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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS
Local Public Hearing
January 17, 2019
Perryville, Missouri
Volume 1

In The Matter Of S.K.&M. Water)
and Sewer Company's) File No. SR-2019-0157
Application For Increases in)
Annual Sewer and Water System)
Operating Revenues)

CHARLES HATCHER, Presiding
REGULATORY LAW JUDGE

MAIDA J. COLEMAN,
COMMISSIONER

REPORTED BY:
SUZANNE ZES, CCR, RPR
ALARIS LITIGATION SERVICES

1 A P P E A R A N C E S

2

For the Office of Public Counsel:

3

Ryan Smith
4 SENIOR PUBLIC COUNSEL
200 Madison Street
5 P.O. Box 2230
Jefferson City, Missouri 65101
6 573.522.6189
573.751.5562 Fax
7 ryan.smith@ded.mo.gov

8

For the Staff of the Missouri Public Service
9 Commission:

10

Mark Johnson
11 SENIOR COUNSEL
200 Madison Street
P.O. Box 360
12 Jefferson City, Missouri 65102
573.751.7431
13 573.751.9285 Fax
mark.johnson@psc.mo.gov

14

15

16

17

18

19 The Court Reporter:

20 Suzanne Zes, CCR, RPR
Alaris Litigation Services
21 711 North Eleventh Street
St. Louis, MO 63101
22 314.644.2191
314.644.1334 Fax

23

24

25

1 PROCEEDINGS

2 JUDGE HATCHER: Let's go on the record.

3 Today is January 17th, 2019. The Missouri Public
4 Service Commission has set this time for a local
5 public hearing in Case No. SR-2019-0157, which is
6 captioned as in the matter of SK&M Water and Sewer
7 Company's application for increases in annual sewer
8 and water system operating revenues.

9 The Commission has scheduled this local
10 public hearing to give members of the public a
11 chance to comment about SK&M's application. The
12 Missouri Public Service Commission regulates the
13 rates charged by public utility companies in
14 Missouri to ensure that those rates are just and
15 reasonable. The Commission also regulates the
16 quality of service and safety of the operations of
17 public utilities.

18 The Commission is made up of five
19 commissioners. The commissioners are appointed by
20 the governor to fixed terms and confirmed by the
21 Senate. The commissioners employ a staff of
22 engineers, accountants, attorneys, financial
23 analysts, and other specialties in the field of
24 utility regulation.

25 My name is Charles Hatcher. I am the

1 regulatory law judge and will preside over this
2 hearing. With me today is Commissioner Maida
3 Coleman. This is an official hearing of the
4 Missouri Public Service Commission and the
5 statements and testimony of witnesses will be
6 recorded by the court reporter and must be given
7 under oath.

8 All of the commissioners will have the
9 opportunity to read all of the witnesses' remarks
10 and, additionally, I will brief the commissioners on
11 what was said here tonight. The commissioners value
12 your comments and the comments will become part of
13 the official record.

14 Are there any opening comments, Commissioner
15 Coleman?

16 COMMISSIONER COLEMAN: Yes, please.

17 Good evening. I'm so glad to see so many
18 people here. I always appreciate the participation
19 of the customers of the systems that we five
20 commissioners regulate. Although I am the only
21 commissioner here tonight of the five, please be
22 assured that all commissioners will have an
23 opportunity to see the information and the comments
24 that have been made tonight. This is, as the judge
25 said, testimony that will go into the record.

1 I am born and raised in Sikeston, Missouri
2 and always happy to find an excuse to get close to
3 home and I will probably make a little side trip
4 down there. But I'm so glad you all are here and
5 I'm especially interested in your experience as far
6 as the service. Customer service is always
7 important to me, so I like to know your experiences
8 and certainly your comments regarding the case that
9 we are here to discuss. Again, thank you for being
10 here tonight.

11 JUDGE HATCHER: I will begin by asking
12 counsel to enter their appearance for the record.
13 Counsel for SK&M? Counsel for Commission staff?

14 MR. JOHNSON: Thank you, Judge. Mark
15 Johnson appearing on behalf of the staff of the
16 Missouri Public Service Commission and I have
17 provided the court reporter with my contact
18 information.

19 JUDGE HATCHER: Thank you. And Office
20 of Public Counsel?

21 MR. SMITH: Ryan Smith appearing for the
22 Office of Public Counsel. I'm senior counsel. My
23 contact info has been provided to the court
24 reporter. Thank you.

25 JUDGE HATCHER: Thank you. Are there

1 any intervenors or their attorneys here?

2 Thank you. The process here this evening is
3 that I'm going to call the names listed on the
4 sign-up sheet in the order they appear. When I call
5 your name, please come on down to the microphone. I
6 will place you under oath and ask you to state and
7 spell your name and then you could offer your
8 comments to the Commission.

9 There is no specific time limit but please
10 try to keep your remarks to under five minutes so
11 that everyone has a chance to testify. And, also,
12 after you're done making your comments please do
13 remain at the podium as there may be follow-up
14 questions from the Commission or the parties.

15 The commissioners will not be able to answer
16 any of your questions today because they do need to
17 remain impartial until after all of the evidence is
18 presented at an evidentiary hearing. The Commission
19 has not made any decisions yet in this case. The
20 Commission is interested in your comments and will
21 use your comments to help make their decision.

22 If you have questions, please speak to
23 representatives of the company, the Commission
24 staff, or the Office of Public Counsel. My final
25 request is to please be polite and courteous to

1 everyone speaking here today and treat them as you
2 would like to be treated.

3 The first name on the list is Angela Swan.

4 Ms. Swan, please raise your right hand. Do
5 you solemnly swear or affirm that the testimony you
6 are about to give is the truth, the whole truth and
7 nothing but the truth?

8 MS. SWAN: I do.

9 JUDGE HATCHER: Thank you. Please state
10 and spell your last name.

11 MS. SWAN: My name is Angela Swan.
12 S-W-A-N. I represent the Shawnee Homeowners
13 Association.

14 JUDGE HATCHER: Thank you and please
15 proceed.

16 MS. SWAN: Okay. I have a prepared
17 statement. My name is Angela Swan. I am president
18 of the Shawnee Homeowners Association. I represent
19 the current lot owners in the Whippoorwill and
20 Raintree subdivisions. Both subdivisions are served
21 by SK&M and receive water as well as sewer services.
22 As such they stand to be heavily impacted by the
23 proposed rate increases.

24 Do you prefer that I have my back to the
25 audience? Do you mind if I turn?

1 COMMISSIONER COLEMAN: You're talking to
2 us.

3 MS. SWAN: Okay. Thank you.

4 COMMISSIONER COLEMAN: Thank you.

5 MS. SWAN: Thank you for that
6 clarification.

7 The Shawnee Homeowners Association opposes
8 the SK&M rate increase as proposed for following
9 reasons:

10 One, it's too much at one time. While we
11 recognize that improvements must be made and income
12 must be generated to keep any system in good working
13 order, the proposed water and sewer increases of 45
14 percent and 130 percent respectively, place too much
15 of a burden on the customers at one time.

16 Two, impact on perspective homebuyers. The
17 proposed rates are out of the average range of other
18 systems in the area. An example, City of Perryville
19 bills average 29.43 for water and 36.57 for sewer,
20 and as such will become a major deterrent for
21 perspective homebuyers and investors in our
22 subdivision.

23 Three, consideration must be made for the
24 average incomes in these subdivisions. The two
25 subdivisions are inhabited largely by families in

1 the factory or truck driving profession, in addition
2 to several retired couples. Any change in the cost
3 of living can be significant for households in these
4 income categories. A 45 to 130 percent increase in
5 these monthly bills will place an undue burden on
6 many households which are already strapped for
7 disposable income and/or living on fixed retirement
8 income.

9 Four, effect on new developments. Two
10 investors have already begun projects in our
11 subdivisions to address the housing shortage in our
12 area. Average rent for these units is generally in
13 the 550 to \$700 range. At this rate, renters in our
14 area can expect a utility bill to add 17 and a half
15 to 24 and a half percent to their base cost of rent.

16 If these new rates go through commuting from
17 outside areas could continue to be a better option
18 for most stymieing demand for the new units.

19 Five, improvements should be phased in.
20 Regulations for water and sewer utilities are
21 tightening and improvements surely will be necessary
22 for SK&M facilities. We ask that the Commission
23 review and prioritize improvement needs based on
24 which improvements are most urgent and which might
25 have alternative solutions to come up with a

1 phase-in plan for upgrading the system instead of
2 funding so many at once.

3 Six, projected growth and customer base for
4 SK&M. Ground has already been broken on two
5 development projects in our two subdivisions that
6 will add a projected total of 110 units to the SK&M
7 customer list for both water and sewer services. If
8 completed as planned these developments will
9 increase monthly revenue for SK&M Water by 36
10 percent and sewer by 70 percent in the next few
11 years.

12 This is not just a proposed set of
13 blueprints. Developers have already begun to clear
14 the land and improve the roads for construction in
15 the spring of this year. Accepting our request to
16 approve a rate increase based on phased-in
17 improvements will give time for those building
18 developments to be completed and the cost to be
19 spread over more households. This is particularly
20 relevant in the sewer system, which is currently set
21 to count on generating a revenue increase of
22 \$100,000 spread over only 156 customers.

23 In conclusion, SK&M Water and Sewer has
24 provided reliable service for over 40 years. It is
25 designed to handle many more households that have

1 ever used it. Building projects have been very few
2 and far between in Whippoorwill and Raintree in the
3 last 20 years, but now the existence of a
4 well-established water and sewer system is emerging
5 as an attractive cost reduction for developers
6 seeking to address the proven need for more lower
7 and middle income housing in Perry County.

8 We support investments to the system for
9 current and future use and respectively request that
10 any rate increase be considered based on a plan to
11 phase-in projects while avoiding placing the undue
12 burden of a sudden and significant increase on the
13 already cashed-strapped households that SK&M serves.
14 Thank you.

15 JUDGE HATCHER: Thank you, Ms. Swan. If
16 you could stay there for just a second.

17 MS. SWAN: Sure.

18 JUDGE HATCHER: Any questions from the
19 bench?

20 COMMISSIONER COLEMAN: No. Thank you,
21 Ms. Swan.

22 JUDGE HATCHER: Any questions from
23 counsel?

24 MR. JOHNSON: Thank you for your
25 testimony.

1 JUDGE HATCHER: Thank you. You are
2 dismissed, Ms. Swan.

3 Laura Manche. I do apologize if I'm
4 mispronouncing your last name.

5 MS. MANCHE: Manche.

6 JUDGE HATCHER: Thank you.

7 Ms. Manche, please raise your right hand. Do
8 you solemnly swear or affirm that the testimony you
9 are about to give is the truth, the whole truth and
10 nothing but the truth?

11 MS. MANCHE: I do.

12 JUDGE HATCHER: Thank you. And please
13 state your name and spell your last name.

14 MS. MANCHE: Laura Manche. M-A-N-C-H-E.

15 JUDGE HATCHER: And please proceed with
16 your comments.

17 MS. MANCHE: Well, I am speaking on
18 behalf of one of those cash-strapped families. Over
19 the last many years I have raised four children, me
20 and my husband, three of which have been special
21 needs. Now three of those children have moved out.
22 The two with special needs that have moved out are
23 doing very well, have become very productive adults.
24 We are very proud of them.

25 We have one son living with us yet. He's 15

1 years old. For anybody to look at him he's a
2 normal, healthy 15-year-old. In reality he has a
3 blood condition that is \$1200 a month to keep him
4 alive.

5 Now, over the years as the kids have moved
6 out finances have gotten slightly better. The last
7 couple of years we've actually been able to do a
8 couple of things. Other than that it has been
9 staring at the four walls with our kids, work, and
10 that's about it.

11 So you put a \$1200 a month just for him,
12 that's not including the medical expenses for me and
13 my husband, we are looking at a possible four
14 surgeries in the next year to two years, and then
15 you have our electric bill, of course the water
16 bill, sewer bill, any TV, phone, whatever, so you're
17 asking us to possibly pay double or triple our
18 normal water bill. We can't do it.

19 The previous owners worked with us. Do we
20 know whether or not the new owners will, we don't
21 know. But from the sounds of it they don't have the
22 ability to. We understand that the facilities do
23 need upgraded. That's not a problem. But to up our
24 bills that quickly, that much is ludicrous,
25 ridiculous, and it needs to be done over time to

1 where we can adjust our income the way it needs to
2 be adjusted so that we can actually hopefully afford
3 bills.

4 JUDGE HATCHER: Thank you very much, Ms.
5 Manche.

6 Are there any questions?

7 COMMISSIONER COLEMAN: No. Thank you,
8 Ms. Manche.

9 JUDGE HATCHER: Thank you, Ms. Manche.
10 You are dismissed.

11 Doris Rehkop? How was the pronunciation on
12 that one?

13 MS. REHKOP: Great.

14 JUDGE HATCHER: Thank you.

15 Please raise your right hand. Do you
16 solemnly swear or affirm that the testimony you are
17 about to give is the truth, the whole truth and
18 nothing but the truth?

19 MS. REHKOP: I do.

20 JUDGE HATCHER: Thank you. And please
21 state your name and spell your last name.

22 MS. REHKOP: Doris Rehkop. R-E-H-K-O-P.

23 JUDGE HATCHER: And Ms. Rehkop, please
24 proceed with your comments.

25 MS. REHKOP: My only comment is I am

1 retired and I don't have a problem with rate
2 increases. I think the problem is he did not check
3 out everything before he went into this. I live on
4 a fixed income and you're going to put this into my
5 budget and it's going to cause hardship for me and
6 my husband to live there.

7 We can't do anything with the property until
8 this is resolved and our septic system is having
9 some issues and if we can't get it resolved then
10 we're stuck. So I feel that a compromise needs to
11 come about before we can go forward. That's all I
12 have.

13 JUDGE HATCHER: Thank you, Ms. Rehkop.
14 Any questions?

15 COMMISSIONER COLEMAN: No.

16 JUDGE HATCHER: Thank you, Ms. Rehkop.
17 You are dismissed.

18 Jim Robertson?

19 Mr. Robertson, did I have your name right?

20 MR. ROBERTSON: My name is Jim
21 Robertson.

22 JUDGE HATCHER: Thank you.

23 Mr. Robertson, if you would please raise your
24 right hand. Do you solemnly swear or affirm that
25 the testimony you are about to give is the truth,

1 the whole truth and nothing but the truth?

2 MR. ROBERTSON: Absolutely.

3 JUDGE HATCHER: Thank you. Please state
4 your name and spell your last name, sir.

5 MR. ROBERTSON: My first name is Jim.
6 Last name is Robertson. R-O-B-E-R-T-S-O-N.

7 JUDGE HATCHER: Thank you.

8 MR. ROBERTSON: The only thing I've got
9 is as a homeowner I would like to know where my
10 responsibilities begin and end as far as sewer line
11 goes?

12 JUDGE HATCHER: There will be some staff
13 available after the meeting that might be able to
14 answer that question a little better for you.

15 MR. ROBERTSON: Okay. The only thing
16 I've got is the last part of October of last year I
17 had a sewer backup in my basement. I called Mr.
18 LaRose. I said, "I've got a sewer back up in my
19 basement." He said, "Well, I don't have a
20 Roto-Rooter." He said, "You need to call somebody."

21 Next day I call Schumer Brothers, they come
22 right out. Going through my neighbor's property,
23 went through there, he put about 75 feet of -- what
24 do you call it -- a snake, down through there, all
25 of a sudden, Oh, we're clean. I got a bill, \$220

1 and some-odd cents.

2 I called Mr. LaRose and said, I got this
3 bill." He said, "Well, I guess you want me to pay
4 it." I said, "You're the owner of the sewer line."

5 A couple days later I told my wife, I said,
6 "I'm going to go ahead and pay this bill to keep my
7 credit in good standing."

8 I sent him a copy of the bill. That was
9 October of last year. I have yet to get reimbursed.
10 I'm not asking the Commission to reimburse me. But
11 what is right is right and what's wrong is wrong.
12 Simple as that. That's the way I was raised.
13 That's all I have.

14 JUDGE HATCHER: Thank you,
15 Mr. Robertson. Hold on just a minute.

16 MR. ROBERTSON: Thank you very much.

17 JUDGE HATCHER: If you could stay right
18 there, Mr. Robertson. Questions?

19 COMMISSIONER COLEMAN: Mr. Robertson,
20 good evening. So tell me what type of response you
21 got from the company after you paid the bill? You
22 said --

23 MR. ROBERTSON: None.

24 COMMISSIONER COLEMAN: -- this was in
25 October?

1 MR. ROBERTSON: None.

2 COMMISSIONER COLEMAN: So you sent them
3 the bill, there has been no response?

4 MR. ROBERTSON: Yes, ma'am.

5 COMMISSIONER COLEMAN: Okay. So I would
6 like you to have a conversation with the Public
7 Service Commission staff at the conclusion of this
8 hearing because we do have the capability to reach
9 out to the company to help you settle this
10 situation, okay?

11 MR. ROBERTSON: I appreciate it.

12 COMMISSIONER COLEMAN: Thank you, sir.

13 MR. ROBERTSON: Thank you very much.

14 COMMISSIONER COLEMAN: Thank you.

15 JUDGE HATCHER: Thank you,

16 Mr. Robertson.

17 Patrick Naeger?

18 Mr. Naeger, did I have that pronunciation
19 correct?

20 MR. NAEGER: You did it superbly.

21 JUDGE HATCHER: Thank you.

22 MR. NAEGER: Judge, good evening --

23 JUDGE HATCHER: Wait. Wait. Mr.
24 Naeger, I've got to swear you in first. Thank you.

25 Do you solemnly swear or affirm that the

1 testimony you are about to give is the truth, the
2 whole truth and nothing but the truth?

3 MR. NAEGER: I do.

4 JUDGE HATCHER: Thank you. If you would
5 state your name and spell your last name and then
6 proceed with your statement.

7 MR. NAEGER: Patrick Naeger.

8 N-A-E-G-E-R.

9 Judge Hatcher and Commissioner Coleman, thank
10 you for coming to Perry County. We welcome you here
11 and we appreciate the opportunity to have our voice
12 heard.

13 In 2013 -- and I have submitted -- I'll be
14 brief because I have submitted written testimony to
15 the Commission. But in 2013 my wife and I, we
16 purchased a mobile home park that is serviced by
17 SK&M. Our mobile home park Parkwood Village, LLC.
18 On our property we have 50-plus units being serviced
19 by SK&M currently and looking to expand our park as
20 the demand for affordable housing in Perry County is
21 pretty significant.

22 For the most part we have had good service,
23 and few problems with the old owner or for that
24 matter the new owner alike. While the new owners
25 have not owned the service for very long I

1 personally know Rod and Susan LaRose and hold them
2 in high regard.

3 Unfortunately, many of our tenants struggle
4 month to month and live paycheck to paycheck. While
5 I understand that the new owners want to invest in
6 their business, however the increases they are
7 asking for seem extremely excessive and put the
8 investment in their business on the backs of
9 customers who do not have any other service options
10 available.

11 Because prior some spoke of possibly putting
12 in their own well, drilling their own well or
13 putting in their own septic system. Well, in my
14 trailer park I don't have an option. This is the
15 only option I have to service my tenants.

16 Furthermore, the increases that are proposed
17 for just the tenants I represent are going to be in
18 excess of \$40,000 annually.

19 In closing, I want to say this, I am not
20 against SK&M. I am not against an increase. But I
21 am against anything that is unreasonable and unfair.
22 I think most in this room will work very, very hard
23 to find a solution and I think all of us want to
24 find a solution. But obviously that is why this
25 rate increase is before the Commission and I trust

1 that the Commission will do its job, that the
2 counsel will represent those of us and that's why we
3 have a Public Service Commission to solve these
4 kinds of problems and I trust that you will do that.

5 And we hope to see and hear more information
6 and be further engaged and appreciate you making the
7 trip to Perry County. Thank you.

8 JUDGE HATCHER: Thank you, Mr. Naeger.

9 Any questions?

10 COMMISSIONER COLEMAN: I always have
11 questions.

12 Okay. So Mr. Naeger, so I understand, based
13 on what you said, that this is a mobile park that
14 these are tenants?

15 MR. NAEGER: Yes, ma'am.

16 COMMISSIONER COLEMAN: So you charge
17 rent?

18 MR. NAEGER: Yes, ma'am.

19 COMMISSIONER COLEMAN: So as a result of
20 the increase, since you pay the water bill -- did I
21 get that right?

22 MR. NAEGER: No, ma'am.

23 COMMISSIONER COLEMAN: So the water
24 bill, the sewer bill is paid by the actual residents
25 of the homes?

1 MR. NAEGER: Yes. Most of my tenants,
2 Commissioner, they own their own mobile home and I
3 provide them the space.

4 COMMISSIONER COLEMAN: The land. Okay.

5 MR. NAEGER: Now, I do have
6 approximately 14 units that I own and I rent the
7 home out to them. But all the tenants are required
8 to pay their own water and their own sewer bill.

9 What is included in the lot rent, as well as
10 the rent that I charge for the unit separately, is
11 trash pick up and that's pretty much it.

12 COMMISSIONER COLEMAN: All right.

13 MR. NAEGER: But they are responsible
14 for their own water, sewer and electric.

15 COMMISSIONER COLEMAN: I wanted to get
16 an understanding because if they were paying rent to
17 you and you were paying the water bill and the sewer
18 bill that means you would be having to increase
19 their rent, so --

20 MR. NAEGER: Either way that becomes my
21 challenge as a landlord.

22 COMMISSIONER COLEMAN: Sure.

23 MR. NAEGER: And one of my tenants spoke
24 up earlier, that, you know, you increase somebody's
25 water and sewer by a substantial rate and charge

1 them 120 to \$130 a month -- I mean, the pad rent
2 that I charge for somebody to live in my park and
3 have access to the property and everything is only
4 \$125 a month. So they would be paying as much or
5 more for their water and sewer as they would for the
6 occupancy in my park, which seems a little
7 excessive.

8 COMMISSIONER COLEMAN: Thank you for the
9 clarification. Thanks for coming.

10 MR. NAEGER: Thank you.

11 JUDGE HATCHER: And Connie Cambron?

12 Ma'am, did I get that pronunciation correct?

13 MS. CAMBRON: Yes, sir.

14 JUDGE HATCHER: Ms. Cambron, would you
15 please raise your right hand. Do you solemnly swear
16 or affirm that the testimony you are about to give
17 is the truth, the whole truth and nothing but the
18 truth?

19 MS. CAMBRON: Yes, sir.

20 JUDGE HATCHER: Please state your name
21 and spell your last name.

22 MS. CAMBRON: Connie Cambron.

23 C-A-M-B-R-O-N.

24 JUDGE HATCHER: And please proceed with
25 your comment.

1 MS. CAMBRON: I happen to be one of
2 Mr. Naeger's tenants. I do own my own trailer and,
3 like he said, with this rate increase I will have to
4 live with either not pay him or not pay my water
5 bill. Because, you know, as you get older we all
6 know our health kind of declines and you got to have
7 surgeries and more medicines, which sucks, but
8 nonetheless. I don't want to have to pick and
9 choose what I pay. I do that now. I do get behind
10 on the pad rent, Mr. Naeger works with me and we get
11 all caught up.

12 I have not paid my water bill yet this month.
13 I can't afford it. If I can't afford it now how am
14 I going to afford it when you all raise the rates?
15 I'll have to live without water. I'm not going to
16 put my three dogs through not having water. I'll
17 have to buy them bottled water. That's not being
18 fair to us. That's not being fair to anybody that
19 lives in the whole entire Shakertown area in my
20 opinion.

21 To me, I am not against a new rate increase.
22 I'm really not. I understand the upkeep. I
23 understand -- you know, being a homeowner you got
24 upkeep. That's just the way it is. But I'm not
25 going to charge you for my upkeep. That's not being

1 fair. You know, it's just -- I don't know.

2 He has already took away from my dogs. They
3 had their dog pen. They're well-behaved dogs. If a
4 stranger comes up, they will let you know. If
5 there's a strange vehicle out there, they will let
6 you know. If Mr. Naeger is out there after dark,
7 they will let you know.

8 And we had to downsize the pen because the
9 previous owner didn't have a problem with my dogs,
10 but Mr. LaRose says if you don't downsize it I'm
11 cutting you off forever and you'll never have water
12 again. That's not right either. We downsized the
13 dog yard. I have three rescue dogs. Their yard is
14 not big enough, especially when you got to mow it
15 and you got to water it.

16 That's pretty much it. Raising the rates,
17 people like us cannot afford it. Ten or \$15, 20,
18 yes, but to triple it, no. I'll have to either sell
19 to Mr. Naeger and move out or just live without
20 water. I can't afford them both. That's it.

21 JUDGE HATCHER: Thank you, Ms. Cambron.

22 COMMISSIONER COLEMAN: No questions.

23 Thank you.

24 JUDGE HATCHER: That is the end of the
25 list of the sign-up testimony. Now I would like to

1 open it up to anyone that would like to come forward
2 that didn't sign the list and testify, otherwise --
3 please come forward, ma'am -- otherwise the hearing
4 will be over in the next few minutes.

5 MS. MUENCH: My name is Pamela Muench.

6 JUDGE HATCHER: If you could hold on
7 just a moment, Ms. Muench. Let me swear you in
8 first.

9 MS. MUENCH: Okay.

10 JUDGE HATCHER: Do you solemnly swear or
11 affirm that the testimony you are about to give is
12 the truth, the whole truth and nothing but the
13 truth?

14 MS. MUENCH: Yes.

15 JUDGE HATCHER: Thank you. Please state
16 your name and spell your last name.

17 MS. MUENCH: Pamela Muench.
18 M-U-E-N-C-H.

19 JUDGE HATCHER: And please go ahead and
20 proceed with your statement.

21 MS. MUENCH: I just wanted to bring up
22 that we were planning on building up to 80
23 townhomes. We bought 10 acres of land and one of
24 the reasons that we picked this place, this area was
25 because it had sewer and water and we knew the

1 breaks were about 60 -- probably \$60 a month
2 average.

3 So we started -- we went to meetings and we
4 were assured that they could handle it. We went to
5 homeowner meetings, the homeowners association and
6 we had meetings and we asked, "Could this sewer
7 system assist us with 80 more units?" And we were
8 assured that, yes, we could. And we had no idea the
9 price was going to go up or try to go up double or
10 more.

11 And so all I'm asking is since we were
12 planning on doing 80 units we were going to -- we
13 were going to be kind of helping update the system.
14 We were going to be putting in new meters, running
15 new water lines, sewer lines, and they were going to
16 be getting the extra revenue from us.

17 Now that this has happened I'm really, really
18 concerned that people can't afford to live in our
19 new places. We were planning on charging about 700
20 a month rent. We're not subsidized by the
21 government. And by the time they pay 700 a month
22 rent, 120 for water and sewer, they pay their
23 electric, it's a thousand dollars a month.

24 And we have put our project on hold now
25 because of this. And we're waiting to see what's

1 going to happen. And we would like somehow that you
2 could just raise it up a little at a time, do a
3 little bit of the repairs as needed because with the
4 extra revenue of us and there's another subdivision
5 they're going to be building 30 houses -- we're
6 doing -- well, we were planning on starting at 40
7 townhomes in the first phase and then another 40.
8 So that's 110 places that would really help and if
9 he could just repair what's needed at first, make
10 priorities and raise it up \$20 a month so everybody
11 can afford that. Because the minimum would be \$123
12 a month by what it says in the paperwork. So I just
13 wanted you to take that into consideration. Okay.

14 JUDGE HATCHER: Thank you. I appreciate
15 that.

16 COMMISSIONER COLEMAN: Thank you.

17 JUDGE HATCHER: Are there any other
18 persons who would like to come forward and testify?

19 Please come forward. Let me swear you in
20 first. Do you solemnly swear or affirm that the
21 testimony you are about to give is the truth, the
22 whole truth and nothing but the truth?

23 MS. BOXDORFER: Yes.

24 JUDGE HATCHER: And please state your
25 name and spell your last name for us.

1 MS. BOXDORFER: Alicia Boxdorfer.

2 B-O-X-D-O-R-F-E-R.

3 JUDGE HATCHER: Please go ahead.

4 MS. BOXDORFER: I would just like the
5 Commission to consider the fact that the new owners
6 of SK&M did not do due diligence when considering
7 buying this business and I feel that not all
8 businesses every year make profit and they should
9 have to eat some of the costs of these improvements
10 and all of the costs not be put on the customers in
11 such a way as other people spoke. Small increments
12 of increase. We should not be held completely
13 accountable because they did not do their due
14 diligence.

15 JUDGE HATCHER: Thank you. I appreciate
16 that.

17 COMMISSIONER COLEMAN: Thank you.

18 JUDGE HATCHER: Last call, anyone else
19 that would like to come forward and testify? All
20 right then. Any closing remarks from the
21 commissioners?

22 COMMISSIONER COLEMAN: No. Thank you.

23 JUDGE HATCHER: I would like to thank
24 all out of our participants tonight for their
25 testimony. If you do have any additional comments

1 or someone who could not be present would like to
2 comment you may make written comments by contacting
3 the Office of Public Counsel or by going to the
4 PSC's web page. And, again, staff will be
5 available -- PSC staff after the hearing.

6 Yes, sir?

7 AUDIENCE MEMBER: Filling out this paper
8 will do the same thing, that was handed back there?
9 The public comment form?

10 JUDGE HATCHER: Yes. Yes. That will
11 get to us and be able to be taken in as part of the
12 record.

13 All right. Once again there will be staff
14 here after the meeting if anyone has any other
15 questions.

16 MS. NEWCOM: Can I change my mind and
17 testify?

18 JUDGE HATCHER: Yes. Please come
19 forward. Let me swear you in first. I'm sorry.

20 Do you solemnly swear or affirm that the
21 testimony you are about to give is the truth, the
22 whole truth and nothing but the truth?

23 MS. NEWCOM: Yes.

24 JUDGE HATCHER: Please state your name
25 and spell your last name, please.

1 MS. NEWCOM: My name is Marie Newcom.
2 N-E-W-C-O-M.

3 JUDGE HATCHER: And Ms. Newcom, please
4 go ahead.

5 MS. NEWCOM: In the past, and I have
6 lived in Shakertown for over 40 years, in the past
7 the City of Perryville has discussed annexing some
8 of the properties that SK&M services. And it seems
9 to me like if that is a possibility because the city
10 has extended their services out in B row (ph), which
11 is where we are, if that's a possibility and perhaps
12 adding a lift station, that should be investigated
13 as an option before we go to all of this expense for
14 something that may not last 20 years or 10 years or
15 whatever. And it might be more feasible for the
16 people that live there to be able to afford it.
17 That's all.

18 JUDGE HATCHER: Thank you, Ms. Newcom.
19 You're dismissed.

20 COMMISSIONER COLEMAN: Thank you.

21 JUDGE HATCHER: Yes, please come
22 forward. Let me swear you in first, sir.

23 Do you solemnly swear or affirm that the
24 testimony you are about to give is the truth, the
25 whole truth and nothing but the truth?

1 MR. SCHAFROPH: Yes, sir.

2 JUDGE HATCHER: Please state your name
3 and spell your last name for us.

4 MR. SCHAFROPH: Gary Schafroph.
5 S-C-H-A-F-R-O-P-H.

6 My comment is regarding this paperwork they
7 handed out. Members of this audience just asked if
8 these -- this comment sheet here would be accepted.
9 On the bottom of this page it says, "Please note
10 that the written comments may not be accepted as
11 evidence by the Commission. For that reason, public
12 comment is highly encouraged. The public who
13 testify on the record regarding the proposed rate
14 increase (sic)."

15 They say this paper you filled out or asked
16 about may be, but at the bottom, that little fine
17 print down there says they don't have to accept it.
18 Thank you.

19 JUDGE HATCHER: Can you tell me who that
20 paper is from, sir?

21 MR. SMITH: Judge, that is from our
22 office. In the past Commission has denied
23 admittance of public comments into the record, so
24 that is why that footnote is there.

25 MR. HATCHER: Would that be because

1 perhaps it's eligible?

2 MR. SMITH: No.

3 JUDGE HATCHER: Could you explain a
4 little further? Can you all hear him?

5 COMMISSIONER COLEMAN: Can you go up to
6 the microphone?

7 MR. SMITH: Yeah, we have that comment
8 there because in past cases, not in every case, but
9 the Commission in some cases has not allowed some
10 written comments to be admitted into the record.
11 That doesn't happen in every case. I think it's
12 kind of one of those things where the judge uses
13 their discretion.

14 So out of an abundance of caution we wanted,
15 when there's an opportunity, the members of the
16 public to actually testify on the record because
17 those written comments are not always admitted into
18 the record.

19 COMMISSIONER COLEMAN: Mr. Schafroph, is
20 that how you pronounce it?

21 MR. SCHAFROPH: Yes.

22 COMMISSIONER COLEMAN: That's a neat
23 name. I've never heard that before. So what I
24 would say about that is this -- and I have never
25 seen that comment by the Office of Public Counsel.

1 I've been a commissioner for three and a half years
2 now. What I will say is that one of the reasons we
3 have a court reporter at these proceedings is so
4 that everything goes on the record. And so there
5 may be some very -- some issues that I'm not aware
6 of that may cause the written comments, but I think
7 what the Office of Public Counsel is saying, that
8 out of desire to make sure that all sides are heard
9 they encourage the attendance at these public
10 hearings so that everything is definitely recorded
11 for the record.

12 But if you're filling out a form that has
13 come from our office and it says -- and I don't know
14 what that form is. I don't -- haven't seen it.

15 Thank you. So that's from the Public Service
16 Commission, from our office itself. We are separate
17 from the Office of Public Counsel. They work on
18 your behalf. But I think just out of an abundance
19 of caution that statement is there.

20 But you can rest assured that if you have
21 walked up to that microphone tonight and gone on the
22 record all commissioners will have an opportunity to
23 hear your testimony.

24 MR. SCHAFROPH: That's why I'm here, is
25 because more than one person from this audience

1 stated -- asked if this would go on record and we
2 were told when we walked in the door you could. But
3 the writing come from that office says it may or may
4 not, so if you want to say anything, if you want to
5 be on record, you might want to come up here and say
6 it now. They may not take your paper.

7 COMMISSIONER COLEMAN: Well, one thing
8 for sure, if you testify it's on the record. All
9 right. Thank you, sir.

10 JUDGE HATCHER: And I'm the judge in the
11 case, so I'll make sure that anything you do submit
12 in writing is admitted into the record. I do
13 apologize for any confusion. I do want to make sure
14 and give everyone the opportunity if you would like
15 to come forward and testify. We do have a court
16 reporter here. Like we said, I'll swear you in and
17 you feel free to say anything you'd like even if
18 it's just I agree with what someone else said.

19 Please raise your right hand. Do you
20 solemnly swear or affirm that the testimony you are
21 about to give is the truth, the whole truth and
22 nothing but the truth?

23 MR. LAPPE: I do.

24 JUDGE HATCHER: Please state your name
25 and spell your last name for us.

1 MR. LAPPE: Danny Lappe. L-A-P-P-E.

2 JUDGE HATCHER: Mr. Lappe, please go
3 ahead.

4 MR. LAPPE: I just want to make a
5 comment that in the literature that we were handed
6 that it says that with this increase their extra
7 revenues per year is \$300,000 in excess of that.
8 What I want to get noted is what is our assurance
9 that this money is going back into the sewer and the
10 water services and not just in somebody's pocket?

11 Because obviously somebody didn't do their
12 home work on this. They obviously paid too much for
13 a facility that needed lots of repairs. So as
14 concerned citizens we need to know -- make sure that
15 we're getting -- you know, we're putting money into
16 this, that we're going to get services back out of
17 that. Thank you very much.

18 JUDGE HATCHER: Thank you. Would anyone
19 else like to testify? Last call. I'm going to read
20 the last sentence on my script and then we're going
21 to close the hearing. Would anyone like to testify?

22 All right. Thank you all for coming. One
23 last reminder, staff will be available after the
24 hearing if you have any other questions.

25 Mr. Robertson, specifically, I know you

1 wanted to talk to staff.

2 This hearing is now adjourned. We are off
3 the record.

4 - - - - -

5 (Public Hearing concluded at 7:43 p.m.)

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CERTIFICATE OF REPORTER

I, Suzanne M. Zes, a Certified Court Reporter (MO) and Registered Professional Reporter, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me pursuant to Section 492.010 RSMo; that the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.



Certified Court Reporter
within and for the State of Missouri

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