current operating expenses.

As a result of the Company's request, the Staff of the Public Service Commission (Commission Staff) conducted an investigation of the Company's books and records and the Company's operations. Based upon the results of its investigation, the Commission Staff is recommending an increase in the Company's annual operating water revenues of \$18,915, and an increase in the Company's annual operating sewer revenues of \$38,035. The Company has stipulated to the Commission Staff's recommended increase in its annual operating revenues.

The Office of the Public Counsel (Public Counsel), a state agency responsible for representing the interests of consumers before the Commission, has reviewed the results of the Commission Staff's investigation. However, the Public Counsel has not yet taken a final position regarding the Commission Staff's recommended increase in the Company's annual operating revenues. Public Counsel has indicated that it will review the responses to this customer notice letter before making the determination of whether to request that the Commission hold a local public hearing.

Attached are customer impact statements, one for water service and one for sewer service for the Lantern Bay service areas. To assist you in the evaluation of how these increases affect your bills, these impact statement examples show the rates and increases based on the monthly water used from 2,000 gallons per month to 8,000 gallons per month. These examples are shown without applicable taxes.

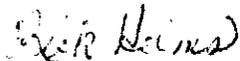
In addition to the monthly rate and commodity rate changes the following changes are also proposed:

- (1) Late Payment Charge is to be approved,
- (2) A Bad Check Charge of \$20 per bad check is to be approved;

- (3) A Door Collection Charge of \$15, to avoid disconnection is to be approved;
- (4) An Emergency Call Out Charge of \$15 to shut off service where the emergency exists entirely on the customer owned facilities is to be approved;
- (5) A Reconnection of Service for "Seasonal" Disconnects of \$25 plus the monthly customer charge times the number of months "off-system" (not to exceed 9 months) is to be approved;
- (6) The Meter Test Charge increase from \$25 to \$35 is to be approved;
- (7) The Turn-on Charge increase during regular hours from \$10 to \$25 is to be approved;
- (8) The Turn-on Charge increase for after regular hours from \$15 to \$35 is to be approved; and,
- (9) The water service tariff is to be modified by language consistent with the language of the sewer service tariff, which makes the owner of the rented or leased facilities ultimately responsible for the payment of charges incurred by their tenants is to be approved.

Any customer that has questions or comments about the Commission Staff's recommended rate increase should contact the Staff, and/or the Public Counsel, ***within 20 days of the date of this notice***. To do so, please use the addresses, telephone numbers or fax numbers shown at the bottom of this notice. Depending upon the response to this notice, the Public Counsel may request that the Public Service Commission hold a local public hearing. ***Regardless of whether a local public hearing is held, no increase in rates will take effect without the approval of the Public Service Commission.***

Sincerely,



Mr. Garah F. Helms  
President

Missouri Public Service Commission  
Water and Sewer Department  
P.O. Box 360  
Jefferson City, MO 65102  
Phone: 573/751-3437 or 800/392-4211  
Fax: 573/751-1847

Office of the Public Counsel  
Attn: Ruth O'Neill  
P.O. Box 7800  
Jefferson City, MO 65102  
Phone: 573/751-1304  
Fax: 573/751-5562

July 11, 2002

FILE COPY

Office of the Public Counsel  
ATTN: Ruth O'Neill  
P.O. box 7800  
Jefferson City, MO 65102

To whom it may concern:

Received a letter from Foxfire Utility Company regarding the submission of a request for permanent increase in the water & sewer rates.

I strongly oppose this increase for several reasons.

a) There is no justification for it. Your rates are already way to high and the new rate is ridiculous. I pay \$30.00 +/- each and every month whether I use any water or not. My apartment is at Lantern Bay in Branson, Mo. unit 17-B and we probably only use it once a month, on the average, sometimes twice. Never use even close to the minimum amount of water allowed.

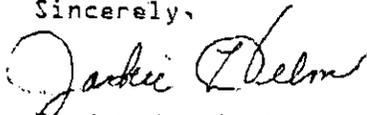
b) It is my understanding that we as owners at Lantern Bay are paying for the 30 acres of undeveloped land that they say leaves this water company short on numbers. If they do develop it, will they then reduce our rates? I can guarantee you they will not.

c) No cash flow??? It is my understanding that it was purchased in 1994 for \$175,000 and was offered for sale to the POA at Lantern Bay in 2000 for \$2,000,000. You will never convince me there is a cash flow problem, at least no more and any of us is suffering during this economic period in history.

My husband and I, as owners, are asking for a public hearing/meeting where our concerns can be heard.

Please grant us this request. It is only fair.

Sincerely,



Fred & Jackie Helm  
44 Whispering Oaks Dr.  
Washington, MO 63090

Owners:- Lantern Bay unit #17-B

573-751-5562

July 12, 2002

To:  
Office of the Public Counsel  
Attn: Ruth O'Neill  
P O Box 7800  
Jefferson City, Mo 65102

From:  
Gary Morris  
5518 S Roanoke Ave  
Springfield, Mo 65810

Re:  
Foxfire Utility Company  
Proposed rate increase dated Jan 9, 2002

Dear Ms O'Neill,

I am an affected owner at Lantern Bay Resort in Branson Mo. I am writing this to let you know of my opposition to this proposed rate increase, as proof that it is totally unfair I am attaching the most recent copy of my residential water and sewer bill from City Utilities of Springfield, Mo. You can see that I used 16,456 gallons of water and the charge for that amount of service was only \$47.23. Foxfire's proposed rate for that usage would be \$175.52, now, I was born at night, but not last night!!!! This is ridiculous!!! If the owners of Foxfire Utilities need some extra money, they should just let us all know and we could pitch in and send them a few thousand dollars and all be much better off!! Please don't let this rape occur.

Gary Morris owner Lantern Bay unit 38-2





301 E. CENTRAL - PO BOX 551  
SPRINGFIELD, MO 65801 - (417) 863-9000  
www.cityutilities.net

027149

Account Number  
6284200020

Payment Due By  
July 24, 2002

Page 3 of 3



**Water Service**

**Reading Dates**  
From 06/04/2002  
To 07/03/2002

**Next Reading Date**  
Approximately  
07/31/2002

Meter Number	Reading Type	Current Reading	Previous Reading	Total CCF	Days Billed
9874951	Regular	609	587	22	29
This period last year				15	28

Residential Water Service Charges	\$	46.88
Tax		0.35

<b>Total Cost for This Service</b>	<b>\$</b>	<b>47.23</b>
------------------------------------	-----------	--------------

22 CCF of Water = 16,456 Gallons

**Dig Safely.**  
**1-800-DIG-RITE**  
1-800-344-7483

STOP - CALL  
BEFORE YOU DIG

SHOULD YOU EVER DETECT THE SMELL OF  
**NATURAL GAS...**  
CALL 831-8750 AND REPORT IT IMMEDIATELY.

FILE COPY

*Foxfire Utility Company  
323 Fox Creek Rd.  
Jefferson City, MO 65109*

*(573) 632-6007, (573) 632-6475 or 1-866-224-2035*

*Fax (573) 632-6057 E-Mail: wma@socket.net*

July 11, 2002

Mr. Richard Kessel  
Lantern Bay POA  
200 Lantern Bay Road  
Branson, MO 65616

Dear Mr. Kessel:

I am in receipt of your letter of July 7 to Lantern Bay Property Owners. While I understand and support your right to oppose our ratemaking efforts, I must take exception to the incorrect information presented to the property owners.

1. The system was not purchased for \$175,000. The actual purchase price, which I still consider a confidential business matter was considerably more than that. Further, the purchase price of the system is not germane to the current proceedings.
2. The company is indeed operating at a significant loss each year, and has since its inception.
3. I am sorry but I do not recall a tender offer from the POA to purchase Foxfire Utility Company. If the Lantern Bay Property Owner's Association has a serious interest in purchasing the assets of Foxfire Utility Company, please contact me to discuss that matter.

Thank you for your consideration of the above.

Sincerely,



Garah F. Helms  
President

c.c. Wendell R. Hubbs  
Ruth O'Neill

JUL 12 2002



Lantern Bay Property Owners Association

200 Lantern Bay Road, MO 65616

TEL. (417) 338-0411 FAX (417) 338-1038

July 7, 2002

**URGENT**  
**NOTICE TO LANTERN BAY OWNERS**

There is **NO** justification for higher water/sewer bills! We must all respond immediately to Foxfire's attempts to increase our water and sewer bills. The current rates are already too high; the new proposed rates are absolutely prohibitive. No one, including renters, will be able to afford to vacation or own at Lantern Bay. It is not the responsibility of our 180 units to pay for the undeveloped 30 acres that leaves this water company short on numbers. I am sure, that upon the development of our adjacent land, Foxfire will not reduce our rates. While Foxfire's cash flow may not be as strong as desired, the value of Mr. Helm's water company has increased tremendously from the \$175,000 he paid in 1994 to the **two million** dollars he offered to sell it to the POA 2 years ago. He is not losing money.

We want the Missouri Public Services Commission to hold a public meeting where our concerns will be heard. I urge you to communicate with both the MO Public Services Commission and the Office of the Public Counsel directly by phone, letter or fax at:

Missouri Public Service Commission  
Water and Sewer Department  
P.O. Box 360  
Jefferson City, MO 65102  
Phone: 573/751-3437 or 800/392-4211  
Fax: 573/751-1847

and

Office of the Public Counsel  
Attn: Ruth O'Neill  
P.O. Box 7800  
Jefferson City, MO 65102  
Phone: 573/751-1304  
Fax: 573/751-5562

Our quality of life is being threatened; we must all fight together to preserve it.  
**ACT NOW!!**

As always, I can be reached at 417/861-4376 or Joe VanGilder can be reached at the POA office at 417/338-0411 or on his cell at 417/335-0062.

Sincerely,

Richard H. Kessel  
POA President

Ms. Ruth O'Neill  
c/o Office of Public Counsel  
P.O. Box 7800  
Jefferson City, MO 65102

July 11, 2002

Dear Ms. O'Neill,

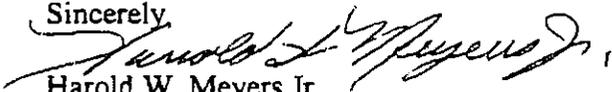
I am contacting you in regard to Foxfire Utilities request to raise rates at the Lantern Bay Resort in Branson, MO. I am a teacher and will be retiring next year. My wife and I purchased a small condominium at Lantern Bay. We thought it an ideal area to use as a retreat. We live in Building 8, unit 5. If you check our records, we have seldom, if ever, use the minimum amount of water identified for the minimum charge; which is currently \$26.00. The stated rate change would take that minimum amount to \$60.00.

I cannot understand the need for over a 100% increase in my water/sewer rates. Given this rate, I would be paying as much in utilities for a part-time retreat as I would for a full-time residence that is 3 times as large as the unit at Lantern Bay.

I strongly oppose the increase in rates. I have heard little justification for them, and therefore will ask the Missouri Public Service Commission to reject the request.

Thank you for your consideration in this matter. If there are any questions, please do not hesitate to contact me.

Sincerely,

  
Harold W. Meyers Jr.

Home phone-417-724-1497

Email-HWM9465@aol.com

Address:

8634 Interlochen Dr.

Nixa, MO 65714

CC: Missouri Public Service Commission  
Water and Sewer Department  
Jefferson City, MO 65102

Ruth O'Neill, FILE COPY

I live in Arrowhead Estates.

They want to charge \$3,087 for sewer service, but we have septic tanks, that we take care of.

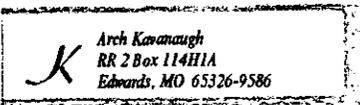
They want \$25.-\$35. for meter test. They have no meters.

I don't understand number 3-on the list.

I don't understand #4 on list the own water valves, on shut off, I can't help if there water lines leak or valves leak.

Thank you

Archie Kavanaugh



JUL 09 2008

In addition to the monthly rate and commodity rate changes the following changes are also proposed:

- (1) Late Payment Charge is to be approved;
- (2) A Bad Check Charge of \$20 per bad check is to be approved;
- X (3) A Door Collection Charge of \$15, to avoid disconnection is to be approved;
- X (4) An Emergency Call Out Charge of \$15 to shut off service where the emergency exists entirely on the customer owed facilities is to be approved; NO
- (5) A Reconnection of Service for "Seasonal" Disconnects of \$25 plus the monthly customer charge times the number of months "off-system" (not to exceed 9 months) is to be approved;
- X (6) The Meter Test Charge increase from \$25 to \$35 is to be approved; NO Meters
- (7) The Turn-on Charge increase during regular hours from \$10 to \$25 is to be approved; NO
- X (8) The Turn-on Charge increase for after regular hours from \$15 to \$35 is to be approved; and,
- X (9) The water service tariff is to be modified by language, which makes the owner of the rented or leased facilities ultimately responsible for the payment of charges incurred by their tenants is to be approved. NO

Any customer that has questions or comments about the Commission Staff's recommended rate increase should contact the Staff, and/or the Public Counsel, **within 20 days of the date of this notice**. To do so, please use the addresses, telephone numbers or fax numbers shown at the bottom of this notice. Depending upon the response to this notice, the Public Counsel may request that the Public Service Commission hold a local public hearing. **Regardless of whether a local public hearing is held, no increase in rates will take effect without the approval of the Public Service Commission.**

Sincerely,

*Rick Helms*

Mr. Garah F. Helms  
President

Missouri Public Service Commission  
Water and Sewer Department  
P.O. Box 360  
Jefferson City, MO 65102  
Phone: 573/751-3437 or 800/392-4211  
Fax: 573/751-1847

Office of the Public Counsel  
Attn: Ruth O'Neill  
P.O. Box 7800  
Jefferson City, MO 65102  
Phone: 573/751-4857  
Fax: 573/751-5562

# FOXFIRE UTILITY COMPANY

323 Fox Creek Road  
Jefferson City, Missouri 65109  
Phone (573) 632-6475

July 1, 2002

Dear Customer:

On January 9, 2002, Foxfire Utility Company (Company) submitted a request for permanent increases in its current water rates, under the Missouri Public Service Commission's (Commission) small company rate increase procedure.

By its request, the Company was seeking increases in its customer rates intended to generate an increase in the Company's annual operating revenues for sewer service of \$3,087. The Company believes these increases in its operating revenues are *No. Sewer* necessary to meet current operating expenses.

As a result of the Company's request, the Staff of the Public Service Commission (Commission Staff) conducted an investigation of the Company's books and records and the Company's operations. Based upon the results of its investigation, the Commission Staff is recommending an increase in the Company's annual operating water revenues of \$3,087.

The Office of the Public Counsel (Public Counsel), a state agency responsible for representing the interests of consumers before the Commission, has reviewed the results of the Commission Staff's investigation. However, the Public Counsel has not yet taken a final position regarding the Commission Staff's recommended increase in the Company's annual operating revenues. Public Counsel has indicated that it will review the responses to this customer notice letter before determining whether to request that the Commission hold a local public hearing.

Set out below is a comparison of the Company's current residential customer water rates, and the Commission Staff's recommended customer rates. A monthly bill comparison, exclusive of any applicable taxes, is also shown.

## Water Service:

	Current	PSC Staff	Amount Increase	Percentage Increase
<u>Full-Time Customer:</u>				
Monthly Charge	\$22.29	\$25.29	\$3.01	13.5%
<u>Part-Time Customer:</u>				
Monthly Charge	\$19.00	\$19.90	\$0.90	4.8%

FILE COPY

Foxfire Utility Company  
323 FOX CREEK RD, JEFFERSON CITY, MO 65109  
Phone: 573-632-6007 or 573-632-6475  
TOLL FREE NUMBER 1-866-224-2035  
June bill includes \$2.00 DNR Fee which is remitted  
directly from Foxfire Utility Co to DNR. Thank you:

Service at LOT 16 LAKEWOOD VILLAGE, RT 2 UNIT 1-

Service ID LWV-16-1- Account SB0106

Service	Previous	Current	Usage	Amount
WATER	0	0	0	0.00
SEWER				
PRIMACY FEE				2.00
SPRING				19.00

Service 06/01/02 to 06/30/02

Amount due after due date 21.00

Prior	Cur Amt	Total
0.00	21.00	21.00

03



JUL 08 2002

7 pages

FILE COPY

February 12, 2002 &amp; July 7, 2002

Missouri Public Service Commission  
Water and Sewer Department  
PO Box 360  
Jefferson City, MO 65102

Office of the Public Counsel  
Attn: Ruth O'Neill  
PO Box 7800  
Jefferson City, MO 65102

RE: Foxfire Utility Company Proposed Permanent Rate Increase for Benton County Customers

Included in this letter is the original letter sent to both agencies in February of this year. My hope is that it will refresh your memories, if needed, of our opposition to a rate increase by Foxfire Utility Company.

But first, I thank both agencies for replying to our original letter and voicing concern for our situation.

As you know, Foxfire sent another letter (dated July 1, 2002) to its customers advising us of an approved rate increase by the Public Service Commission.

Once again, we strongly oppose this increase due to the quality of water and service issues named in the original letter.

Also, I'd like you to be aware that in M. Ruth O'Neill's original response she stated her concern about the problems we were/are having and said she would ask the Public Service Commission Water Staff to look into the matter. Wendell R. "Randy" Hubbs of the Commission did respond by letter saying that, "*Our technical personnel will be contacting you soon to discuss all of the service and quality problems you have been experiencing.*" His letter was dated February 21, 2002. As of yet, no technical personnel - nor anyone else, have contacted us.

And, yes, we still have low water pressure. We still have black crud clogging the traps in our faucets and washing machines. The water still tastes highly chlorinated. And we continue to buy our drinking water because of these problems.

Once again, we implore that you help us ensure that our water is safe to drink, will not harm our appliances and clog our plumbing, and that we receive a standard of service that one would expect from a service provider.

Sincerely,  
Edward C. McNamee  
Denise Edgington  
Rt. 2 138P  
Edwards, MO 65326  
660-438-9854

February 12, 2002

Missouri Public Service Commission  
Water and Sewer Department  
PO Box 360  
Jefferson City, MO 65102

Office of the Public Counsel  
Attn: Ruth O'Neill  
PO Box 7800  
Jefferson City, MO 65102

RE: Foxfire Utility Company Proposed Permanent Rate Increase for Benton County Customers

To Whom It May Concern:

This letter is in response to a February 1, 2002 letter we received from Foxfire Utility Company regarding its request for a 7.7 percent increase in water service rates for its Benton County customers, of which we are one.

We strongly oppose the proposed rate increase.

Since Foxfire's acquisition of the water system on May 3, 2000, we have experienced:

- 1) Service problems including, but not limited to: A lengthy disruption of service, debris in the water, discolored/cloudy water, over-chlorinated water, and frequent poor water pressure.
- 2) Lack of or insufficient response from Foxfire when problems occur and/or are reported.
- 3) More than double the previously paid annual rate for water service.

Following are some examples:

- 1) Black chunks of debris have clogged our faucets, sinks, washing machine, water softener, water heater and toilets since sometime in February last year when water was restored to our area following nearly 6 weeks without service due to frozen water mains. Foxfire owners Rick and Joy Helms came into our house and witnessed the black debris and sand in our toilet tanks, the clogged faucets, etc. Mr. Helms said that a flush valve needed to be installed further down the line and it would be done as soon as Jim Hayes could get to it. On May 30<sup>th</sup>, in a letter, I asked about the valve and its expected installation. No response. Today, one year later, there is STILL black debris clogging all of the aforementioned items. We've been told that it is harmless, but we refuse to drink it or cook with it. At an additional expense to us, we have been forced into buying an average of 10-15 gallons of water per week for those

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- purposes. Last year, we installed a whole house filter (Foxfire reimbursed us for the item's cost), but if we don't change it much more frequently than recommended by the manufacturer, we experience the clogged faucets and chunks in our water.
- 2) Milk colored water is frequent. Lately, it's been constant - probably about 6 weeks now. Any time we've asked about it, we've been told that it's air in the lines and it's nothing to worry about. If there is that much air in our lines, we would like to know how it gets there and what else is in the lines.
  - 3) We have complained about weak water pressure with no response. Just recently, I wrote on our monthly bill (again) about the water pressure, cloudy water and debris. A note was returned saying that leak detection equipment was being utilized on 2/11/02, since they were unable to find a leak in the usual manner. No change in the water, though. And no mention of the debris.
  - 4) Probably the issue that will never disappear is the disruption of service we experienced last winter. Granted it was cold. Granted our water mains were too close to the surface. However, the freezing of those lines disrupted water service to, I believe, 13 homes in this area. Only 4 homes are occupied year round. Foxfire felt nothing could be done, so nothing was done - despite the fact that new construction was taking place near here where ground was being dug up for new pipes, lines, etc. We felt that Foxfire could have replaced the pipes much sooner, if it had so chosen. Instead, about 3 weeks into our outage, Darlene Hayes arrived at our door with a couple of EMPTY 5-gallon water jugs from Foxfire. It was a sorry case of too little too late. We had been driven out of necessity to purchase jugs ourselves immediately upon disruption of service. We hauled in 15 gallons of water every day, for ourselves and an 80-year-old woman up the road. We melted snow in barrels to use as flush water, as did the elderly woman. During one such attempt to gather snow, I fell in the driveway and completely tore my rotator cuff. I was no longer able to use my arm to shovel snow, wash my hair or flush the toilet - I could do nothing that required pouring water from jugs rather than the faucets. Also about 3 weeks into the outage, two of our neighbors joined us in purchasing several hundred feet of garden hose. We connected the houses together and ran the hoses to an outdoor faucet up the hill. Each morning, one of the men would connect the hoses and in the evening, another would turn off the water and disconnect the hose so it wouldn't freeze. This system allowed us to take brief showers, flush toilets and to complete a few loads of laundry. Though it wasn't water we could drink, it was a blessing. On Feb. 5<sup>th</sup> of last year, Foxfire made mention to the state commission that it had gotten temporary water service to us. IT did nothing of the kind. IT didn't even suggest it. Our only regret is that it took us too long to figure out that if we wanted a solution to the outage we'd have to find it ourselves. We had absolutely no communication whatsoever from Foxfire during this horrible time. When this recent letter arrived stating the above problem and how the company replaced the lines at "considerable expense," we were offended. Though the company did indeed repair/replace the lines nearly 6 weeks after disruption of service, and it did reimburse us for some of our expenses during that time (the ones we had receipts for), it did nothing to alleviate the inconvenience to its suffering customers. And we believe it could have done so immediately.
  5. Lastly, the rate increase is unjustified. We were paying \$120 per year for water service prior to Foxfire's acquisition of the system. We now pay \$267.36 per year.

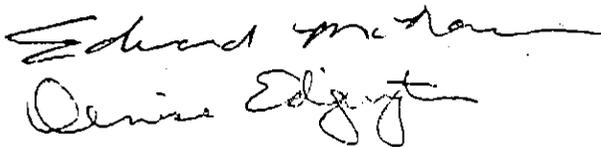
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And for that, we get black debris and sand in our water that has not only jeopardized the function of the plumbing inside of our home; it has also been detrimental to such appliances as our water softener and water heater. We don't believe that debris-filled, cloudy, heavily chlorinated water is potable, so we buy drinking water. As you can see, Foxfire's acquisition of our water system has cost us.

Please understand that we do not have a personal agenda against Foxfire's owners. They both seem very pleasant. In fact, we were initially pleased with the company's purchase of the water system. We believed that putting it under state regulation would assure our receipt of quality service and product. Perhaps we were naïve.

Sincerely,



Edward C. McNamee  
Denise R. Edgington  
Rte. 2 138P  
Edwards, MO 65326  
660-438-9854

February 26, 2002

Missouri Public Service Commission  
Water & Sewer Dept.  
Box 360  
Jefferson City, MO 65102

Office of the Public Counsel  
Attn: Ruth O'Neill  
Box 7800  
Jefferson City, MO 65102

Re: Foxfire Utility Co. rate increase

We are writing in response to the request by Foxfire Utility Co. to raise rates for its Benton County water customers. We oppose the increase for the following reasons:

- 1) Our water has been intermittently cloudy and filled with debris for months. Drinking it is like eating chunky soup. We now either boil or buy our drinking water. Nearly every time we do laundry, we have to clean out the faucet screen to our washer because it's clogged. The debris has also affected all of our other faucets, toilet and water heater. And the water pressure is often low.
- 2) Last winter, we were without service for about six weeks. The company did nothing to restore service nor did it attempt to supply us with temporary water. Other than the delivery of an empty water jug by the wife of a Foxfire maintenance man three weeks into the service disruption, no one even contacted us. We were on our own.
- 3) We already pay more than twice what we were paying before Foxfire bought the water system. And the quality of our water and service is poorer than before.

It may be of interest of you to know that of the 13 homes that went without water service last winter for nearly six weeks, three are no longer Foxfire customers. Two installed their own wells; the third shares with one of those. Remember: Only four of the 13 homes that were affected are occupied year-round. Two of the four year-round residents went to the expense of digging their own wells following the outage.

Sincerely,

*Robert and Connie Vermillion*

Robert and Connie Vermillion  
R.R. 2 Box, 139CA  
Edwards, MO 65326  
660-438-5941

# FOXFIRE UTILITY COMPANY

323 Fox Creek Road  
 Jefferson City, Missouri 65109  
 Phone (573) 632-6475

July 1, 2002

Dear Customer:

On January 9, 2002, Foxfire Utility Company (Company) submitted a request for permanent increases in its current water rates, under the Missouri Public Service Commission's (Commission) small company rate increase procedure.

By its request, the Company was seeking increases in its customer rates intended to generate an increase in the Company's annual operating revenues for sewer service of \$3,087. The Company believes these increases in its operating revenues are necessary to meet current operating expenses.

As a result of the Company's request, the Staff of the Public Service Commission (Commission Staff) conducted an investigation of the Company's books and records and the Company's operations. Based upon the results of its investigation, the Commission Staff is recommending an increase in the Company's annual operating water revenues of \$3,087.

The Office of the Public Counsel (Public Counsel), a state agency responsible for representing the interests of consumers before the Commission, has reviewed the results of the Commission Staff's investigation. However, the Public Counsel has not yet taken a final position regarding the Commission Staff's recommended increase in the Company's annual operating revenues. Public Counsel has indicated that it will review the responses to this customer notice letter before determining whether to request that the Commission hold a local public hearing.

Set out below is a comparison of the Company's current residential customer water rates, and the Commission Staff's recommended customer rates. A monthly bill comparison, exclusive of any applicable taxes, is also shown.

## Water Service:

	Current	PSC Staff	Amount Increase	Percentage Increase
<u>Full -Time Customer:</u>				
Monthly Charge	\$22.29	\$25.29	\$3.01	13.5%
<u>Part -Time Customer:</u>				
Monthly Charge	\$19.00	\$19.90	\$0.90	4.8%

In addition to the monthly rate and commodity rate changes the following changes are also proposed:

- (1) Late Payment Charge is to be approved;
- (2) A Bad Check Charge of \$20 per bad check is to be approved;
- (3) A Door Collection Charge of \$15, to avoid disconnection is to be approved;
- (4) An Emergency Call Out Charge of \$15 to shut off service where the emergency exists entirely on the customer owed facilities is to be approved;
- (5) A Reconnection of Service for "Seasonal" Disconnects of \$25 plus the monthly customer charge times the number of months "off-system" (not to exceed 9 months) is to be approved;
- (6) The Meter Test Charge increase from \$25 to \$35 is to be approved;
- (7) The Turn-on Charge increase during regular hours from \$10 to \$25 is to be approved;
- (8) The Turn-on Charge increase for after regular hours from \$15 to \$35 is to be approved; and,
- (9) The water service tariff is to be modified by language, which makes the owner of the rented or leased facilities ultimately responsible for the payment of charges incurred by their tenants is to be approved.

Any customer that has questions or comments about the Commission Staff's recommended rate increase should contact the Staff, and/or the Public Counsel, **within 20 days of the date of this notice**. To do so, please use the addresses, telephone numbers or fax numbers shown at the bottom of this notice. Depending upon the response to this notice, the Public Counsel may request that the Public Service Commission hold a local public hearing. **Regardless of whether a local public hearing is held, no increase in rates will take effect without the approval of the Public Service Commission.**

Sincerely,



Mr. Garah F. Helms  
President

Missouri Public Service Commission  
Water and Sewer Department  
P.O. Box 360  
Jefferson City, MO 65102  
Phone: 573/751-3437 or 800/392-4211  
Fax: 573/751-1847

Office of the Public Counsel  
Attn: Ruth O'Neill  
P.O. Box 7800  
Jefferson City, MO 65102  
Phone: 573/751-4857  
Fax: 573/751-5562