

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
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6 TRANSCRIPT OF PROCEEDINGS
7 Local Public Hearing
8 October 5, 2016
9 Sedalia, Missouri
10 Volume 1
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13 In the Matter of the)
Application of a Rate) File No. SR-2016-0202
14 Increase for Raccoon Creek)
Utility Operating Company.)
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18 NANCY DIPPELL, Presiding,
REGULATORY LAW JUDGE.

19 WILLIAM KENNEY,
MAIDA J. COLEMAN,
20 COMMISSIONERS.
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23 REPORTED BY:
24 KELLENE K. FEDDERSEN, CSR, RPR, CCR NO. 838
MIDWEST LITIGATION SERVICES
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1 P R O C E E D I N G S

2 (WHEREUPON, the local public hearing
3 began at 6:42 p.m.)

4 JUDGE DIPPELL: We're going to go
5 ahead and go on the record so we can get things
6 moving. Today is October 5th, 2016. The Missouri
7 Public Service Commission has set this time for a
8 local public hearing in File No. SR-2016-0202,
9 which is captioned as, In the Matter of the
10 Application of a Rate Increase for Raccoon Creek
11 Utility Operating Company, Inc.

12 My name is Nancy Dippell, and I am
13 the Regulatory Law Judge that's going to preside
14 over this hearing tonight. And I first just want
15 to thank you all for coming, and I want to take
16 full responsibility for anybody that had trouble
17 finding the room tonight. I'm the one that okayed
18 the address. So don't hold that against the Staff
19 or the Commissioners or the company. That one's on
20 me.

21 COMMISSIONER COLEMAN: I was lost,
22 too.

23 JUDGE DIPPELL: I was as well.

24 COMMISSIONER COLEMAN: So was
25 Commissioner Kenney.

1 JUDGE DIPPELL: So I do want to
2 introduce you to the Commissioners that are with me
3 today. I have Commissioner Kenney and Commissioner
4 Coleman, and I think they might like to say some
5 opening remarks.

6 COMMISSIONER KENNEY: I'll state --
7 can everybody hear me? My name is Bill Kenney.
8 I've been a Public Service Commissioner going into
9 my fourth year. Commissioner Coleman and I are two
10 of five Commissioners, and anything that's said
11 tonight the other Commissioners have a chance to
12 review because it will be a part of the case. This
13 is just one process of the scenario going forward.

14 I know there's probably not a lot of
15 happy campers in here because you're experiencing a
16 large increase, and this is one of the problems we
17 see with small water and sewer groups around the
18 state, and it mainly is driven by federal and state
19 guidelines regarding water quality. I know several
20 of you have not had a rate increase for a decade or
21 two decades, and that alone is part of --

22 AUDIENCE MEMBERS: No.

23 COMMISSIONER KENNEY: Okay. Since
24 2007, was it? Okay. Almost a decade, and some
25 others have had longer, three different districts

1 being involved in this. That's what I mean. And
2 it's extreme. We know that. And as I said, this
3 is only part of the case. The case is not decided.
4 We will have a regular evidentiary hearing that
5 goes on. This is one part of the process.

6 I would like to thank the Staff of
7 the Missouri Public Service Commission. They do an
8 excellent job, and I hope they've been able to at
9 least inform you of the process. Thank you.

10 COMMISSIONER COLEMAN: Thank you.
11 Good evening. So I'm going to use the microphone
12 because I find that quite often some people don't
13 hear as well as we should, me being one of them.

14 I think that Commissioner Kenney
15 expressed the Commissioners' opinion, and we will
16 take very seriously what you say tonight. Any
17 comments that you make are entered into the record
18 for further review by not only the two of us but
19 the three other Commissioners whose schedule did
20 not allow them to be here tonight.

21 And more than anything, I want to
22 thank for your participation. It is important that
23 we hear from the customers of the district, and we
24 appreciate you being here. Thank you.

25 JUDGE DIPPELL: Thank you,

1 Commissioners. I'd like to also begin by taking
2 entries of appearance from the counsel that are
3 here. Commission Staff?

4 MS. PAYNE. Whitney Payne for
5 Commission Staff, and I provided my address and
6 information to the court reporter already.

7 JUDGE DIPPELL: Thank you. The
8 Office of Public Counsel?

9 MS. SHEMWELL: Good evening, Judge,
10 and thank you. Lera Shemwell representing the
11 Office of the Public Counsel.

12 JUDGE DIPPELL: Is there counsel for
13 the company?

14 MR. COOPER: Yes, your Honor. Dean
15 Cooper appearing for Raccoon Creek Utility
16 Operating Company, Inc.

17 JUDGE DIPPELL: Thank you. This is
18 your opportunity to make comments to the Commission
19 about the rate increase, and while the
20 Commissioners and counsel are present, and I may
21 have some questions for you at the end of your
22 testimony, this is just your opportunity to speak
23 and ours to listen. So hopefully if you didn't get
24 your questions answered, Staff can -- some of them
25 can stick around after the hearing, take them out

1 in the hall, whatever works for you.

2 I do take testimony under oath or
3 affirmation. So I'll ask you -- I'll call the
4 names as they're on the list, and I'll ask you to
5 come up here to this podium if you're able and
6 state your name, and it would be helpful if you
7 could tell us which of the service areas you live
8 in.

9 Then you can give your comments to
10 the Commission. There's no real time limit, but
11 since there's such a big crowd, I would ask you to
12 try to keep your comments as brief as possible, or
13 if someone has said something that you liked and
14 was what you were going to say, you can come up and
15 say, what he said.

16 I think that's about it. We'll go
17 ahead, then, and get started. I have Clayton
18 Morris. I will also ask if you will remain at the
19 podium until I've excused you because the
20 Commissioners or I may have some clarifying
21 questions.

22 Mr. Morris, could you raise your
23 right hand.

24 (Witness sworn.)

25 JUDGE DIPPELL: Thank you. If you

1 could state your name and spell it for the court
2 reporter, please.

3 MR. MORRIS: Clayton Morris,
4 C-l-a-y-t-o-n, M-o-r-r-i-s. I lived in the South
5 Walnut Hills area since '92, 24 years. And one
6 thing I had, one of the questions was why the DNR
7 didn't come to the meetings. We are in and out of
8 this subdivision daily. I've never seen a DNR
9 vehicle, personnel or anything around any of these
10 areas.

11 I'm concerned with the South Walnut
12 Hills WPC plant. To me, and I'm sure everybody
13 agrees with me, our rate increase is probably right
14 at 150 percent, 148, 149, something like that,
15 which is outrageous, I think, but it is what it is.

16 Since we've lived there 24 years,
17 I've never saw one line opened up, no digging at
18 all. The plant went right on through just like
19 they never had any problems, no odor, no smell.
20 And the stream that runs adjacent to it goes right
21 through the country club, right through the golf
22 course, and I'm sure if there was any issues there,
23 we'd hear from the Walnut Hills members and from
24 the country club members going through the golf
25 course.

1 Like I said earlier, it appears to me
2 that these treatment plants are an easy target for
3 the DNR, seeing that there's hundreds of septic
4 tanks, open lagoons, subdivisions that are on
5 septic tanks, and different cattle operations and
6 stuff in this watershed of Muddy Creek, the little
7 stream that we're at goes through.

8 One, for example is Rose Acres. I
9 checked with Missouri Department of Conservation
10 Commission on their fish kills in Muddy Creek.
11 Rose Acres has been cited. Tyson's been cited many
12 times from back in the '90s right on up to 2013.
13 Of course they were fined and paid their fine.
14 Part of it went to the EPA. Part of it went to the
15 Department of Natural Resources.

16 And you go right on in to some of the
17 subdivisions, like I said, on 16th Stream there's
18 some of it west on Walnut Hills, and even at the
19 state fairgrounds there's weekly cattle shows,
20 horse shows, sheep shows. Where does that runoff
21 go right there? Right into the same watershed that
22 we're feeding in. And I feel like we're being
23 penalized because we're trying to make an effort.
24 I know they're not going to lock horns with the
25 Department of Agriculture because of the revenue

1 generated by the fair.

2 And that is on the resale value of
3 our property, good luck trying to get rid of it if
4 you have to tell somebody, disclose to them that
5 there's going to be nearly a \$100 or \$1,200 a year
6 fee just to use -- just to use the bathroom.

7 One example here. There's a
8 subdivision over on 32nd Street, Cambridge Estates.
9 They started building them about the same time that
10 we built our house in 2006. They've already been
11 told that their treatment plant was outdated, but
12 they were lucky enough, they were on the opposite
13 side of 32nd Street, to hook on to the city.

14 Of course, they had a local judge
15 that was on the homeowners association, and he kind
16 of opened some doors to getting hooked on there and
17 everything like that. So what they're paying now
18 is just a -- the water, the sewage and the trash
19 pickup's all included in a fee that's a lot less
20 than we'll be paying supposedly.

21 The lake over here in the South
22 Walnut Hills subdivision, I fish that lake about
23 three or four times a day -- or three or four times
24 a week, sometimes three or four times a day. But I
25 met Mr. Cox over there probably three, four years

1 ago, him and a couple of his engineers, and we were
2 there at the dam. There's a vacant lot there where
3 I usually park my vehicle. And he asked me if this
4 was part of the WPC sewer system, and I told him
5 no, because our daughter lives in that subdivision
6 and her family. They're on individual septic tanks
7 and this gravel filtration pit.

8 Well, shortly after -- or year or so
9 or whatever, I don't know exact time, they were
10 notified that they needed to do something over
11 there, expensive upgrades or something like that.
12 And I think since that time they've either
13 contacted Raccoon Creek or they've been contacted
14 by them to hook on to our treatment plant.

15 And I was told, like I said, was told
16 by the Public Service Commission Staff existing
17 plant was easily capable of handling the South
18 Walnut Hills subjective. This was probably two or
19 three years ago before this transaction went into
20 effect.

21 And my question, one of the questions
22 I have is why do we need a new plant when the
23 existing was working? There's never been any smell
24 or odor or any effluent that I've ever noticed in
25 this little stream. Like I said, I'm usually

1 crossing it every day.

2 Getting now to the previous owner,
3 the previous owner asked for a rate increase every
4 four to five years without any repercussions from
5 the DNR for not being in compliance. He was -- to
6 me, I'm sure he was allowed to sell the facility
7 out of compliance of the DNR standards.

8 And I've got a paper here that's from
9 the Office of Public Service. I'll read it. It
10 says, WPC is already in violation of the schedule
11 of compliance, having not completed either
12 six-month or a year basis report on progress
13 towards bringing the system into compliance with
14 nutrient limits. Raccoon Creek has examined the
15 system and believes that it will be necessary to
16 build a new side-by-side activated sludge plant
17 that would contain the infiltration inflow due to
18 the storm, sanitary storm water and high flow
19 precipitation events. The existing mechanical
20 plant will also be utilized for waste sludge and
21 treatment. The existing WPC disinfection system
22 will be utilized.

23 So in other words, half of it is
24 still there, like was said earlier, and --

25 JUDGE DIPPELL: Mr. Morris, is that a

1 document that you'd like me to put in the record?

2 MR. MORRIS: It's got your-all's
3 website on it.

4 JUDGE DIPPELL: Thank you. I'll go
5 ahead and mark this as Exhibit 1 from the public
6 hearing. Go ahead.

7 MR. MORRIS: Okay. We've already
8 discussed the service area, which like I said, I
9 was told that it was from 16th Street south on the
10 tree line east of the -- right adjacent to the
11 treatment plant that's there now, and then west on
12 32nd Street to the tree line that's west of the
13 Woodland Estates and then back north to 16th
14 Street.

15 See, this is where that new division,
16 there's a new subdivision supposed to be developing
17 to the west of there, and I guess it will be hooked
18 on, too, when it comes about.

19 So that's my take on it.

20 JUDGE DIPPELL: Thank you. If you
21 could hold on just one moment. Are there any
22 questions from counsel?

23 MS. SHEMWELL: No, thank you.

24 JUDGE DIPPELL: Commissioners, did
25 you have any questions for Mr. Morris?

1 COMMISSIONER KENNEY: Thank you,
2 Mr. Morris.

3 JUDGE DIPPELL: Thank you,
4 Mr. Morris.

5 MR. MORRIS: You're welcome.

6 JUDGE DIPPELL: Gary Noland.

7 (Witness sworn.)

8 JUDGE DIPPELL: Thank you.

9 MR. NOLAND: I want to thank the
10 Commission --

11 JUDGE DIPPELL: I'm sorry. Could you
12 give your name and spell it for the court reporter?

13 MR. NOLAND: Gary, G-a-r-y, Noland,
14 N-o-l-a-n-d.

15 JUDGE DIPPELL: Go ahead.

16 MR. NOLAND: I'd like to thank the
17 Commission and your Honor for allowing us, this
18 group, to make this presentation of protest against
19 an onerous rate increase that's about to happen. I
20 live in Hunters Ridge, West 16th, and when I moved
21 there, we've lived there 19 years, my and I and two
22 children, our rate was \$13 a month. Mr. Kenney, in
23 answer to your response that maybe we haven't had
24 any rate increases, I now pay 26 and change, which
25 is on the proposed schedule.

1 And our subdivision -- I certainly
2 sympathize with all the veterans in these various
3 places, but in our subdivision -- also, I'm a
4 Vietnam vet, and we also have veterans, retired
5 educators, people that we thought that this was a
6 place we could retire and enjoy our senior years.

7 If you add this kind of money, from
8 \$26 to \$94.62, it's going to be a budget buster for
9 a lot of people in our subdivision. Not only that,
10 but it's very damaging to our home equity or anyone
11 that wants to sell. I have talked to an appraiser
12 in this area. I'm not going to mention his name,
13 but he said it could have as much as a \$10,000
14 impact to the selling of our homes by having to pay
15 this kind of huge increase to flush your stool.

16 I have a deep concern that we are
17 lumped in with the other districts because Hunters
18 Ridge, I'm not sure, but I think we have a couple
19 hundred houses, and I was told at one homeowners
20 meeting by an engineer that we had great capacity
21 and could actually have added more homes. So it
22 was a total surprise to me to find out that we
23 needed a new plant. Maybe some repairs, maybe some
24 update, yes, but to me, this is certainly overkill
25 in its highest form.

1 I would plead with the Commissioners
2 to strongly consider separating these districts and
3 let each district pay the whatever necessary
4 charges are deemed fair and equitable for each of
5 our groups.

6 I thank you sincerely for your time
7 and will willing answer any questions.

8 JUDGE DIPPELL: Thank you. Are there
9 any questions from counsel? I'll tell you what,
10 I'm just going to -- if counsel has questions as we
11 go, if you'd just flag me and we'll get those on
12 the record. Otherwise, I'll just assume that you
13 don't.

14 Commissioners, anything?

15 COMMISSIONER KENNEY: Thank you,
16 Mr. Noland.

17 COMMISSIONER COLEMAN: Thank you,
18 sir.

19 JUDGE DIPPELL: Thank you, sir.
20 Luther Dawson, Dannon? I'm sorry. I'm not sure
21 about the last name there. Is there a Luther here?
22 Must have had to leave. Grant Jones?

23 MR. JONES: I'll pass.

24 JUDGE DIPPELL: Todd Smith?

25 (Witness sworn.)

1 JUDGE DIPPELL: Thank you. If you
2 could spell your name for the court reporter,
3 please.

4 MR. SMITH: Todd, T-o-d-d, Smith,
5 S-m-i-t-h. First off, I wanted to take issue with
6 the flier that we have here. I am in Woodland
7 Drive, and it talks about we're now part of the
8 WPC, and it says that our permit expired in early
9 2015. Well, it's because that's when we hooked on.
10 We were -- actually had the paperwork all ready to
11 get an extension to 2017. Obviously it's
12 misleading having it that way.

13 And it talks about our sand
14 filtration system. We had never had a problem with
15 our sand filtration system. We each have septic
16 systems that feed into it. It's always been in
17 compliance, never an issue.

18 And the representation --
19 misrepresentation, I actually want to use stronger
20 language than that, we were scared into joining the
21 WPC. Raccoon came to us and said, hey, you're
22 going to be facing \$250,000 maybe down the road in
23 a few years because the EPA may change some
24 regulations and you may be out of compliance at
25 that point.

1 Who in their right mind would save
2 \$250,000 by going for a rate increase that's over a
3 half a million dollars a year? I mean, we could
4 have financed that ourselves and had a fully
5 compliant one, but we were misled and told we
6 needed to connect into the WPC.

7 We gave him the plant. One of his
8 very first actions was to come in and doze it out.
9 He didn't want us being able to disconnect when
10 something like this came along and go back to our
11 old system. So he knew what he was doing with
12 that.

13 We are 31 homes up there in Woodland
14 Drive, and we were paying cheap. We were paying
15 \$120 annually, until 2013 we raised it to 150. But
16 going to \$1,200 a year is out of any kind of
17 comprehension. As I said, we donated the plant. I
18 don't know how many of the others were donated to
19 him. They were talking about the cost of
20 acquisition and everything. Well, his was free
21 from us.

22 With that, I'll be happy to answer
23 any questions.

24 JUDGE DIPPELL: Thank you.
25 Commissioners.

1 COMMISSIONER KENNEY: Thank you,
2 Mr. Smith.

3 COMMISSIONER COLEMAN: Thank you. I
4 just want to say hi, Todd, and I appreciate the
5 fact that you're here.

6 MR. SMITH: Well, thank you. I
7 appreciate you-all here. I will have to send
8 Commissioner Rupp a nasty note saying he should
9 have been here, too.

10 COMMISSIONER COLEMAN: Send him nasty
11 notes.

12 MR. SMITH: I do want to add one more
13 thing. He made reference to it there a moment ago.
14 If you come out to my house right there, we have
15 flags sticking in my front yard, and he denied it.
16 There's new subdivision going in, 35 to 50 houses
17 we hear, and this is for a three-inch sewer to go
18 through our front yard, down and tie into the new
19 plant.

20 Now, he stood up here and said that
21 it's at capacity now. He says there is no
22 agreement for them to tie on. Well, One Call comes
23 out and puts things up right before they start
24 digging. So I don't know what games he's playing
25 with that, but that's going to mess up our plant

1 even more and throw it perhaps out of compliance
2 again. He says he'll have to expand the plant
3 again. So he'll be back in with another rate
4 increase to add that other subdivision onto our
5 system. Sorry I failed to mention that a moment
6 ago.

7 JUDGE DIPPELL: That's quite all
8 right. Thank you very much for your testimony.

9 COMMISSIONER COLEMAN: Thank you.

10 JUDGE DIPPELL: Carrie Foster.

11 (Witness sworn.)

12 JUDGE DIPPELL: Could you state your
13 name and spell it for the court reporter, please.

14 MR. FOSTER: Larry G. Foster,
15 F-o-s-t-e-r.

16 JUDGE DIPPELL: Go ahead. Sorry
17 about that, Mr. Foster.

18 MR. FOSTER: You know, back in 1982 I
19 became mayor of the city of Sedalia. Before that I
20 was a councilman. We put the first sewer use
21 charge in effect in the city of Sedalia. I voted
22 no on it because they told the people, is this
23 going to cost \$2.50, which I knew they was fibbing
24 to the people. Burns & McDonnell out of Kansas
25 City was our engineers.

1 But, you know, I've lived in Hunters
2 Ridge now 20-some years. From going the price
3 we're at now where they want to take us, it's
4 completely out. I know they've got to have an
5 increase to maintain that over there. We want it
6 maintained. We don't want it out in the creek,
7 that's for sure. But that's way too high.

8 And I hope you listen to the people,
9 what they've got to say here today, and I hope
10 these guys do what they said they're going to do.
11 There's a lot of rumors going around, and they're
12 just rumors, but that's a large, large increase.

13 This lady said over here, there is
14 some people on fixed income that's probably having
15 troubles. You know, you take it from 26, what is
16 it, \$26 a month now up to 95, that's a hard hit for
17 anybody, especially retired people.

18 They're going to maintain a lot for
19 that time. This gentleman over here talked about
20 what they're going to get back on putting that
21 money into that. You know, that's a good increase
22 for them, too. And it's never going to stop.
23 We're going to have another increase later down the
24 road. They're going to come up and say, well,
25 something went wrong, pump went out, and we're

1 going to be paying for that. And I hope everybody
2 uses common sense on our price increase out at
3 Hunters Ridge.

4 You didn't play football, did you?

5 COMMISSIONER KENNEY: A long time
6 ago.

7 MR. FOSTER: You remind me of a
8 football player for Kansas City Chiefs. Well,
9 that's all I've got to say.

10 JUDGE DIPPELL: Mr. Foster, can you
11 hang on just one moment?

12 COMMISSIONER COLEMAN: Mr. Foster?
13 You know, I love, Mayor Foster, how easily you can
14 be distracted.

15 MR. FOSTER: You know, I was thinking
16 about that Kansas City Chief quarterback we had
17 years ago. I'm a Raiders fan. I don't like the
18 Chiefs.

19 COMMISSIONER COLEMAN: Well, that's
20 exactly who he is. That's exactly who he is, Bill
21 Kenney, quarterback for the Kansas City Chiefs.

22 MR. FOSTER: I'll be darned.

23 COMMISSIONER COLEMAN: So the good
24 thing about that is that means he hasn't really
25 aged if he still looks the same. So thank you.

1 MR. FOSTER: Thank you all.

2 JUDGE DIPPELL: Thank you, sir. Adam
3 Braverman.

4 MR. BRAVERMAN: Thank you. I don't
5 know how you follow Larry Foster ever.

6 (Witness sworn.)

7 JUDGE DIPPELL: Thank you. And could
8 you state your name and spell it for the court
9 reporter?

10 MR. BRAVERMAN: Yes. My name is Adam
11 Braverman. Adam, A-d-a-m, Braverman,
12 B-r-a-v-e-r-m-a-n. I knew you were Bill Kenney. I
13 was wondering where you were Sunday night when we
14 needed you.

15 I've lived in Hunters Ridge since
16 January of 1993, and I went back and looked at old
17 checkbook records and utility bill records today,
18 and we paid \$18 a month from the time I moved into
19 that home until October of 1997 when the rates
20 increased to the current rate of 26.42. That was a
21 46.78 increase.

22 The proposed increase now of increase
23 of \$68.20 a month is a 258 percent increase on what
24 we're paying today. I don't have a problem with
25 prices going up because costs go up, as long as

1 service goes up at the same time.

2 According to the United States Bureau
3 of Labor Statistics, the Consumer Price Index,
4 \$26.42 in 1997 has a present value of money of
5 \$39.65 today, which is an increase of about
6 150 percent. And I understand that utility
7 companies can't just increase rates annually based
8 upon their cost or on inflation, and they have to
9 come through the Commission.

10 So we've been very lucky and
11 fortunate not to have a price increase for
12 20 years. So I don't have a problem with an
13 increase in our monthly fee. I do want it not to
14 be tied to the costs or investments in other
15 treatment plants that Raccoon Creek owns.

16 But based upon the 150 percent
17 inflation rate in the last 20 years, a reasonable
18 rate of increase would be \$39.65 dollars a month.
19 So that would be my recommendation that we look at
20 figures in that neighborhood. And that's all I
21 have to say.

22 JUDGE DIPPELL: Thank you.
23 Commissioners, do you have questions?

24 MS. SHEMWELL: I have a question.

25 JUDGE DIPPELL: Ms. Shemwell.

1 MS. SHEMWELL: You said you hope that
2 you get good service. Do you know how to contact
3 the company if you feel that you're having a
4 problem?

5 MR. BRAVERMAN: Yes.

6 MS. SHEMWELL: You have that number?

7 MR. BRAVERMAN: There's an Internet
8 out there. I can find them.

9 MS. SHEMWELL: You're a smart man.

10 JUDGE DIPPELL: Ms. Shemwell asked
11 him if he knew how to contact the company if he had
12 a question.

13 MR. FOSTER: I've got a question for
14 him. You said you had two rate increases since
15 '93?

16 JUDGE DIPPELL: I'm sorry, Mayor. I
17 really can't allow you to ask questions.

18 COMMISSIONER KENNEY: Mr. Braverman,
19 how many increases have you had since '93?

20 MR. BRAVERMAN: (Indicating.)

21 COMMISSIONER KENNEY: Two.

22 JUDGE DIPPELL: Thank you,
23 Commissioner. Thank you, Mr. Braverman. Janna
24 Birdsong? Janna Birdsong? Laura Layton?

25 MS. TAYLOR: Taylor maybe?

1 JUDGE DIPPELL: Okay. Laura Taylor.

2 I'm sorry.

3 MS. TAYLOR: I didn't think my
4 handwriting was that bad.

5 JUDGE DIPPELL: You have lovely
6 handwriting. Would you please raise your right
7 hand.

8 (Witness sworn.)

9 JUDGE DIPPELL: Thank you. Could you
10 spell your name for the court reporter and for me
11 apparently.

12 MS. TAYLOR: Laura, L-a-u-r-a,
13 Taylor, T-a-y-l-o-r. And I don't want to unnerve
14 the court reporter, but for 18 years I taught court
15 reporting. So I know what she's going through.

16 I live in Woodland Estates, and
17 Mr. Smith already made some comments about there
18 are 31 homes in our subdivision. And since 1998
19 when we first built the sand filtration system, we
20 were paying \$10 a month, and that covered our
21 costs. And that was increased in 2013 to \$150.

22 So this is a significant increase for
23 our subdivision. And if I did my math correctly,
24 it's a \$56 increase from the \$38 that we're paying
25 now to the \$94. And then we were paying \$10, and

1 it jumped up to 38, which is what we're currently
2 paying. So I think it's an incredible increase.

3 I understand and appreciate the
4 investment that Raccoon Creek has made to the sewer
5 system, and I understand that they can recoup their
6 costs, but I think this is an exorbitant increase.

7 And people are talking about being on
8 fixed incomes. I'm widowed. I'm on a fixed
9 income. And I tell you, I don't flush my toilet or
10 do laundry very often during the typical day.

11 Sometimes I only do a couple loads a week. So I
12 don't really contribute a lot to the sewer system.

13 We do have septic tanks. We have
14 pressurized water lines. So the only waste that's
15 being processed is the gray water that Josiah
16 mentioned a while ago that that's what costs a lot
17 of money. So I'm not aware of the science of all
18 of that. But we do have our own septic tanks for
19 the solid waste.

20 And if I figured everything
21 correctly, with the 31 homes in our subdivision and
22 the proposed increase, it's going to generate
23 \$22,769 just from our subdivision. So I still
24 think that seems like maybe not a large amount over
25 the amount that they've invested, but I agree with

1 what someone else said earlier, that we'd kind of
2 like to know some specific figures of will they
3 recoup their costs within five years, ten years?
4 You know, how long is that?

5 So those are the main comments that I
6 wanted to make, that we have managed our plant
7 with, you know, \$120 a month per household, and we
8 were in compliance because I think we were taken
9 out of compliance when we transferred title over to
10 Raccoon Creek, and I think Mr. Smith mentioned that
11 as well.

12 JUDGE DIPPELL: Thank you.
13 Ms. Taylor, if you want to look at some of those
14 revenue figures and so forth, I would encourage you
15 to talk to the staff people and they can explain
16 the actual evidentiary hearing and where you could
17 actually look at some of those figures. Some of
18 them will be confidential, but there are -- there's
19 a lot of information in this case.

20 MS. TAYLOR: They mentioned that
21 earlier. Now, I've been on the website and looked
22 at lots of documents, but I evidently wasn't in the
23 right place to find that information.

24 JUDGE DIPPELL: Commissioners?

25 COMMISSIONER KENNEY: Thank you.

1 Ms. Taylor, just one question. Is the sewer
2 district responsible for the solids now?

3 MS. TAYLOR: No. We still maintain
4 our own septic tanks.

5 COMMISSIONER KENNEY: So they only
6 take the gray water but not the solids?

7 MS. TAYLOR: That's correct.

8 COMMISSIONER KENNEY: Thank you.

9 JUDGE DIPPELL: Thank you, ma'am.
10 Darby Provance.

11 (Witness sworn.)

12 JUDGE DIPPELL: Thank you. Could you
13 spell your name, please?

14 MS. PROVANCE: Yes. Darby,
15 D-a-r-b-y, Provance, P-r-o-v-a-n-c-e.

16 JUDGE DIPPELL: Thank you. Go ahead.

17 MS. PROVANCE: So I have tried to
18 develop a rational argument against the proposal of
19 increasing our monthly sewer bill by \$70. However,
20 I haven't been able to because it's an irrational
21 proposal. So instead, I simply plead with you, do
22 not increase our rates.

23 At 23, I'm probably the youngest
24 person here, maybe by far. And my husband is not
25 here because we teach youth groups on Wednesday

1 nights in Warrensburg. So this wasn't exactly on
2 the way. And he also had to take our son with him.

3 So my husband is in the military, and
4 we just bought our first home together at the end
5 of April with no idea about this sewer rate
6 increase proposal and have now been bombarded with
7 this ridiculous proposal. Not the first thing you
8 want to learn when you first buy a home, in
9 addition to a hot water heater going out and all
10 the other fun stuff that comes with owning your
11 home.

12 So our phones are several years old.
13 Our vehicles are even older. We don't have cable
14 TV. We don't buy new clothes frequently. We have
15 a 16-month-old son. I use cloth diapers to save
16 money. So I guess I use the sewer for that. But I
17 get most things secondhand for him. I stay home
18 with him, so we have one steady income. I try to
19 work on the side.

20 But we keep our house hot in the
21 summer and cold in the winter. We save up for what
22 we have and buy and live according to a tight
23 budget. We have a water bill, trash bill, sewer --
24 that's why we're here -- gas, electric, oh, and we
25 can't forget about our mortgage.

1 So like I said, my husband is in the
2 military, which his paycheck is determined by
3 Congress, and even his BIH is determined by
4 Congress, and they have been not giving the best
5 raises and definitely less than 350 percent.

6 So we'll be trying to sell our house
7 in the near future because he's in the military,
8 and I have to hope and pray someone is as ignorant
9 as we were buying this house.

10 There's no room for this preposterous
11 increase, and so I beg you to think of the families
12 you will be devastating with this increase. And
13 frankly, it's stealing to benefit someone else, and
14 I don't know how they find a way to sleep at night.

15 JUDGE DIPPELL: Thank you.
16 Commissioners, do you have any questions? Thank
17 you, ma'am.

18 COMMISSIONER COLEMAN: Thank you.

19 COMMISSIONER KENNEY: Thank you very
20 much.

21 JUDGE DIPPELL: I'm going to mess
22 this one up, too. Mike -- how many Mikes do we
23 have?

24 COMMISSIONER COLEMAN: Maple.

25 JUDGE DIPPELL: Maple. There you go.

1 (Witness sworn.)

2 JUDGE DIPPELL: Thank you.

3 MR. MAPLE: I'd first like to --

4 JUDGE DIPPELL: Could you please
5 spell your name, too?

6 MR. MAPLE: Okay. It's like a tree.
7 There's no S. Okay. Mike Maple.

8 First of all, I'd like to thank all
9 these people, those of you in the service for your
10 service. I know it's very difficult. I too am a
11 Vietnam vet, but I'm very fortunate. I'm retired,
12 and I have been very fortunate in life.

13 As a part of that, I have a piece of
14 property at the Lake of the Ozarks. They've just
15 recently gone through something similar to this,
16 and through some help from the gentleman over here,
17 I found out that it's completely different from
18 what we're dealing with here.

19 But they recently had an increase in
20 the cost to an astounding \$60 per month, and that
21 includes all maintenance. And if something happens
22 to my property there, the septic system, we call
23 them. They come out, they fix it. That's not the
24 case for us in Woodland.

25 I simply say that because there seems

1 to be a terrible discrepancy, and it's on me to now
2 go out and find out how do we -- can we back out
3 and go to what they call -- this is the Gravois Arm
4 Sewer District. So it is totally different, as I
5 understand it, from what we're dealing with now.
6 We're dealing with a profit versus a nonprofit
7 situation. Would that be correct?

8 JUDGE DIPPELL: I'm not sure, sir.

9 MR. MAPLE: So that's my only
10 comment. I just wanted to make that comment that
11 they just recently had these upgrades, and yet
12 their costs were \$60 per month including
13 maintenance. Okay.

14 JUDGE DIPPELL: Can I ask you just
15 one question about that? Do you know how big that
16 system is? Do you know how many customers or --

17 MR. MAPLE: I'm sure some of the
18 people here could tell that.

19 JUDGE DIPPELL: The Staff probably
20 knows the answer.

21 MR. MAPLE: But it's large. It's the
22 entire northern part of the Lake of the Ozarks.

23 JUDGE DIPPELL: Okay. Thank you.
24 Commissioners, do you have any questions?

25 COMMISSIONER KENNEY: Thank you,

1 Mr. Maple.

2 COMMISSIONER COLEMAN: Thank you,
3 sir.

4 JUDGE DIPPELL: Thank you, sir. John
5 Britton, Brittain?

6 MR. BRITTAIN: Thank you for the
7 opportunity.

8 (Witness sworn.)

9 JUDGE DIPPELL: Thank you. If you
10 could please spell your name.

11 MR. BRITTAIN: My name is John,
12 Brittain, middle initial B, B-r-i-t-t-a-i-n.

13 JUDGE DIPPELL: Go ahead.

14 MR. BRITTAIN: Great. Thanks again
15 for the opportunity. I'm in agreement that the
16 increase is tremendous. It is incredible. Being a
17 new resident of the Villages of Whiteman in the
18 Village Lake South portion, I see, if I've done my
19 math right, 303 percent to 445 percent increase for
20 the residents there. I just see that's incredible.

21 Rates were much lower for me -- I've
22 been here a year. Rates were much lower, and I'm
23 sure it was a wider system, in the Washington/
24 Baltimore corridor. So it's just incredible for me
25 to see these rates. Property's great, but the

1 rates here and even other utilities are higher,
2 which is less than exciting.

3 In Village Lake South, we are among
4 those that send the gray water rather than the
5 solids into the system. We were explained that in
6 the lagoon it's processed or those are designed to
7 process the gray water. And I didn't understand
8 exactly if it processes the gray water exactly like
9 it processes the solids, but I would think that it
10 would be less difficult to process water rather
11 than solids. I'm a little bit concerned about
12 that.

13 Resale, as others have spoken, resale
14 of property, goodness. You know, I'm a guy, I'm in
15 ministry, and I don't have a huge income, but if I
16 were to have to move to a different place and sell
17 my property, I'd worry about that. Someone had a
18 statistic of a \$10,000 perhaps difference.

19 I'd like to state, I haven't heard
20 anyone say this, but -- and I don't know -- I don't
21 know what these utility companies do, but I would
22 have to say that Raccoon Creek made a poor
23 investment in their purchasing a utility that was
24 in compliant. And I would have to say that the
25 responsibility for carrying the load ought not to

1 be on me and my other friends.

2 (Applause.)

3 The investment that was made was not
4 mine to consume. It was not mine, is not mine,
5 should never be mine to have to carry. You can see
6 I may be a little uptight, but I do not believe
7 that is my responsibility. I believe most people
8 in this room would carry that same feeling.

9 Did they knowingly purchase this
10 property understanding that it was not compliant to
11 certain standards? And then further, did they
12 knowingly proceed with the intent to lay the
13 responsibility for that investment upon me, upon
14 these people? Talk about ethics.

15 (Applause.)

16 JUDGE DIPPELL: I know everyone's
17 kind of emotional here tonight, but I would ask if
18 you'd keep the -- hold the applause. Thank you.

19 MR. BRITTAIN: I just again say I
20 should not be punished for Raccoon Creek's
21 investment or for the previous utility operating
22 company being noncompliant.

23 And with that in mind, I'd like to
24 bring the question, and I'd heard someone offer the
25 thought, is it beyond the possibility or is it

1 possible for the previous utility company to absorb
2 some of the punishment that I'm being asked to
3 receive for systems which were not compliant to the
4 proper standards? Is that a possibility? I don't
5 know the laws here. I'm a minister. I'm not a
6 lawyer. My brother's the lawyer. He may not know
7 either.

8 I want to thank you for your time and
9 your diligence to your responsibilities, and thank
10 you for considering each and every person and their
11 thoughts and even their feelings as they step here,
12 step up to this microphone. Thank you very much.

13 JUDGE DIPPELL: Commissioner?

14 COMMISSIONER KENNEY: Thank you,
15 Mr. Brittain.

16 COMMISSIONER COLEMAN: Thank you,
17 Mr. Brittain.

18 JUDGE DIPPELL: Thank you, sir.
19 Gerald Shulmer? I'm not very good with names.

20 MR. SHULMER: That's me. However, I
21 am not prepared to make a statement right now.

22 JUDGE DIPPELL: Would you like me to
23 come back to you, sir? Would you like me to come
24 back to you at the end?

25 MR. SHULMER: Depends how late this

1 thing goes.

2 JUDGE DIPPELL: Okay. We'll go on,
3 then. David Paul?

4 (Witness sworn.).

5 JUDGE DIPPELL: Thank you. If you
6 could state your name and spell it for the court
7 reporter.

8 MR. PAUL: David, D-a-v-i-d, P-a-u-l.
9 I live in Hunters Ridge. Everything Adam Braverman
10 said is pretty well what I was going to say. The
11 only other thing I would say is if you invest
12 \$1.5 million and you get 47,000 a month in revenue,
13 that's -- I don't know what your costs are, but
14 they could be outrageous, but I've never seen
15 anybody ever working on the sewer systems in the
16 last 20 years. So I don't see where all the
17 expense would be. I will have to get on the
18 Internet and look. That's all I have to say.

19 JUDGE DIPPELL: Thank you.
20 Commissioner?

21 COMMISSIONER KENNEY Thank you.

22 COMMISSIONER COLEMAN: Thank you.

23 JUDGE DIPPELL: Thank you. Dan
24 Siever?

25 AUDIENCE MEMBER: Dan's no longer

1 here.

2 JUDGE DIPPELL: Thank you. Dean
3 Byers?

4 MR. BYERS: Good evening.

5 (Witness sworn.)

6 JUDGE DIPPELL: Could you please
7 spell your name for the court reporter?

8 MR. BYERS: Dean Byers. Last name
9 B-y-e-r-s. I appreciate you guys giving the
10 opportunity for me to come out here and speak.
11 I'll be straight up and to the point. I'm a
12 passionate person. Been in the military for quite
13 some time. Moved out of Whiteman back in '99.
14 Purchased my house. We were one of the original
15 homes out in the area. Been there for quite some
16 time, like I said.

17 Didn't realize this was happening
18 until about two years ago, that there was an issue.
19 It was brought to the homeownership attention. We
20 had a meeting. There was questions thrown out in
21 the homeownership of, first of all, can this lagoon
22 support as many houses as are out there, because it
23 had grown so much. Nobody ever had any answers.

24 One individual finally started going
25 to DNR and started finding out about what was going

1 on and why this was such a degraded system at this
2 point in time.

3 The rate increase, you guys used the
4 term reasonable rate. It's an unreasonable rate.
5 It is definitely an unreasonable rate, and it will
6 not go, honestly. The sad part is if I don't pay
7 my sewer bill to boycott this, the water system
8 turns off my water. I'm locked in. I can't do
9 anything about it.

10 Whether this gentleman that purchased
11 this, what his intent was was to make money or to
12 help out the program, I don't know. The DNR
13 offered, as it was put to us this evening, at a
14 glacier pace to inspect these arenas and venues
15 throughout the state.

16 People that own these, they took an
17 obligation 20 years ago to make this lagoon for
18 Whiteman, but nobody went to go follow back on it
19 to see if this guy was upkeeping, doing the
20 maintenance. The dollars weren't there from the
21 government to support their programs. The
22 regulations weren't improved in time for it.

23 So what ended up happening with this
24 package is this gentleman then gets time to step
25 out from under this. This gentleman purchased it

1 for a dollar. He bought the property for a dollar.
2 It's a \$1.5 million investment he says. So you
3 need to sit down and really itemize where he's
4 putting his money and why it cost 1.5 million if he
5 just bought it for a dollar.

6 Okay. So my -- I strongly suggest
7 the Commission goes down in the reeds. If he's
8 buying his product from the government like we do
9 with hammers and things for military, I can believe
10 he paid \$1.5 million. Okay. So I want that
11 scrutinized to the T.

12 Somebody offered a reasonable rate
13 earlier, 39-something. \$40 would be reasonable. I
14 mean, I could see putting that. But you're talking
15 \$94. I still support a son who has a son, so I'm a
16 granddaddy. I have a daughter who is still
17 finishing school. She's a firefighter out of
18 Warrensburg, but she's still doing her degree, so I
19 still support her. So my expenditure is still
20 there.

21 I was planning on retiring out of the
22 Village of Whiteman in seven years, but if this is
23 going to be what it is, I'm going to probably end
24 up selling my house and moving out of the area, and
25 I'll probably take a loss on it. I've already got

1 two neighbors that are moving, and they were
2 renters. One's PCS'ing to Seattle, and I don't
3 know where the other two are going, but they were
4 also military, both of the couples. The owners are
5 now selling. Do you think it's because of this
6 program that's going on right now that they're
7 saying, hey, I'm getting out while the getting's
8 good?

9 That young lady that stood up here
10 and talked to you earlier, a brand new airman moved
11 into our neighborhood. What a way to treat her.
12 Real estate didn't even inform her this was going
13 on. If she had known, her husband had know that
14 this was going to be a problem, he probably would
15 have said, ah, maybe let's go look somewhere else.

16 So what we have is a failure of
17 disclosure by real estates. If they don't make his
18 problem aware currently as it is going, other
19 people are moving in. But I see a lot of signs
20 going up in the neighborhood right now. I think
21 people are worried. I think my investment, my
22 retirement, what I was looking for seven years down
23 the road, it's going to be eye wash. There's no
24 way I'm going to put another \$60 stack on what I'm
25 going to be making.

1 Okay. So that's just some of the
2 things I want to bring to your attention. The
3 biggest thing I think that was brought back up that
4 I pushed an issue earlier was the gentleman that
5 made this piss poor decision to not maintain this
6 should be held accountable. This country does not
7 support people being responsible for ownership. If
8 he had an obligation to upkeep this system for us
9 and it failed and the DNR didn't -- why am I being
10 punished for it? Okay. I should not take the
11 brunt of this. It should be not the taxpayers. It
12 should be the individual that owned. They should
13 have levied fines on him, and this man should get
14 money from him because he spent the time to upgrade
15 it. So I think that needs to be really
16 scrutinized. I honestly do.

17 I'm sorry I'm passionate, but when I
18 speak about this, you're taking money out of my
19 pocket. Okay. I spent time in Afghanistan, gave
20 up my luxuries of showers and nice bed which you
21 guys get to have, you know, and I come back to
22 something like this. I'm not going to buy off on
23 it.

24 So anyways, I appreciate your time.
25 Make sure I covered all my points. Oh, by the way,

1 my neighborhood, our roads are failing. Okay. So
2 I've got money that I've got to invest in there.
3 Not sure what my homeownership is doing about that
4 either. So there's big money that I've got to
5 spend in fixing my roads, too. Let alone sell my
6 house with broken roads, now I've got to pay \$94.

7 Okay. So it will impact this
8 devastatingly. The neighborhood will go down.
9 Then you're going to have -- what we have now is we
10 have across the street from us a state-funded
11 program that was purchased because that house was
12 derelict home, and it supports people with mental
13 issues. These are violent people that the
14 sheriff's department comes out and sees all the
15 time.

16 So this is just impacting that
17 neighborhood. You're going to make us lose a lot
18 of money if you do this to us right now. So there
19 are some real issues that need to be fixed before
20 we get here. We need a reprieve of time just like
21 the guy that owned it by the DNR before we get hit
22 with this. You should allow us to get out from
23 under our property or let us figure another
24 solution. I'm just -- that's all I've got to say.

25 JUDGE DIPPELL: Thank you, Mr. Byers.

1 We appreciate that. We appreciate your service.

2 And I just have one question I want to ask you.

3 You mentioned that your water service and your
4 sewer were kind of tied there with regard to the
5 bill. Who provides your water service?

6 MR. BYERS: District 3.

7 JUDGE DIPPELL: Okay. Thank you.
8 Commissioners?

9 COMMISSIONER KENNEY: Thank you,
10 Mr. Byers.

11 COMMISSIONER COLEMAN: Mr. Byers, I
12 just wanted to thank you for your passion. That's
13 quite all right. You know, it's not all bad to
14 have passion because I'm sure your passion has
15 helped you as you served in the military. And I
16 just wanted to thank you and everyone else here
17 who's military or has family that's military
18 because, you're absolutely right, it's because of
19 your sacrifices that we are able to sleep in soft
20 beds at night. I just got a new mattress, so I'm
21 feeling really good. We appreciate you being here.
22 Thank you.

23 (Applause.)

24 JUDGE DIPPELL: Dorothy Woodworth?

25 (Witness sworn.)

1 JUDGE DIPPELL: Thank you. Could you
2 state your name and spell it for the court
3 reporter?

4 MS. WOODWORTH: Dorothy,
5 D-o-r-o-t-h-y, Woodworth, W-o-o-d-w-o-r-t-h. I
6 live at 1170 SE 185 Road. It's South Villages of
7 Whiteman. My husband's retired military. He
8 retired in Korea, and at that time -- my daughter's
9 just retired, 22 years in the Army. She was in
10 Iraq. And my grandson just recently returned from
11 Afghanistan. So I have a complete military, and I
12 myself served the Army/Air Force Exchange Service
13 for 30 years. So I have a real passion for
14 military.

15 We -- in the North and South
16 Villages, we have 16 homes, and we have the sewer
17 system that passes just black water to the lagoon.
18 And after the gentleman -- we got our first letter
19 the 15th of March 2016 from the Public Service
20 Commission from Jefferson City and referencing
21 Raccoon Creek Utility Operating Company, and on the
22 3rd of March the above-named utility company sent a
23 letter saying that they wanted to produce revenues
24 in excess of 520,000 per year for Raccoon Creek,
25 and the actual raise in rates was 351 percent to

1 each household on their systems.

2 We wrote back to the Commissioners

3 this letter that we felt this was predatory

4 pricing, and increasing the sewer rates at that

5 time from 23.48 to 94.62 would create undue

6 hardships for residents that utilize this service.

7 We wrote these letters to the Commissioners and to

8 legislatures. Based on the law to protect Missouri

9 residents from unrealistic price increases,

10 Missouri Law Review Volume 42, Article 16, due

11 process, ability to utility rates states that

12 Missouri consumers does not have a protectable

13 interest in being charged reasonable rate for

14 utility. Further it states, Missouri consumer

15 statutory created entitlement to reasonable rates.

16 And we feel that this 351 percent

17 rate increase is not reasonable because, as the

18 gentleman stated from Racoon, that he purchased

19 the lagoons for one dollar, and he wants to

20 increase -- in the letter that we got recently, 16

21 September, stated that he -- the company Racoon

22 seeks to increase its operating revenues by

23 approximately \$529,557 off of us.

24 I want -- you know, it brings to

25 question to my mind, why didn't he have the money

1 to buy and fix up the lagoon without having to
2 raise our rates all this percentage? Why is he
3 taking us from \$23.48 to \$94.62, which would be an
4 increase of \$281.76 a year -- or, I mean, the
5 combined total if it went to 94.62, we'd be paying
6 \$1,135.44 a year for sewage. And all that is is
7 black water going to them. No solids at all. Just
8 water.

9 And we're found -- we're two. I do
10 laundry once a week. I run the dishwasher once a
11 week. Sometimes I use paper plates. But we're --
12 we've got 16 houses there. Some of them are
13 rentals. We -- we have airmen. Everyone is --
14 with the way the world is going right now and with
15 people having to live on what they earn and
16 sometimes take second jobs, we really don't -- we
17 can't afford this kind of increase.

18 And as the other gentleman said, we
19 have been told that if we don't pay our sewer
20 rates, our water will be cut off, and our water is
21 from District 3, which is not connected any way to
22 the sewer. We pay our water separately. Our water
23 bill comes in. It's about \$25 or so a month, but
24 it's not connected to the sewer.

25 In Knob Noster, they have a water

1 bill. Then they figure part of the water bill
2 percentage is sewage, then they have the garbage.
3 So it's water, sewer and garbage is all combined
4 into one bill and they pay one bill, and it's never
5 very much. It's not over 25, \$26 for Knob Noster's
6 water, sewer and garbage bill. We pay sewage
7 separate, water separate and garbage separate.

8 So we just could not afford to pay
9 \$94.62 a month. That's more than I pay for any of
10 my utilities. Thank you.

11 JUDGE DIPPELL: Thank you.

12 Ms. Woodworth, I just want to again say thank you
13 and to your entire family for your service. And I
14 did want to mention that the Commission also takes
15 comments on its website and we get letters and such
16 from yourself and others, and we do have those.
17 We've received over 211 comments, and the
18 Commissioners are aware of those and we do take
19 them seriously.

20 MS. WOODWORTH: Thank you.

21 COMMISSIONER KENNEY: Thank you,
22 Mrs. Woodworth.

23 COMMISSIONER COLEMAN: Thank you.

24 JUDGE DIPPELL: Jennifer Owens.

25 (Witness sworn.)

1 JUDGE DIPPELL: Thank you. If you
2 could spell your name for the court reporter,
3 please.

4 MS. OWENS: Jennifer,
5 J-e-n-n-i-f-e-r, Owens, O-w-e-n-s. So I've lived
6 in the Villages for about 12 to 13 years, and I
7 love our neighborhood. There's not very many
8 neighborhoods where you can see the B2 take off and
9 watch it fly around your house, and it is a great
10 place to live.

11 This will significantly affect -- if
12 this rate is approved, if you choose to approve
13 this rate, this will significantly affect everyone
14 in our neighborhood in a really negative way. I
15 believe, to echo the comments that were made
16 earlier, it is predatory pricing. I believe it is
17 price gouging. I believe the 350 percent plus
18 increase is unreasonable. And I would just like to
19 urge you to consider that.

20 The diversity in our neighborhood is
21 broad. We have families likes Darby's who are
22 young families with young children. We have people
23 who are retired. We have people from all walks of
24 life. And I would urge you to consider looking at
25 each neighborhood that this is affecting and

1 consider pricing something different as opposed to
2 the flat rate that Raccoon Creek is proposing for
3 everyone.

4 Mr. Cox knew what he was getting into
5 when he purchased all of these, and I agree with
6 Mr. Byers, it is not my responsibility to make all
7 of that up. I work two jobs. I'm -- I work in the
8 school. I'm a speech pathologist. I work an extra
9 job at the college.

10 I am more than willing to pay my fair
11 share to support the improvements in the sewer
12 system in our neighborhood. I do not believe that
13 a \$60-plus increase per month is my fair share, nor
14 is it any of my neighbors' fair share.

15 So I do want to thank you for your
16 time, and the nice thing about being almost last on
17 the list is I can say I agree with you-all and I
18 agree with you-all. Thank you.

19 JUDGE DIPPELL: Thank you.
20 Commissioners, any questions?

21 COMMISSIONER KENNEY: No. Thank you.

22 COMMISSIONER COLEMAN: Thank you.

23 JUDGE DIPPELL: Thank you. Mark
24 Cherry, Chergy?

25 MR. CHERRY: Cherry.

1 JUDGE DIPPELL: Cherry. Had it right
2 the first time.

3 (Witness sworn.)

4 JUDGE DIPPELL: Thank you. If you
5 could spell your name for the court reporter,
6 please.

7 MR. CHERRY: Mark, M-a-r-k, Cherry,
8 C-h-e-r-r-y. So I'm a retired first sergeant in
9 the Air Force. My job is to take care of my
10 troops. My enlistment, even though I'm retired, is
11 not expired. We have some core values. I want to
12 go over that with you so you can kind of see where
13 we're coming from as a group.

14 Core values in the Air Force are
15 integrity first, service before self and excellence
16 in all you do. Speaking of those core values, I do
17 not feel that the DNR has held up to their
18 responsibility as taking care of that sewage
19 lagoon, and I don't think, like everybody has said,
20 and you've heard it a dozen times already, we
21 should incur those costs.

22 They didn't maintain the standard,
23 and I think if somebody's to offset or help that
24 gentleman out for bringing the lagoons, the sewage
25 systems up to standard, it should be the DNR.

1 Some unique dynamics out there at the
2 Villages of Whiteman. It's about 90 percent
3 military, either retired or active duty people. As
4 a first sergeant, I was responsible for taking care
5 of all the military people and their families. So
6 like Darby with her husband in the military or
7 deployed, it would be my responsibility to make
8 sure that she was cared for to the standard that I
9 would expect my wife to be cared for if I was gone.

10 So that's just kind of an overview
11 and to give you a mindset of how we are in our --
12 in the military. We tend to look after each other.

13 So let's talk about a little bit of
14 other things that are unique to the military.
15 We're on a fixed -- in the military, you're on a
16 fixed income. Darby spoke on that a little bit as
17 well. And with that, when you have an increase
18 like this, there's no way you can make ends meet.
19 You end up getting creative like she is, buying
20 used clothes for her child and driving -- getting
21 all the mileage you can out of the vehicles you
22 have.

23 Some other things that are unique, so
24 you're ordered to go. You don't have a choice.
25 You've got to go. So if you're sent to Whiteman

1 and you buy a house, you understand you're going to
2 be leaving in two to four years more than likely
3 and you've got to sell.

4 So keep this in mind as this is going
5 on out there. You've got people that are leaving
6 and folks coming in, and they can get a house in
7 Knob Noster and pay \$23 for all their services and
8 be done with it, and then you have a set rate
9 that's -- you have your cost of living allowance.
10 Again, that doesn't increase like it does for
11 everybody else. Most of the time the military is
12 behind the cost of living allowance.

13 So with that, if you put all those
14 pieces together, you're going to end up having a
15 ghost town out there in the Villages of Whiteman,
16 and I believe that Mr. Cox is going to be out a lot
17 if he doesn't balance things out out there.

18 JUDGE DIPPELL: Thank you. And thank
19 you for your service. Commissioner?

20 COMMISSIONER KENNEY Thank very much,
21 sir.

22 COMMISSIONER COLEMAN: Thank you.

23 JUDGE DIPPELL: Thank you. Ken -- a
24 very long one that starts with a K.

25 MR. KUTTENKULER: You won't get it.

1 I'm used to that.

2 (Witness sworn.)

3 JUDGE DIPPELL: Could you state your
4 name and spell it for us, please?

5 MR. KUTTENKULER: First name is Ken,
6 K-e-n. Last name is Kuttenkuler,
7 K-u-t-t-e-n-k-u-l-e-r. I live in Hunters Ridge.
8 Bought my lot back in 2005. Like everyone else out
9 there, I paid a pretty good chunk of money for the
10 lot. Was told the sewer system was in compliance.
11 The people that sold me the lot were actually next
12 to the people that were in charge of the sewer
13 system as well. So that was one of the big selling
14 features. You have your own sewer system. You
15 don't have to put a septic tank in. Everything's
16 cool. So you assume it is. That's what I was
17 told.

18 Of course, now everything's flipped.
19 Now what's going to be, if you want to sell your
20 house, it's not going to be a selling feature.
21 It's going to have an adverse penalty for trying to
22 sell your house.

23 And I think there's probably two
24 issues here. No. 1, people don't think it's fair
25 that the individual profited from selling that

1 house, by selling our lots and able to sell the
2 sewer system when it was out of compliance and did
3 not have to bring it back into compliance when he
4 made all the money in selling the lots and also the
5 money that we were paying all those years that he
6 didn't do anything to keep it in compliance.

7 So there's one issue.

8 The other issue is the payback here
9 looks highly suspicious. I mean, if you're going
10 to make \$529,000 a year and the cost of 1.5, from a
11 simplistic standpoint, I'm not an accountant, but
12 if I'm paying for something in my house and I can
13 pay it back in four years, that's pretty good
14 payback.

15 So it looks difficult -- I know the
16 accountants do all their number crunching and I
17 know there's tax advantages that he can write off
18 and so forth, so I'm not going to get into that.
19 And I understand the guy from Raccoon needs to make
20 a profit. I understand all that, but it just
21 doesn't seem fair.

22 Another thing that looks odd in this
23 thing is when you look at the Staff's quote that
24 it's going to do down \$6 from \$94.50, whatever it
25 was, to \$88.50, that's a \$6 a month difference.

1 500 houses that are in the thing, that's \$3,000 a
2 month times 12 is \$36,000. I'm just doing this
3 from the top of my head here. This doesn't match
4 up with the numbers that are on the front of this
5 sheet that says that the Staff has come up with a
6 \$168,000 decrease but we're only going down \$6. It
7 just doesn't look right. It doesn't look fair.
8 And I guess those are my comments.

9 JUDGE DIPPELL: Thank you.
10 Commissioner, any questions?

11 COMMISSIONER KENNEY: Thank you, sir.

12 COMMISSIONER COLEMAN: Thank you.

13 JUDGE DIPPELL: Thank you, sir. John
14 Snyder.

15 (Witness sworn.)

16 JUDGE DIPPELL: Thank you. If you
17 could please spell your name for the court
18 reporter.

19 MR. SNIDER: John, J-o-h-n, Snyder,
20 S-n-y-d-e-r. And I'm a resident of Hunters Ridge.
21 I have no problem with the utility company making
22 an honest profit. But my wife and I are both
23 retired. We're on a fixed income. I believe her
24 cost of living allowance was like 1.1 percent.
25 Raccoon Creek is asking for a 350 percent increase.

1 I think that is price gouging.

2 I've got to agree with pretty much
3 what has been said throughout the evening. Here
4 again, I don't think anyone here begrudges them
5 making an increase, but let's keep it reasonable
6 for every one of us, because if they raise it that
7 much, there's going to be a lot of people have to
8 move. Can't afford it.

9 JUDGE DIPPELL: Thank you.

10 MR. SNIDER: Thank you.

11 JUDGE DIPPELL: Commissioner, any
12 questions?

13 COMMISSIONER KENNEY: Thank you.

14 JUDGE DIPPELL: Thank you, sir.

15 COMMISSIONER COLEMAN: Thank you.

16 JUDGE DIPPELL: Brian Tippie?

17 MR. TIPPIE: Am I the last speaker?

18 JUDGE DIPPELL: Unless there's
19 somebody else that's been signed up or unless the
20 gentleman earlier wants to.

21 MR. TIPPIE: I'll make this short
22 because everybody's tired.

23 JUDGE DIPPELL: Could you raise your
24 right hand first?

25 (Witness sworn.)

1 MR. TIPPIE: Bryan, B-r-y-a-n, last
2 name Tippie, T-i-p-p-i-e. I'll make this short and
3 sweet. I was disappointed that Raccoon Creek did
4 not provide a little breakdown of their financial
5 information necessary to generate 500-some thousand
6 dollars worth of increase. They made a nice little
7 chart of physical things that they accomplished,
8 but they couldn't do that.

9 What they did say is that you can
10 look on the website and you can see all these
11 documents. Well, I went to the Public Service
12 Commission's website to look, and the response was,
13 sorry, but the page that you want to see does not
14 exist. It wasn't until the meeting tonight that I
15 received an approximately 40-letter entry code that
16 I could access really the accounts.

17 We're all consumers. We're all
18 concerned about the increase. But it's only fair
19 that we have full public disclosure that's
20 something that we can look at and evaluate prior to
21 meeting. We can't give you any response on any
22 specifics because we don't have it. We don't have
23 access to it. I guess we'll have access to this
24 after I go home tonight, pull it up, spend a couple
25 days looking at it and then make an evaluation.

1 It's just as simple as that. We're
2 all frustrated. We know that it's going to go up.
3 The rates are going to go up. We don't argue that.
4 But we would like a fair representation of what the
5 amounts mean so that we can comment clearly. And
6 that's all my comment, and I thank you for the
7 opportunity to speak.

8 JUDGE DIPPELL: Thank you. Are there
9 questions, Commissioners? Go ahead. I'm sorry.

10 MS. PAYNE: No. That's fine. I
11 actually did want to point out, I apologize to
12 anyone that's had trouble accessing it, but that
13 half sheet of paper that you have that the Office
14 of Public Counsel gave you has the website to go to
15 to view this.

16 And if that causes any problems,
17 because I tried to look at it on my phone to make
18 sure it worked, if you go to our website and click
19 on the EFIS button and then click on filings,
20 filing submission and then case filing submission,
21 type in that case number that we gave you on our
22 sheet and then click on the 20th option. That's
23 the accounting schedules.

24 What I would also say is, if you want
25 to view this, if you're having any difficulty, the

1 phone number, the 1-800 phone number for the Public
2 Service Commission is on the back. Call and any
3 one of our consumer services people will be happy
4 to step you through the process.

5 MR. TIPPIE: This is my point. We
6 asked to receive this information now. I need a
7 decoder ring to find out what she actually told me.
8 To evaluate this financial information, I know
9 exactly how these things are submitted, and it
10 takes days to review and then you can ask
11 appropriate questions. You can't do it if you
12 don't have full disclosure. That's all my
13 comments. Thank you.

14 JUDGE DIPPELL: Commissioner?

15 COMMISSIONER KENNEY: I would like to
16 make a comment or observation. First, I appreciate
17 what you just said. It's a very difficult
18 situation because it's very legally charged.
19 Everything is there. We try to be very
20 transparent, but you have to understand, on this
21 case alone there's probably stacks of paper like
22 this that we have to review, go through. We put it
23 on the electronic system, but I apologize, it is
24 difficult for the average person to understand how
25 you can get in there.

1 MR. TIPPPIE: Well, then I think it
2 would be behoove Raccoon Creek to provide a little
3 cheat sheet that gave a breakdown of that
4 information. Just like they did the physical
5 representation of what they did, we would like to
6 see how it was financially charged.

7 COMMISSIONER KENNEY: I will tell
8 you, our staff is excellent. They will -- if you
9 call the Public Service Commission, you tell them
10 what you want, they will walk you right through.
11 We have excellent staff. I do apologize that it's
12 not an easy system to understand.

13 MR. TIPPPIE: And it's kind of late in
14 the game. Thank you.

15 COMMISSIONER KENNEY: I understand
16 that. Thanks.

17 JUDGE DIPPELL: Thank you. Now, I
18 saw another hand over here earlier. Was there
19 anyone else besides this gentleman that wants to
20 testify? We'll get to you all after him.

21 (Witness sworn.)

22 JUDGE DIPPELL: Could you tell us
23 your name and spell it for us, please.

24 MR. SANDERS: Yes. My name is Ed
25 Sanders. Last name S-a-n-d-e-r-s.

1 JUDGE DIPPELL: Very good. Go ahead.

2 MR. SANDERS: Well, I'm one of the
3 Woodland property owners group, and I want to echo
4 what Todd and Laura and Mike Maple have all said
5 regarding the details of the changeover to Raccoon
6 Creek. And probably the biggest challenge I think
7 we have is that when we met with Raccoon Creek and
8 Mr. Cox, the representation was that, yeah, there
9 had to be some changes and obviously our fees, our
10 monthly rates would go up, but it was initially to
11 be probably 25, \$35, something like that, and then
12 within a couple years probably \$60 or a little
13 more, something like that.

14 So we expected to have an increase,
15 but to come out with this \$94, there's either
16 serious misrepresentation when that presentation
17 was made or there's serious mismanagement of what
18 was required to be spent. And if that's the case,
19 he's a businessman. Any of us that are
20 businesspeople understand you take a risk when you
21 go into business. And if he spent a lot more
22 money, or I don't know what he's doing with the
23 money, we haven't looked at it, but that's part of
24 the risk of going into business.

25 If any one of us could have invested

1 money in this changeover and then went to the
2 Public Service Commission and asked, well, we spent
3 this much money and so we'd like to be able to get
4 all that back plus 12 percent for us, I think we
5 all would have invested in that.

6 It just doesn't seem fair that,
7 regardless of what money has been spent, he gets a
8 12 percent return on top of that. And as has been
9 pointed out before, most of the people in here are
10 either military, retired military or retired
11 people, and again, fixed income.

12 So to be, you know, misled in this
13 communication from this group that has taken this
14 over is very disappointing. So we would request
15 that you very seriously look at any kind of a rate
16 increase be very reasonable, or if that's not the
17 case, if this is going to be operated in this
18 fashion, perhaps there's other alternatives with
19 some other entities taking over this system that
20 can manage it professionally and more economically
21 for all these people. \$94 a month is, as has been
22 said, is absurd.

23 So that's pretty much the comments
24 that I would have.

25 JUDGE DIPPELL: Thank you.

1 Commissioner?

2 COMMISSIONER COLEMAN: Thank you,
3 sir.

4 JUDGE DIPPELL: Commissioner Coleman?

5 COMMISSIONER COLEMAN: Thank you.

6 JUDGE DIPPELL: Thank you.

7 (Witness sworn.)

8 JUDGE DIPPELL: If you could tell us
9 your name and spell it for us.

10 MR. MATTINGLY: My name is
11 Christopher Mattingly, C-h-r-i-s-t-o-p-h-e-r,
12 M-a-t-t-i-n-g-l-y. I live in the Village Lakes
13 North, which is actually the southern portion of
14 the Village Lakes community. I purchased my home
15 about a year and a half ago, almost two years ago.
16 I'm active duty military. So I'm rather new to the
17 area and obviously new to home ownership, and I get
18 to experience a lot of the problems that go with
19 that.

20 I'm a husband, and I have a
21 six-year-old and a nine-year-old daughter, so I
22 have two kids. And to give you an idea, as hard as
23 my kids try to burn through water and live in a
24 rain forest in my bathroom, my average water bill
25 is still somewhere around 45 to \$55 a month. We

1 pay our water bill separate, we pay our sewer bill
2 separate, and we pay our trash bill separate.

3 With the rates proposed, it's almost
4 double what I would pay for just my water bill
5 alone, and on average I go through at least one
6 load of laundry a day, multiple baths, multiple
7 showers, you name it. So to pay double what I
8 would pay in water just to flush my toilet, you
9 know, and three times what I'm paying now just to
10 flush that toilet to me is a little absurd.

11 I spent almost \$10,000 in child care
12 costs last year alone to help put my kids through
13 school and also put my wife through college, and
14 we're still working on that. So money is really
15 tight, especially, as we talked about, living on a
16 fixed income for myself.

17 The one thing I could understand with
18 a small rate increase is if you came back to all of
19 the owners in this area and said, I understand that
20 you have a septic system, that all of your solids
21 stay in that septic tank and the gray water goes
22 on. We're going to increase your rates, but we're
23 going to come in and we're going to take care of
24 your septic system if there's any issues with it.
25 I don't think any of us would have a problem with

1 that.

2 But coming to us and telling us that
3 you want to raise the rate three times what you're
4 paying now, double what I'm paying for my water,
5 and I still have to every three to five years have
6 somebody come out and spend hundreds of dollars to
7 have my septic system pumped out so that way it
8 doesn't get backed up and I don't have other issues
9 in my house is ridiculous. I shouldn't have to pay
10 to maintain my septic system and then watch this
11 gray water go down to a lagoon that I don't, you
12 know, contribute any solids to.

13 I didn't have any say in what was
14 happening with that. When I moved into this house,
15 the only thing I was told is you're on the septic
16 system. You don't have to worry about a sewer
17 system. All of your stuff stays right there in
18 your septic system. You don't have to worry about
19 that. Maintain that and you'll be okay.

20 So yes, maybe it was my fault. I'm a
21 new homeowner. But at the same time, if they're
22 going to raise the rates, and if they're going to
23 raise it to the rates that they want, they need to
24 take over and maintain my septic system. That's
25 all I have to say.

1 JUDGE DIPPELL: Thank you.

2 Commissioner?

3 COMMISSIONER KENNEY Thank you, sir.

4 JUDGE DIPPELL: Thank you for your
5 service as well. And there was another gentleman
6 over here.

7 (Witness sworn.)

8 JUDGE DIPPELL: Thank you. If you
9 could state your name and spell it for us.

10 MR. FOLSOM: Jeff Folsom. Jeff,
11 J-e-f-f. Folsom is F-o-l-s-o-m.

12 JUDGE DIPPELL: Thank you. Go ahead.

13 MR. FOLSOM: I've heard a lot of
14 numbers, percentages and stuff thrown around
15 tonight, and just looking at what we're going to
16 pay in the Villages, and I guess we have 260 homes,
17 figuring on that, that comes out to -- if it's
18 40 percent of the money that we're going to pay is
19 going to be used for operating costs, that comes
20 out to like \$118,000 a year. And then we've got
21 \$177,000 a year that will go toward paying off the
22 improvements.

23 So that's only our side. We've got
24 the whole two other subdivisions here. So it just
25 seems like the numbers don't add up. And so what

1 are we going to be paying? I mean, how many years
2 should it be to recoup your losses? Looks like
3 it's going to be maybe four or five years. I think
4 that they could spread it out a little bit thinner
5 and we won't have to pay so much.

6 JUDGE DIPPELL: Thank you.

7 Commissioners, any questions?

8 COMMISSIONER KENNEY: Thank, sir.

9 JUDGE DIPPELL: Thank you very much.

10 Is there anyone else that wanted to testify?

11 MR. MORRIS: I'd like to submit some
12 more paper.

13 JUDGE DIPPELL: What have you got
14 there? This is the other papers that you had that
15 you were --

16 MR. MORRIS: Clayton Morris.

17 JUDGE DIPPELL: Yes. Okay. I will
18 label these -- let's see. I've got four sheets
19 here -- as Exhibit No. 2 for the local public
20 hearing. There was someone else that wanted to
21 testify?

22 MR. TAYLOR: Yes, please.

23 (Witness sworn.)

24 JUDGE DIPPELL: Could you please
25 state your name and spell it for us.

1 MR. TAYLOR: Winfield Taylor,
2 W-i-n-f-i-e-l-d, Taylor, T-a-y-l-o-r.

3 JUDGE DIPPELL: Thank you. Go ahead.

4 MR. TAYLOR: Well, I live in the
5 Raccoon Creek affected area, the WPC system is what
6 it formerly was. And one of the things that's been
7 a constant theme throughout this when you look at
8 the documentation provided by this gentleman's
9 company is that wants to do a good thing for the
10 environment. As stated on the Central States Water
11 Resources Group Twitter account, it says another
12 CSWR community plant being replaced to meet
13 regulatory and environmental sustainable standards.
14 It's grammatically not phrased correctly on the
15 sheet. I'd like to submit this.

16 So he's got a picture of a sewer
17 plant here that is clearly in disrepair. I made
18 two copies of this. My purpose in speaking is
19 simply to point this out as this seems to be the
20 one in Raccoon Creek. And then this would be a
21 picture which I took of the same setting in the
22 spring. You can see the snow fence, and then in
23 this corner you can see a disused, what would
24 appear to be a system used for processing
25 wastewater which appears I believe up here on the

1 old system. And then you can see this again today.

2 Pardon me. I'm nervous.

3 JUDGE DIPPELL: You're doing just
4 fine.

5 MR. TAYLOR: Thank you. You can see
6 this again today on the picture which I took just
7 this afternoon with the same piece of junked
8 equipment sitting in the corner. However, the snow
9 fence has been removed. So clearly the area was
10 contained by the snow fence by someone who at least
11 was associated with this company, and they chose to
12 remove the snow fence, but yet the junked piece of
13 equipment is still there.

14 Now, my question is simply that if
15 this is the commitment that this gentleman has to
16 supporting and maintaining the environment,
17 shouldn't we be looking for other instances of
18 problems? And I'd like to submit these up here.

19 JUDGE DIPPELL: All right. I will
20 mark those as Exhibit No. 3 for the local public
21 hearing.

22 MR. TAYLOR: Additionally, there are
23 pictures of the same equipment on his handout from
24 today.

25 JUDGE DIPPELL: I just need -- the

1 one copy is fine.

2 MR. TAYLOR: And here is the same set
3 of pictures as identified by his company.

4 JUDGE DIPPELL: I will mark that
5 also. Were there any other questions? Thank you,
6 sir.

7 MR. TAYLOR: You're welcome.

8 JUDGE DIPPELL: And was there anyone
9 else that wanted to testify? Go ahead and come
10 forward.

11 (Witness sworn.)

12 JUDGE DIPPELL: Could you please
13 state your name and spell it for us.

14 MR. SOUTHARD: It's Zach, Z-a-c-h,
15 Southard, S-o-u-t-h-a-r-d.

16 JUDGE DIPPELL: Go ahead.

17 MR. SOUTHARD: There's been a lot of
18 people talking about owning a house in these
19 affected areas, and I'm actually -- I don't own any
20 property. I'm a renter. Fortunately, I could
21 leave, go somewhere, and this doesn't affect me,
22 but it does affect my landlord.

23 So there's plenty of people around
24 the area that rent out their property. Right?
25 It's military community. People come in. They

1 leave, go to the next place. So there's tons of
2 rental properties.

3 Another thing about the military is,
4 like someone mentioned before is, military tends to
5 help each other out. So living at Whiteman,
6 someone coming in and saying, hey, I'm coming to
7 Whiteman. Where should I live? Well, I'm going to
8 help someone out and say, hey, you don't want to
9 live in this area. There's a \$100 sewage fee. You
10 need to go live in Knob where it's \$25 and all your
11 utilities are included, or you need to live in
12 Warrensburg because their sewage rate isn't that
13 high, or Sedalia, but hell, stay way from there.
14 It's real. That's really what's going to happen.

15 So you're going to end up having all
16 these landlords, they can't fill their places. No
17 one's going to rent from them. They're not going
18 to be able to meet their bill at the end of the
19 month and foreclose on it. As someone else
20 mentioned, ghost town.

21 I mean, seems like there's going to
22 be a huge impact on this whole area, whether you're
23 renting your place out, you own your place or -- or
24 many situations. That's really all I've got to
25 say.

1 JUDGE DIPPELL: Thank you. Are there
2 any questions?

3 COMMISSIONER KENNEY: Thank you, sir.

4 JUDGE DIPPELL: Thank you, sir. And
5 did I see someone else that wanted to testify? Go
6 ahead.

7 (Witness sworn.)

8 JUDGE DIPPELL: Thank you. If you
9 could state your name, please, and spell it for us.

10 MR. TORRES: Gerald Torres. First
11 name G-e-r-a-l-d, last name T-o-r-r-e-s.

12 JUDGE DIPPELL: Thank you.

13 MR. TORRES: I have seven kids, and
14 if you ask my neighbors, if you ask them how it
15 looks and how they feel about it, they ask me
16 sometimes, why? Why I have seven kids? And the
17 honest answer is because that's what's important to
18 me and that's what we planned for, and that's what
19 is worth making the sacrifices for us. If they ask
20 us how we do it, it's by making the sacrifices.

21 We got into this division about eight
22 years ago, and not unlike our neighbor over there,
23 we have a very specific plan about how we make life
24 work because, again, this is what is important to
25 us. We planned ahead, we made those commitments

1 and we kept those commitments, and we made those
2 sacrifices and we kept those sacrifices.

3 So as we look at the rate increase,
4 of course it's important to me to have a good sewer
5 system because we don't want our kids to be ill
6 because of what's in the ground, what's in the
7 water, but also it's important to me to feed my
8 children.

9 If you look at the numbers, with \$60
10 a month increase, \$720 a year, what am I going to
11 take that from? You know, I can do a lot of things
12 with that money, and I could have a lot better
13 impact on my kids, a lot better life for my kids
14 with that money. It could go to a lot better
15 place.

16 So I have no problem with increasing
17 the quality and the care of the program that
18 maintains our sewer, but we need to make sure that
19 we're on target here.

20 You know, I'm beginning to think that
21 I got into the wrong business, if we're able to go
22 ahead and buy a broken-down piece of sewer
23 equipment and then fix it up and have somebody else
24 pay for that and also make some profit on that, you
25 know.

1 Putting it in perspective here, if we
2 got -- if I got your car brought into my shop,
3 fixed it up read nice and then charged you three
4 times what I said I was going to charge you, more
5 than is reasonable, that doesn't really make sense.
6 And just because I want to get my money back and
7 then how much more money do I get to make over the
8 long term because the sewer system isn't going to
9 stop taking my money no matter how long it sticks
10 around. And by the way, I'm the only shop that can
11 fix your car, so you're going to have to pay me
12 because I'm holding you hostage.

13 JUDGE DIPPELL: Are there any
14 questions?

15 COMMISSIONER KENNEY: No, I don't.
16 Thank your, Mr. Torres.

17 COMMISSIONER COLEMAN: Thank you.

18 JUDGE DIPPELL: Thank you. Anyone
19 else? Last call. All right, then. The
20 Commissioners --

21 COMMISSIONER KENNEY: I would just
22 like to make a closing comment, a couple of things.
23 As mentioned, as the Office of Public Counsel told
24 you and Staff, they're intervenors in this case and
25 it's going to go to like a trial, and all the

1 numbers will be discussed and all these things that
2 you brought up will be discussed also in detail by
3 the attorneys from Office of Public Counsel and
4 others as well as Commissioners.

5 I'd like to make a couple comments.
6 No one likes -- this is the worst part of my job
7 when rates are going through this. No one likes
8 that. But I want to say how grateful I am and how
9 respectful you have been as a group and how you
10 keep your humor, and, you know, it's very nice to
11 see.

12 And, Mr. Torres, I came from a family
13 with eight siblings in a military family. My
14 father was Navy. Stayed in the reserves and
15 retired as a Naval captain and lived on a base
16 later in his life in Aricebo, Puerto Rico.

17 MR. TORRES: Is that a challenge?

18 COMMISSIONER KENNEY: No. I don't
19 think I have to challenge you. Anyway, you've been
20 very respectful and I appreciate it. Thank you for
21 all of you who have served in the military. Thank
22 you.

23 JUDGE DIPPELL: And to echo the
24 Commissioner's comments, I too have been at a lot
25 of local public hearings with a lot of upset and

1 emotional people, and I want to thank you all for
2 your attendance and for your calm and for your
3 thoughtful comments.

4 So if there's nothing else, then
5 we'll go ahead and go off the record. We are
6 adjourned.

7 (WHEREUPON, the public hearing
8 concluded at 8:20 p.m.)

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1 C E R T I F I C A T E

2 STATE OF MISSOURI)

) ss.

3 COUNTY OF COLE)

4 I, Kellene K. Feddersen, Certified
5 Shorthand Reporter with the firm of Midwest
6 Litigation Services, do hereby certify that I was
7 personally present at the proceedings had in the
8 above-entitled cause at the time and place set
9 forth in the caption sheet thereof; that I then and
10 there took down in Stenotype the proceedings had;
11 and that the foregoing is a full, true and correct
12 transcript of such Stenotype notes so made at such
13 time and place.

14 Given at my office in the City of
15 Jefferson, County of Cole, State of Missouri.

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Kellene K. Feddersen, RPR, CSR, CCR

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