

1 STATE OF MISSOURI  
2 PUBLIC SERVICE COMMISSION  
3 TRANSCRIPT OF PROCEEDINGS  
4 Local Public Hearings  
5 February 11, 2010  
6 Shell Knob, Missouri  
7 Volume 2  
8  
9 In the Matter of )File No. SR-2010-0023  
10 The Application of Ozark Meadows, )  
11 Aqua Development Company, dba Aqua )  
12 Missouri, Inc. Request for Increase )  
13 in Annual Sewer System Operating )  
14 Revenues MPC Sewer Utility Small )  
15 Company Rate Increase Procedures, )  
16 )  
17 In the Matter of )File No. WR-2010-0025  
18 Aqua RU, Inc. d/b/a Aqua Missouri )  
19 Request for Increase in Annual )  
20 Water System Operating Revenues )  
21 MPSC Water Utility Small Company )  
22 Rate Increase, )  
23 )  
24 In the Matter of )File No. SR-2010-0026  
25 Aqua Missouri, Inc. (CU) Request )  
for Increase in Annual Sewer System )  
Operating Revenue MPSC Sewer )  
Utility Small Company Rate Increase )  
Procedures, )  
In the Matter of )File No. WR-2010-0027  
Aqua Missouri, Inc. (CU) Request )  
for an Increase in the Annual Water )  
System Operating Revenues MPSC )  
Water Utility Small Company Rate )  
Increase Procedures, )  
HAROLD STEARLEY, Presiding  
SENIOR REGULATORY LAW JUDGE  
KEVIN D. GUNN, Commissioner

1     REPORTED BY:   PAULA C. VOYLES, CCR, RPR, CRR

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4     d/b/a Aqua Missouri, Inc., et al.:

5             NO APPEARANCE

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1 P R O C E E D I N G S

2

3 CHAIRMAN STEARLEY: Good evening.

4 PUBLIC PARTICIPANT: Good evening.

5 CHAIRMAN STEARLEY: As you all know, tonight  
6 is Thursday, February 11, 2010. The Missouri Public  
7 Service Commission is set at this time for a local  
8 public hearing in multiple cases -- there are a total  
9 of four -- which Aqua Missouri, Incorporated, or one of  
10 its affiliates, have filed seeking to implement a  
11 general rate increase for its water and sewer service  
12 here in Missouri.

13 The four file numbers for these cases are:  
14 SR-2010-0023, WR-2010-0025, SR-2010-0026, and  
15 WR-2010-0027.

16 My name is Harold Stearley. I'm the  
17 Regulatory Law Judge who will be presiding. Here with  
18 me is Commissioner Gunn. Unfortunately, other  
19 commissioners are in other matters and were not able to  
20 be present tonight. But any comments and testimony  
21 received here tonight will be not only recorded for  
22 viewing, but will be taken down and recorded by a court  
23 reporter, and will become part of the official record  
24 in this matter, and all of your comments and testimony  
25 will be reviewed by the Commissioners as part of this

1 case.

2           This is an official hearing. Any comments  
3 that we receive from you tonight are taken under oath.  
4 I will swear you in. I will have you state and spell  
5 your name for our court reporter so that it is clearly  
6 placed in the record. And I will have more questions  
7 to ask you before you give us your comments.

8           If you know the rate district, the specific  
9 district that you're in off of Missouri, I would like  
10 for you to identify that for us. We have a number of  
11 them spelled out on our information sheet. Spring  
12 Valley, Lakewood Manor, LTA, Ozark Mountain, Rankin  
13 Acres, Riverside Estates, White Branch, Lake Carmel,  
14 Maplewood.

15           I don't imagine we have any more from Jeff  
16 City.

17           MS. BAKER: No.

18           CHAIRMAN STEARLEY: But if, when you come up  
19 and state your name, you can identify the particular  
20 district you're in, that will be helpful for us. If  
21 you don't know, that's fine. But if you could identify  
22 that, it would be helpful.

23           The purpose of the hearing tonight -- and you  
24 had a question-and-answer session with our Staff,  
25 Public Counsel and representatives from the Company,

1 and that can continue after this portion of the hearing  
2 is over tonight as well. But for this particular  
3 portion of the hearing, this is your opportunity to  
4 present comments to the Commission.

5 The Commissioner, Commissioner Gunn, who is  
6 with me here tonight, will not be able to answer  
7 questions that you might have. You will need to direct  
8 those to the other Staff members who are here.

9 The reason that's true is we have evidentiary  
10 hearings scheduled for these matters where the parties  
11 come in and present evidence, their statistics,  
12 auditing and accounting, and not all of the evidence  
13 has been presented in this case. Consequently, the  
14 Commissioners are forbidden from speaking about the  
15 case. They can't offer comments or answer questions  
16 because that would be in violation of our rules and  
17 laws governing the way decisions are made.

18 At the evidentiary hearings that are held,  
19 and we're sure we have all the interviews tonight,  
20 Miss Baker tonight, she is from the Office of Public  
21 Counsel, and she is your legal representative, so at  
22 those hearings you do have legal representation  
23 present. Even though you're not all there in person,  
24 usually we have a representative present.

25 Are there any questions on the manner in

1    which we are going to proceed tonight? (No audible  
2    response).

3               Okay. Receiving none, I'll begin by taking  
4    entries of appearance of the counsel who are present,  
5    starting with Aqua Missouri, Incorporated. Do we have  
6    counsel present tonight? (No audible response).

7               I'll let the record reflect that Aqua  
8    Missouri does not have counsel here.

9               The Office of Public Counsel.

10              MS. BAKER: Thank you, your Honor. Christina  
11    Baker, P.O. Box 2230, Jefferson City, Missouri 65102,  
12    appearing on behalf of Office of the Public Counsel and  
13    the Ratepayers.

14              CHAIRMAN STEARLEY: Thank you, Ms. Baker.

15              The Staff of the Missouri Public Service  
16    Commission.

17              MR. DEARMONT: Thank you, Judge.

18              My name is Eric Dearmont, on behalf of the  
19    Staff of Missouri Public Service Commission, P.O. Box  
20    360, Jefferson City, Missouri 65102.

21              CHAIRMAN STEARLEY: Thank you, Mr. Dearmont.

22              Before we begin, Commissioner Gunn, would you  
23    like to make any opening remarks?

24              COMMISSIONER GUNN: I do. I know everybody  
25    is busy, but I appreciate you being here. I want to

1    assure you that the other Commissioners, although  
2    they're not here in person, do review these transcripts  
3    and review them very closely. The input from the local  
4    public hearings are very important. They are a part of  
5    the public record.

6               How this is going to work tonight is the  
7    Judge will call you up, and you can give your  
8    statement, and then I take pretty good notes, or I try  
9    to take pretty good notes. So if I'm not looking at  
10   you, it's because I'm trying to remember and write down  
11   some of the things that you're saying.

12              And then at the end of your statement, I  
13   might have some questions, the Judge might have some  
14   questions, and maybe some of the lawyers will have some  
15   questions. If I ask a question or don't ask a  
16   question, you shouldn't read anything into it. It's  
17   just something will trigger and it will bring up a  
18   question, but sometimes it's not necessarily true. And  
19   I tend not to ask questions just so we can make sure as  
20   many people that want to speak, can speak.

21              Before we go on, I'd also like to recognize  
22   Representative Sater, who is here from -- just got in  
23   from Jeff City, I think. And we appreciate him being  
24   here tonight. It's not often we get our legislators  
25   here. So we certainly appreciate it and glad that they

1 can observe the process.

2 Also, if you have questions, we have Staff  
3 here in front, and the Public Service Commission has  
4 Staff in the back. If you have a question or if  
5 someone directs you to go ahead and bring that question  
6 to Staff, if you want, you could talk in the back. You  
7 don't have to wait until the end. You can talk to the  
8 back before you leave. You're not going to offend me  
9 if you guys get up and work on a problem or an issue  
10 while the rest of the hearing is going on.

11 Other than that, again, I want to thank you  
12 again for being here. And with that, we'll begin.

13 CHAIRMAN STEARLEY: Thank you, Commissioner  
14 Gunn.

15 I'm going to start calling names on our  
16 witness sign-up sheet. I'll have you come forward and  
17 I'll swear you in. If someone else that has not signed  
18 up would like to add comments, at the end of me going  
19 through the list I am going to be calling for anyone to  
20 give additional time. So we are going to stay as long  
21 as we need to, to give everyone a chance to speak to  
22 us.

23 Starting at the top of our list, I have Gene  
24 Carlsen.

25 Mr. Carlsen, if you'd please raise your right



1 hand.

2 Do you solemnly swear or affirm that the  
3 testimony you are about to give will be the truth, the  
4 whole truth, and nothing but the truth?

5 PUBLIC PARTICIPANT: I do.

6 Is this on?

7 CHAIRMAN STEARLEY: See if the power is  
8 switched on. (Microphone turned on.)

9 PUBLIC PARTICIPANT: Thank you.

10 CHAIRMAN STEARLEY: If you would please speak  
11 up.

12 PUBLIC PARTICIPANT: May I first address the  
13 guys behind me?

14 CHAIRMAN STEARLEY: I'd like to get your name  
15 in our record clearly first.

16 PUBLIC PARTICIPANT: Gene Carlsen.

17 CHAIRMAN STEARLEY: If you would, please  
18 spell your name for our court reporter.

19 PUBLIC PARTICIPANT: Last name is Carlsen,  
20 C-A-R-L-S-E-N; and Gene, G-E-N-E.

21 CHAIRMAN STEARLEY: And Mr. Carlsen, do you  
22 know which rate district you might be in?

23 PUBLIC PARTICIPANT: Lakewood Manor.

24 CHAIRMAN STEARLEY: Thank you very much.

25 PUBLIC PARTICIPANT: Can I address the people

1 behind me first?

2 CHAIRMAN STEARLEY: Certainly.

3 PUBLIC PARTICIPANT: I would like to see the  
4 hands of anyone who approves these rates. (No hands  
5 raised.)

6 Nobody approves the rates. That should be a  
7 message to all of you that no one here approves the  
8 rate increase. Where I used to live, the group used  
9 to; but I guess not anymore.

10 Lakewood Manor, I got a letter here in the  
11 mail. I'm going to read you part of it here, if I may.  
12 The last sentence says, "which, if approved by the  
13 Commission, will result in an increase of \$894 in the  
14 Company's annual water property revenue."

15 Are you telling me Aqua is so inefficient  
16 that they can't come up with \$894 in their operating  
17 expense rather than send a rate increase to the  
18 consumer?

19 The other thing I'm complaining about is I'm  
20 not in favor of the rate either. We talked a little  
21 bit tonight about the average usage rates of  
22 4,000 gallons per household. Is that indoor plumbing  
23 or outdoor plumbing?

24 My neighbor here, there's two in his family,  
25 use 4,000 gallons. There's two in my family, and I

1 have a bill for 9,000 gallons. There seems to be a  
2 little disconnect there. I don't know if my meter is  
3 not right, but I don't know why I'm using 5,000 more  
4 gallons than my neighbor is, and we're the same family  
5 size.

6 I just want to go on record I disagree with  
7 the rate increase. Thank you.

8 CHAIRMAN STEARLEY: Now, Mr. Carlsen, before  
9 you sit down, I'm going to check with the attorneys,  
10 and we may have some questions for you.

11 PUBLIC PARTICIPANT: Okay.

12 CHAIRMAN STEARLEY: Starting with Ms. Baker.  
13 Any questions?

14 MS. BAKER: Have you had any billing issues?

15 PUBLIC PARTICIPANT: Yeah. Last year I had a  
16 big issue. I got a bill in the mail that showed that I  
17 used 18,000 gallons of water in December.

18 So I called Aqua, and their first response  
19 was, "Boy, you must have a leak somewhere in your  
20 system." So I spent the money to have a plumber come  
21 out and check my system to see if I have a leak or not,  
22 and there was no leak.

23 Come to find out, what I think happened is  
24 they estimated my bill for two months, didn't tell me.  
25 I had to go through the expense of having a plumber to

1     come out and tell me I didn't have a water leak.

2                   They ought to have the courtesy to let you  
3     know that when they're going to do this, to tell you,  
4     just not send you a bill for 18,000 gallons when you  
5     only use nine.

6                   MS. BAKER:   Do you have any quality of  
7     service issues?

8                   PUBLIC PARTICIPANT:   Well, you'll waste your  
9     time calling them.

10                  MS. BAKER:   Can you explain?

11                  PUBLIC PARTICIPANT:   Well, you just ask them.  
12     I don't even call 'em anymore.   I just give up.   It's  
13     just a waste of time.   They ought to use this \$894 and  
14     hire some people to answer the phone.

15                  MS. BAKER:   Are you satisfied with the  
16     quality of water you receive?

17                  PUBLIC PARTICIPANT:   Well, I don't imagine it  
18     does.

19                  I've got a water softener, too, so that helps  
20     slow that down.

21                  MS. BAKER:   That's all the questions I have.  
22     Thank you for coming, sir.

23                  CHAIRMAN STEARLEY:   Questions, Mr. Dearmont?

24                  MR. DEARMONT:   No questions.   Thank you.

25                  CHAIRMAN STEARLEY:   Commissioner Gunn?

1           COMMISSIONER GUNN: I just have a couple.  
2           So they estimated your bill for two months  
3   and that's why you got the 18,000 gallons?  
4           PUBLIC PARTICIPANT: Yes, sir.  
5           COMMISSIONER GUNN: Do you feel that that  
6   issue has been resolved? I mean, you understand it  
7   now?  
8           PUBLIC PARTICIPANT: Well, I haven't paid my  
9   bill.  
10          COMMISSIONER GUNN: The estimated bill?  
11          PUBLIC PARTICIPANT: Yeah. I haven't paid  
12   the bill for the 18,000 gallons that I don't think I  
13   used.  
14          COMMISSIONER GUNN: That was for November and  
15   December?  
16          PUBLIC PARTICIPANT: Don't know.  
17          COMMISSIONER GUNN: Okay. Is the actual  
18   bill, when you read the bill, when you look into it, is  
19   that clear? Does it tell you, if you have a problem,  
20   give you a number to contact? Do you understand the --  
21   is it clearly delineated, the water usage?  
22          PUBLIC PARTICIPANT: Like I mentioned before,  
23   I don't bother to call 'em anymore. It's really a  
24   waste of time.  
25          COMMISSIONER GUNN: All right. Thank you,

1     sir.  I have no more questions.

2                 CHAIRMAN STEARLEY:  Thank you, Mr. Carlsen.

3                 PUBLIC PARTICIPANT:  Thank you.

4                 CHAIRMAN STEARLEY:  Next on our list I have  
5     Paula Andersen.

6                 If it's difficult for anyone to come down  
7     here to the podium, since that microphone is portable,  
8     we can pass it up to you.  So just let us know.

9                 Please raise your right hand.

10                Do you solemnly swear or affirm that the  
11     testimony you are about to give will be the truth, the  
12     whole truth, and nothing but the truth?

13                PUBLIC PARTICIPANT:  Yes, sir, I will.

14                CHAIRMAN STEARLEY:  And will you please state  
15     your full name and spell it for our court reporter?

16                PUBLIC PARTICIPANT:  My first name is Paula,  
17     P-A-U-L-A; Andersen, spelled A-N-D-E-R-S-E-N.  And my  
18     address is 750 Lake Road in Shell Knob, Missouri.  And  
19     I live in Omaha Heights.  And I don't find that on this  
20     paper or the web site.

21                CHAIRMAN STEARLEY:  All right.  You may  
22     proceed.

23                PUBLIC PARTICIPANT:  I think my biggest  
24     disappointment and criticism of Aqua is the fact that  
25     they do not communicate well with people.  Their web

1 site is ridiculous.

2 The last time that, according to the web  
3 site, our water was tested was in 2007. That makes  
4 people very apprehensive that their water is not in  
5 good shape.

6 I'm a single homeowner and this rate increase  
7 is not even realistic. I don't use 4,000 gallons, and  
8 I could be just fine if that was it. But my minimum is  
9 2,000 gallons. That's for me and a small dog.

10 I received a bill in August that told me that  
11 I had used 9,000 gallons of water. Now, I was shocked,  
12 dismayed, and upset. So I called. And I called three  
13 times.

14 And here's what happens to you when you try  
15 to call Aqua. You have to have in your hand your  
16 original billing with them, your account number; you  
17 have to have your area, which I didn't know what my  
18 area was because Tomahawk Heights is not listed. Okay?

19 So communication for these people is really  
20 ridiculous. And I think that's a major part of the  
21 problem here is they're not reaching out to us as a  
22 consumer and seeing our needs.

23 Most of us are retirees on fixed income. We  
24 don't receive 2 or 3 percent, let alone 180 percent  
25 increase in three years. So you get a little

1 apprehensive.

2           And I don't blame people for getting  
3 frustrated, when you're setting on a phone trying to  
4 get through. You set there for 20 minutes, and you're  
5 getting nowhere. And people get upset and they get  
6 angry, and I don't blame them for that.

7           The web site is archaic. It should be  
8 trashed and redone and be much more user friendly. I  
9 resent the fact that I went six weeks, and I was sent a  
10 notice in the mail that if I didn't pay for the  
11 9,000 gallons, they were going to cut off my water.  
12 And I resent that. I'm a person who pays their bills.  
13 But they did it anyway.

14           My resort was to write a check for \$98 and  
15 mail it to them. That's how I had to resort. I wrote  
16 a letter and put it in the paper. I called, I left two  
17 messages.

18           My water line has broken seven times in the  
19 last two years. It has been broken. And my yard has  
20 been dug up, and it wasn't on my side of the line.  
21 Okay.

22           They dug up my neighbor's yard two weeks ago  
23 three times in one area just trying to figure this out.  
24 It was in a driveway. It made the entire cul-de-sac  
25 area a mud hole.



1                   Now, these guys are great individuals. I  
2 know the workers personally, and I'm not saying  
3 anything bad against them. Okay? I want to make that  
4 perfectly clear. What I am saying is there's got to be  
5 a better way of finding these leaks.

6                   They did not tell us. Aqua never made a  
7 phone call. They never sent a letter to say, "Oh, by  
8 the way, you need to boil your water now for the next  
9 couple weeks until we find out what's going on here."

10                  You do your laundry, it's filthy. There's no  
11 use trying to use water. You know, your whites are  
12 dirty. You're taking a shower, and all of a sudden,  
13 pow in the back of the head. You're hit because the  
14 water pressure isn't consistent.

15                  Why take a shower if you're going to be dirty  
16 when you're done? You know. You look down and there's  
17 gravel coming through the lines.

18                  I don't know when they put chlorine in. I  
19 can't smell chlorine. And it's bleach. It's water.  
20 You know, it's like I put it in my laundry. But I  
21 don't smell it. If they're using it, I'd like to know  
22 when.

23                  Like I said, I check the web site, it says in  
24 2007 they put some chlorine in. That was the last time  
25 it was tested. Other districts have someone. Like

1     Everett Williams comes in and he tests the water every  
2     month. So I'm sure those people feel okay, but not  
3     Aqua.

4             All right. The poor water quality and  
5     inconsistency with this pressure causes our appliances  
6     to be damaged, and it costs us dollars to replace water  
7     heaters, dishwashers and shower facilities -- shower  
8     heads. I'm sorry.

9             It's costing me more to use Aqua in my  
10    home -- my fellow homeowners, okay -- than it should,  
11    you know. If they really are user friendly and they  
12    really want to help people, how are we supposed to know  
13    what precautions we're supposed to take?

14            And that's really all I have to say.

15            CHAIRMAN STEARLEY: All right. Questions,  
16    Commissioner Gunn?

17            COMMISSIONER GUNN: Yes, ma'am. When you  
18    called -- you said you called three times -- did you  
19    talk to a real person?

20            PUBLIC PARTICIPANT: One time I did, and I  
21    did leave a message, and I said, "Would you please call  
22    me?" And she said she would pass that information on  
23    and she wasn't responsible.

24            I have to admit, I was a little irate at the  
25    time.

1                   COMMISSIONER GUNN: Did anybody ever call you  
2 back?

3                   PUBLIC PARTICIPANT: No.

4                   COMMISSIONER GUNN: How many -- what was the  
5 time period that you made those three phone calls?

6                   PUBLIC PARTICIPANT: In August and the first  
7 part of September.

8                   COMMISSIONER GUNN: So just a couple weeks in  
9 August and September?

10                  PUBLIC PARTICIPANT: Yeah. They were  
11 threatening to turn off my water, so ...

12                  COMMISSIONER GUNN: All right.

13                  PUBLIC PARTICIPANT: And I didn't use  
14 9,000 gallons. I'm sorry.

15                  COMMISSIONER GUNN: So you made an initial  
16 call to dispute the bill?

17                  PUBLIC PARTICIPANT: Yes.

18                  COMMISSIONER GUNN: And then you made another  
19 call when they threatened to turn it off?

20                  PUBLIC PARTICIPANT: Yes. Two calls, and one  
21 call.

22                  COMMISSIONER GUNN: The water line, the  
23 breakage in the water line, you had it seven times.  
24 Were you without water during each one of those times?

25                  PUBLIC PARTICIPANT: I'm in a cul-de-sac area

1 off Point 21. And as you come down into Tomahawk  
2 Heights area, it's kind of a large loop road. And I  
3 know the lines are old. I knew that in 2000 when I  
4 bought the place. But nevertheless, these continuous  
5 breaks are ridiculous. It's not just at my house,  
6 okay; it's scattered around the area.

7 COMMISSIONER GUNN: Any of those times were  
8 you without water?

9 PUBLIC PARTICIPANT: Oh, yes. Oh, yes.

10 COMMISSIONER GUNN: Every time?

11 PUBLIC PARTICIPANT: No. Maybe four out of  
12 the seven. But what I got -- the quality of water the  
13 other three times, you wouldn't drink. In fact, I buy  
14 bottled water constantly because I'm afraid to drink  
15 the water.

16 COMMISSIONER GUNN: How long would you say  
17 those outages were the four times that you were without  
18 water?

19 PUBLIC PARTICIPANT: At least one was two  
20 days.

21 COMMISSIONER GUNN: Two days at least?

22 PUBLIC PARTICIPANT: Mm-hmm.

23 I still work, so sometimes I'm not home.

24 COMMISSIONER GUNN: How many times would you  
25 say you had to replace an appliance or shower head

1 because of the water?

2 PUBLIC PARTICIPANT: I've had three shower  
3 heads replaced. I've had a water heater replaced, and  
4 I think it's about to go the second time because it's  
5 making really ugly noises. I've had to have a  
6 refrigerator replaced because the water line was so  
7 messed up, it was messing up the cycle, you know, that  
8 goes -- okay. You understand. I'm not a technician,  
9 but that's what they told me, so ...

10 COMMISSIONER GUNN: The next question I'm  
11 going to ask is because we're constantly trying to  
12 evaluate our own procedures. It's not to say that you  
13 should have done something. It's so when we have an  
14 informal and formal complaint process at the PSC.

15 Did you ever try to contact us?

16 PUBLIC PARTICIPANT: I wasn't informed about  
17 that process.

18 COMMISSIONER GUNN: Okay. Okay. Again, it's  
19 totally understandable.

20 PUBLIC PARTICIPANT: All I'm looking at is a  
21 little bill that I look at once a month, and you have a  
22 phone number on it. And their web page is ridiculous.

23 COMMISSIONER GUNN: And that's helpful to me,  
24 because I know that we need to do a better job of  
25 letting people know that they can get help, especially

1 building issues like that.

2 I don't have any more questions.

3 I would recommend that you talk to our Staff  
4 members if you continually have water problems, because  
5 they can take your address and make sure that you have  
6 another way of contacting us and have some help in  
7 contacting the Company.

8 PUBLIC PARTICIPANT: I'm really frustrated.  
9 When you call any utility or any company anymore,  
10 sometimes you don't even get a person who speaks  
11 English, and that makes a real problem for us. Some of  
12 us might have hearing problems, you know, and not a lot  
13 of people are researchers that would dig all that stuff  
14 out on the Internet. So, yeah, communication is key to  
15 making this whole thing go a little better.

16 COMMISSIONER GUNN: Great. Thank you for  
17 your testimony tonight.

18 I don't have any more questions.

19 CHAIRMAN STEARLEY: Ms. Baker, any questions?

20 MS. BAKER: No, I have no questions, but  
21 thank you for coming.

22 CHAIRMAN STEARLEY: Mr. Dearmont?

23 MR. DEARMONT: I have just a few.

24 I understand that you live in Tomahawk  
25 Heights; is that correct? Do you know in which of

1 these districts that falls?

2 PUBLIC PARTICIPANT: I have no idea. And the  
3 web site doesn't tell us.

4 MR. DEARMONT: Do you know if your bill lists  
5 the district?

6 PUBLIC PARTICIPANT: No, it doesn't.

7 MR. DEARMONT: And how many people live in  
8 Tomahawk Heights?

9 PUBLIC PARTICIPANT: Oh, 30?

10 PUBLIC PARTICIPANT: A little more than that.

11 PUBLIC PARTICIPANT: Fifty. I think there's  
12 close to 50. And there's probably 20 of us that are  
13 full time.

14 PUBLIC PARTICIPANT: Lakeside, doesn't list  
15 it either. So we've got two of them there.

16 PUBLIC PARTICIPANT: This is ridiculous.  
17 This doesn't tell you anything about where you're at.

18 MR. DEARMONT: Thank you very much.

19 CHAIRMAN STEARLEY: Ms. Andersen, do you have  
20 any other comments you'd like to make?

21 PUBLIC PARTICIPANT: No. I think that was  
22 them.

23 CHAIRMAN STEARLEY: Thank you very much for  
24 your testimony.

25 PUBLIC PARTICIPANT: Appreciate it.

1                   CHAIRMAN STEARLEY: Next I have Ruth Murray.

2                   Miss Murray, will you please raise your right  
3 hand?

4                   Do you solemnly swear or affirm that the  
5 testimony you are about to give will be the truth, the  
6 whole truth, and nothing but the truth?

7                   PUBLIC PARTICIPANT: Yes, I do.

8                   CHAIRMAN STEARLEY: Would you please spell  
9 your name for our court reporter?

10                  PUBLIC PARTICIPANT: M-U-R-R-A-Y, Ruth.

11                  CHAIRMAN STEARLEY: Do you know which rate  
12 district you're in, Miss Murray?

13                  PUBLIC PARTICIPANT: Yes, I do. Turkey  
14 Mountain Estates Number 2.

15                  CHAIRMAN STEARLEY: Thank you very much. You  
16 may proceed with your comments.

17                  PUBLIC PARTICIPANT: I am pretty well happy  
18 with the service I get. I have a problem with the  
19 water pressure. I have a regulator in the house that  
20 cuts down the pressure.

21                  I'm pretty near the tall well and the tank  
22 that they put in, and my line that belongs to me from  
23 the meter gets too much pressure. And it breaks, you  
24 know, whenever there is an extra amount through those  
25 lines. The pressure varies, but now it seems to be



1     that it will blow out your faucets and things like  
2     that.

3                 CHAIRMAN STEARLEY: Miss Murray, try holding  
4     your microphone up just a little bit.

5                 PUBLIC PARTICIPANT: Is this better?

6                 PUBLIC PARTICIPANT: You got the microphones  
7     pointed toward each other, and the feedback is making  
8     it do that.

9                 CHAIRMAN STEARLEY: Thank you.

10                PUBLIC PARTICIPANT: Okay. I had my water  
11     line break, and I had to have my yard -- I had to have  
12     a backhoe come in and replace my line. And I replaced  
13     it with a heavier, better system than I had, and it  
14     seems to be working.

15                My other problem is that I have filters in my  
16     line, and I have to change 'em very often because they  
17     get plugged up.

18                And then on the outside lines where I run  
19     water, it stops up my hose. When I'm washing outside,  
20     it stops that up, there's so much trash sometimes.  
21     It's not all the time. It's not consecutive. It just  
22     will happen occasionally, and I'm not quite sure why.  
23     Maybe they've had a break in the lines or something.

24                But a lot of trash comes through the lines,  
25     and that's -- other than the problem that I have with

1 the Company being a public utility, I think that this  
2 is not part of what you're here to see tonight, about  
3 that it's a publicly-traded company, yet these  
4 homeowners are expected to pay for the company that the  
5 utility is going to own. And I would like to know what  
6 a stock is worth today in Aqua, and does it pay  
7 dividends?

8 PUBLIC PARTICIPANT: Yeah.

9 PUBLIC PARTICIPANT: Because that's very  
10 important. If they're in such bad shape, how can they  
11 pay dividends?

12 And I guess that's the end of my questions.

13 CHAIRMAN STEARLEY: All right. Commissioner  
14 Gunn?

15 COMMISSIONER GUNN: Thank you, ma'am.

16 Some of the Staff and Company might be able  
17 to answer that question. I'm not allowed to. And I  
18 know it's frustrating, but if you will talk to one of  
19 the Staff to be able to answer you.

20 I just have a couple questions. When you say  
21 there's a lot of trash in the lines, are you talking  
22 about rocks and silt, or are you talking about another  
23 type of trash?

24 PUBLIC PARTICIPANT: It seems to be just like  
25 there's leaves. You can run it in a white bucket and

1 you will see that it's full of trash. Different  
2 things. I don't know whether it's a break or whether  
3 there's a break and that's coming through or what.

4 COMMISSIONER GUNN: Have you complained to  
5 the Company about these issues?

6 PUBLIC PARTICIPANT: No, I have not.

7 COMMISSIONER GUNN: You have not. Okay.

8 And you say you had a pressure regulator at  
9 your home?

10 PUBLIC PARTICIPANT: Yes, I do.

11 COMMISSIONER GUNN: Did you install that or  
12 did the Company?

13 PUBLIC PARTICIPANT: We installed it  
14 originally. Yes, that's ours.

15 COMMISSIONER GUNN: And when you had to get a  
16 backhoe to fix it, was that at your expense or the  
17 Company?

18 PUBLIC PARTICIPANT: Mm-hmm. Yes, it was.  
19 Of course, it was on my property. I'm not complaining  
20 about that.

21 COMMISSIONER GUNN: All right. And you can't  
22 tell from your perspective why the trash gets in there?

23 PUBLIC PARTICIPANT: No.

24 COMMISSIONER GUNN: It doesn't seem to follow  
25 any sort of pattern?

1 PUBLIC PARTICIPANT: Other times it's clear.

2 COMMISSIONER GUNN: Fine. Thank you for  
3 coming out.

4 I don't have anything else. Some of these  
5 other folks may have something.

6 CHAIRMAN STEARLEY: Miss Baker?

7 MS. BAKER: Have you had any billing issues  
8 this year?

9 PUBLIC PARTICIPANT: No. Just that sometimes  
10 I get bills that I -- I have a home in Springfield, and  
11 I'm there sometimes. And sometimes I'm gone two or  
12 three weeks, and I come back and I get a bill -- I'm  
13 just a little old lady living by myself, and I really  
14 don't do any outside watering or anything like that. I  
15 have no pets. And occasionally when it shouldn't, it  
16 will vary. It's like they didn't read the meter, and  
17 then they did read the meter. And that's my suspicion,  
18 that they didn't read the meter.

19 MS. BAKER: Have you had any consumer service  
20 call problems with them?

21 PUBLIC PARTICIPANT: No.

22 MS. BAKER: Thank you.

23 That's all the questions I have.

24 CHAIRMAN STEARLEY: Mr. Dearmont?

25 MR. DEARMONT: I have no questions. Thank

1     you.

2                 CHAIRMAN STEARLEY:   Thank you, Miss Murray.

3                 The next one I have is Virgil Hermann.

4                 Mr. Hermann, if you would please raise your  
5     right hand.

6                 Do you solemnly swear or affirm that the  
7     testimony you are about to give will be the truth, the  
8     whole truth, and nothing but the truth?

9                 PUBLIC PARTICIPANT:   I do.

10                CHAIRMAN STEARLEY:   Will you please spell  
11     your name for our court reporter?

12                PUBLIC PARTICIPANT:   V-I-R-G-I-L,  
13     H-E-R-M-A-N-N.   I'm in Ozark district.

14                CHAIRMAN STEARLEY:   All right.   You may  
15     proceed with your comments.

16                PUBLIC PARTICIPANT:   Briefly, I know Aqua.  
17     The size of that company did not purchase it with the  
18     expectation to making improvements, and certainly they  
19     didn't depend on getting a rate approval every time  
20     they submitted one.

21                And I think this whole process is a little  
22     backwards.   I believe you ought to have this type of  
23     meeting before you get a letter from the Company that  
24     says, "We've met with the Public Service Commission and  
25     we've agreed on this rate."

1           Now, whether it's approved or not is another  
2    thing. But if you had this type of meeting first and  
3    then you met with the water company, I think that would  
4    be advantageous to everybody.

5           Now, I don't have any problem with the  
6    billing. I get the bill every month. They read the  
7    meter every month. We pay it every month.

8           And I know they put a fence around the wells.  
9    They've put in a new storage tank in our area. They've  
10   dug the well deeper. I'm certain that part of this is  
11   write-off, and I'm sure that they didn't expect to get  
12   it all at once.

13          And if you would take the cost of all those  
14   improvements that they've made so far and divide it  
15   over the number of years that these improvements will  
16   be there, it's a very minimal amount.

17          And that's all I have to say.

18          CHAIRMAN STEARLEY: All right. Questions?  
19   Commissioner Gunn?

20          COMMISSIONER GUNN: I don't have any  
21   questions. Thank you for coming out.

22          CHAIRMAN STEARLEY: Miss Baker?

23          MS. BAKER: Have you had billing issues?

24          PUBLIC PARTICIPANT: No.

25          MS. BAKER: Have you had any problems calling

1 customer service?

2 PUBLIC PARTICIPANT: No. I don't call 'em.

3 MS. BAKER: Are you satisfied with the  
4 quality of the water from Aqua?

5 PUBLIC PARTICIPANT: I'm still here. I guess  
6 I am.

7 MS. BAKER: Thank you. I appreciate you  
8 coming today.

9 CHAIRMAN STEARLEY: Mr. Dearmont?

10 MR. DEARMONT: I have no questions. Thank  
11 you.

12 CHAIRMAN STEARLEY: Thank you, Mr. Hermann.  
13 Next I have Robert Kisler.

14 Mr. Kisler, can you please raise your right  
15 hand for me?

16 PUBLIC PARTICIPANT: My name is Robert  
17 Kisler, K-I-S-L-E-R. I live at Lakewood Manor. I was  
18 just -- oh, you want -- okay.

19 CHAIRMAN STEARLEY: Yes, sir. I'd like to  
20 make this part of our record, and I need to swear you  
21 in for that.

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

25 PUBLIC PARTICIPANT: Yes, I will.

1                   CHAIRMAN STEARLEY: You may proceed.

2                   PUBLIC PARTICIPANT: Thank you.

3                   Lakewood Manor is the highest rated water in  
4 the whole district. When we get our new tank in, they  
5 had a hundred percent raise in the water.

6                   I'd like to make a statement. When we lived  
7 in Gladstone, our water was \$35 for every two months.  
8 We lived there 35 years. No problems. My dad lives  
9 down here, his water is \$150 a year. He's only 3 miles  
10 from us.

11                  I am the second hookup on the tank, on the  
12 new tank. The only time we get dirty water is when  
13 they go inside of it and work. People on the other end  
14 of the line, for some reason, pick up gravel, mud, and  
15 dirt out of their lines.

16                  On our billings. When we get an estimated  
17 bill, we also pay for the minimum. And then the next  
18 month, the bill is double, and you pay double for the  
19 water. You have paid for that water twice.

20                  That's happened twice this year, if you want  
21 to go back and check our bills. I brought the November  
22 in and one of the others.

23                  I would like to know why our water bill is  
24 higher than everyone else's? We have good water most  
25 of the time because we're the second hookup on the



1 line. We have good pressure now. We've had our water  
2 tested and it comes out good, except for calcium. You  
3 can't do anything about calcium in the water.

4 Are there any questions you would like for me  
5 to answer?

6 CHAIRMAN STEARLEY: I'll start with  
7 Commissioner Gunn.

8 COMMISSIONER GUNN: Have you contacted the  
9 Company regarding the bills?

10 PUBLIC PARTICIPANT: Oh, yes. When you  
11 finally get someone who is a human being, they're going  
12 to say, "Well, we will get ahold of someone." And we  
13 will say, "Fine. Call us back." Boy, that has never  
14 happened.

15 COMMISSIONER GUNN: How many times would you  
16 estimate --

17 PUBLIC PARTICIPANT: How many times have I  
18 called personally? None. I had my wife call, because  
19 I have a very bad temper.

20 COMMISSIONER GUNN: I understand.

21 So on this particular November bill, just as  
22 an example, did someone from your family call and  
23 contact the Company?

24 PUBLIC PARTICIPANT: No. This was a regular  
25 bill by the Company. We use less than our

1 4,000 gallons. We average between a thousand and  
2 1500 gallons per month. But on our bill, it shows  
3 exactly 1,000 gallons used every month. When is the  
4 meter read?

5 COMMISSIONER GUNN: Have you ever seen a  
6 meter reader come?

7 PUBLIC PARTICIPANT: Oh, yes. I've sat out  
8 in the front yard and talked to him. Pretty nice guy.

9 COMMISSIONER GUNN: And you don't have the  
10 same quality of water. As you said, generally the  
11 water is pretty good, unless someone is in the --

12 PUBLIC PARTICIPANT: Yes, because we're the  
13 second hookup on the line and unless they go do some  
14 work on the tank, we're not bothered. But the people  
15 on the other end of the line pick up a lot of trash.

16 I have gone down and looked at one of our  
17 friend's tubs, and it was running muddy water into  
18 their tub. They told me on the phone, I said, "You're  
19 crazy. I got good, clean, water, because I just got a  
20 drink out of the refrigerator." Then we went down  
21 there and looked at it, and then out of the faucet was  
22 coming muddy water, dirty water. It wasn't muddy. It  
23 was dirty.

24 COMMISSIONER GUNN: How far down the line  
25 were they?

1 PUBLIC PARTICIPANT: About half a mile.  
2 About three or four blocks, isn't it? About four  
3 blocks. Yeah.

4 COMMISSIONER GUNN: I don't have anything  
5 else.

6 Thank you very much for coming out tonight,  
7 sir. Appreciate it.

8 PUBLIC PARTICIPANT: Thank you.

9 CHAIRMAN STEARLEY: Miss Baker, any  
10 questions?

11 MS. BAKER: I think you've answered my  
12 questions, but I thank you for coming today.

13 CHAIRMAN STEARLEY: Mr. Dearmont?

14 MR. DEARMONT: I have no questions.

15 CHAIRMAN STEARLEY: Thank you very much for  
16 your testimony.

17 COMMISSIONER GUNN: Sir, may I say one more  
18 thing? If you want -- that bill or any of those bills,  
19 if you have copies of them and want to leave them for  
20 our Staff, you can.

21 PUBLIC PARTICIPANT: The only one I got is  
22 the one that they did read the meter on in November,  
23 the estimated for a thousand gallons.

24 COMMISSIONER GUNN: Anything that you want to  
25 leave with us, we're happy to take copies of it.

1                   PUBLIC PARTICIPANT: Each time it's the same  
2 exact amount whether we're home or not. It's always  
3 the same exact estimated amount.  
4                   Thank you.  
5                   COMMISSIONER GUNN: All right. Thank you,  
6 sir.  
7                   CHAIRMAN STEARLEY: All right. Next I have  
8 Lewis Williams.  
9                   Please raise your right hand.  
10                  Do you solemnly swear or affirm that the  
11 testimony you are about to give will be the truth, the  
12 whole truth, and nothing but the truth?  
13                  PUBLIC PARTICIPANT: I do.  
14                  CHAIRMAN STEARLEY: Thank you.  
15                  And if you would please spell your name for  
16 our court reporter.  
17                  PUBLIC PARTICIPANT: Lewis Williams,  
18 L-E-W-I-S; Williams, W-I-L-L-I-A-M-S.  
19                  CHAIRMAN STEARLEY: Mr. Williams, do you know  
20 which district you're in?  
21                  PUBLIC PARTICIPANT: Ozark Mountain.  
22                  CHAIRMAN STEARLEY: Thank you. You may  
23 proceed.  
24                  PUBLIC PARTICIPANT: I have a series of nine  
25 questions here.

1           Why do we not have a publicized local phone  
2   number for this water company so that when we need a  
3   service representative, we can contact them? If you  
4   don't know who works there, you can't call 'em.

5           Two. Why do we not have boil orders when we  
6   have service interruptions? Is it not a State  
7   regulation that after a line breakage that you have a  
8   boil order for a specified period of time? Mud is  
9   passed through the line from the break and it will  
10   actually come out your hydrant.

11           What expenditures does Aqua Missouri have  
12   that require this horrendous rate increase? Not only  
13   are we getting a rate increase, we're having a decrease  
14   in the amount of water that we can purchase for our  
15   money.

16           When will we have a filter on our water  
17   system to remove the red water? You can go to the  
18   bathtub, you can go to the lavatory, you can go to the  
19   stool, and the water is red. Gentlemen, I have a whole  
20   house filter on my system. It requires changing every  
21   45 days. The water will stop coming through the  
22   filter.

23           When can we expect a leveling out of the  
24   chlorine rate? Our chlorine rating's up and down like  
25   a yoyo. You turn the water on in the bathtub and

1 before you can get the water temperature adjusted, your  
2 eyes will burn. Some mornings, you can't make coffee  
3 because you can't drink it. You can fill a carafe and  
4 you can smell the chlorine. You just as well stop  
5 right there, you're all done.

6 When are we going to stop this horrendous  
7 harassment procedure that we have from Ozark Mountain?  
8 This is the fourth increase that I have endured since  
9 '02.

10 Why do we not have these sessions in June or  
11 July, when our absentee property owners can be present?  
12 Do they not deserve representation on their views? Not  
13 one of them is down here.

14 Are there any other water systems regulated  
15 by this body in the State of Missouri that have endured  
16 this abominable rate increase for service? If so,  
17 where?

18 Why would we be expected to set still for  
19 this rate increase, all the while enduring a rate  
20 decrease of this magnitude?

21 And as far as contacting Ozark, forget it. I  
22 had a representative from a public survey call me after  
23 the last go-round that we had and ask a lot of  
24 questions. And I asked him when he got done, "If I go  
25 through and answer all of these questions, is it going

1 to do any good?" He said, "Yes. As a matter of  
2 procedure, Ozark will contact you."

3 Don't hold your breath. In two years, they  
4 have not contacted me.

5 When I first went on Ozark water supply, I  
6 did not live in a house. I had the water put in. And  
7 I had numerous plants put out that I watered, and I  
8 watered extensively. When the meter reader came by, I  
9 told him that I hadn't got a bill yet. He said, "I  
10 know. I don't have a ticket for you. I have to write  
11 it in." So I gave him the particulars that he needed,  
12 and he was to call it in.

13 In a month, I still didn't have a water bill.  
14 So I caught him up at another service, and I stopped  
15 and asked him. And he took out his cell phone and he  
16 called the billing department. He gave them all of the  
17 information, because I stood there and fed it to him.  
18 He had some other questions he had to answer. And he  
19 said, "Now, do you have all this?" She says, "No, I  
20 didn't write it down." So he gave it to her again. He  
21 talked some more, and we gave it to her a third time.

22 It was more than a month before I got a bill.  
23 I want to say that I got a bill on Wednesday, I had a  
24 shutoff notice for Friday. That is service with a  
25 smile. And you can believe that they put all that

1 water in one bill; right? Uh-huh. They took it for  
2 all they could get out of it. And that's all we get  
3 out of this company.

4 The employees seem to be cordial when they're  
5 there. They work very efficiently. The system is  
6 defective. Within one block of my house in five years,  
7 there had been five breaks. One was so extensive that  
8 it flooded my neighbor's sewer system. He had to come  
9 in and have it pumped. It stunk like a chicken house  
10 for about a month.

11 And that's all I have.

12 CHAIRMAN STEARLEY: Questions? Commissioner  
13 Gunn?

14 COMMISSIONER GUNN: Thank you.

15 First, there are some very definite answers  
16 to your questions which I can't give, but the Staff can  
17 certainly do that. So before you leave, I would  
18 encourage you to talk to them and they might be able to  
19 help you out with some of these answers.

20 But just a couple questions. I didn't quite  
21 understand the last question. You said that you were  
22 going to have a rate increase, but then you said  
23 something about a rate decrease.

24 PUBLIC PARTICIPANT: We've having a volume  
25 decrease. The rate is going up; the volume that you



1 get for your dollar is going down. We're going from  
2 3,000 to 2,000.

3 COMMISSIONER GUNN: All right.

4 PUBLIC PARTICIPANT: Why would you vote for  
5 anything like that?

6 COMMISSIONER GUNN: When you finally got a  
7 bill along with the shutoff notice, did that resolve  
8 itself? Did you complain to the Company? Was your  
9 water shut off?

10 PUBLIC PARTICIPANT: No. No. I made sure  
11 that I got it paid.

12 COMMISSIONER GUNN: So did you mail it in or  
13 did you go to a place?

14 PUBLIC PARTICIPANT: I mailed it in.

15 COMMISSIONER GUNN: Mail in.

16 PUBLIC PARTICIPANT: I knew they weren't  
17 going to shut me off on a weekend.

18 COMMISSIONER GUNN: That's a good point.

19 With these breaks, what would you say was the  
20 average time you were not able to use water during  
21 those breaks, average time?

22 PUBLIC PARTICIPANT: Well, I happened to know  
23 somebody that worked there, and I would go and call his  
24 home phone to get somebody out there. I would locate  
25 the break, and when they would come out, I'd show 'em

1 right where the break was. They didn't have to waste  
2 time hunting for it. And so very minimal. Long enough  
3 to get the backhoe in there to dig the hole.

4 COMMISSIONER GUNN: Okay.

5 PUBLIC PARTICIPANT: My problem wasn't with  
6 the local employees at all.

7 COMMISSIONER GUNN: The red water you talked  
8 about, is that constant?

9 PUBLIC PARTICIPANT: That is constant.

10 COMMISSIONER GUNN: Is there any -- is it  
11 more or less at certain points in time of the year,  
12 certain times of the day? Do you notice any sort of  
13 fluctuation or is it the same consistency the entire  
14 time?

15 PUBLIC PARTICIPANT: Pretty consistently bad.

16 COMMISSIONER GUNN: All right.

17 PUBLIC PARTICIPANT: They told me that I had  
18 too much iron pipe in my system. I have three outdoor  
19 hydrants. I have 18 inches of galvanized pipe at each  
20 of those hydrants to keep them setting up, and that's  
21 the only iron pipe in my system, and that is like  
22 30 feet from the filter. Not even on the same line.

23 COMMISSIONER GUNN: How long have you been  
24 replacing those filters?

25 PUBLIC PARTICIPANT: "Shew."

1 COMMISSIONER GUNN: Years?

2 PUBLIC PARTICIPANT: Years.

3 COMMISSIONER GUNN: So every 45 days for  
4 years you've had to replace --

5 PUBLIC PARTICIPANT: Yeah, or go without.

6 COMMISSIONER GUNN: The chlorine spikes, is  
7 it daily? Is it every couple days? Is it once a week?

8 PUBLIC PARTICIPANT: There's no consistency  
9 to it. By Ozark's choice, I'm on a dead-end line. I  
10 have a neighbor from Iowa, myself, and a lady who has  
11 extensive health problems. She's at the top, he's at  
12 the bottom, I'm in the middle. They shut the line off  
13 on one end. It's by choice, a dead-end line. At least  
14 that's my understanding of it.

15 COMMISSIONER GUNN: I don't have anything  
16 else, but I would encourage you to talk to our Staff  
17 because I know it's frustrating that I can't answer  
18 some of these questions, but I think there are answers  
19 to some of these questions that we might be able to get  
20 for you tonight.

21 Other than that, I appreciate you coming out  
22 and talking with us tonight.

23 PUBLIC PARTICIPANT: Thank you.

24 CHAIRMAN STEARLEY: Mr. Williamson, when you  
25 say the water is red, that's even after it's gone

1 through your filter?

2 PUBLIC PARTICIPANT: Oh, yes.

3 CHAIRMAN STEARLEY: So are you able to get

4 your clothes clean when you wash them?

5 PUBLIC PARTICIPANT: Not really. They're

6 dingy all the time.

7 CHAIRMAN STEARLEY: As a matter of fact,

8 other aspects of your water use then, as well, being

9 able to shower, bathe?

10 PUBLIC PARTICIPANT: Close your eyes, and

11 "puff." My neighbors don't drink the water.

12 CHAIRMAN STEARLEY: All right. Thank you.

13 Any questions, Ms. Baker?

14 MS. BAKER: No. But I do thank you for

15 coming.

16 CHAIRMAN STEARLEY: Mr. Dearmont?

17 MR. DEARMONT: I have none. Thank you.

18 CHAIRMAN STEARLEY: Thank you, sir.

19 Next I have Cherie Wegener.

20 Ms. Wegener, will you please raise your right

21 hand?

22 Do you solemnly swear that the testimony you

23 are about to give will be the truth, the whole truth,

24 and nothing but the truth?

25 PUBLIC PARTICIPANT: I do.

1                   CHAIRMAN STEARLEY: Can you please spell your  
2 name for our court reporter?

3                   PUBLIC PARTICIPANT: C-H-E-R-I-E; last name  
4 W-E-G-E-N-E-R.

5                   CHAIRMAN STEARLEY: And do you know what  
6 district you're in?

7                   PUBLIC PARTICIPANT: Ozark Mountain.

8                   CHAIRMAN STEARLEY: You may proceed.

9                   PUBLIC PARTICIPANT: First of all, I'd like  
10 to second the suggestion about having these  
11 question-and-answer periods maybe some time in advance,  
12 because one of the things that's very frustrating to us  
13 is that we are pretty much in the dark, and we do have  
14 a lot of questions.

15                   And I realize you can't answer them here and  
16 we did have about half an hour here, but there's a lot  
17 of people with a lot more questions. And we need to  
18 know more about what's going on behind so that we can  
19 understand why we are getting the rate increases that  
20 we are.

21                   And I would like to thank you, Representative  
22 Sater, for being here.

23                   And I wrote back to him in October about this  
24 when we first got the notice that we were going to have  
25 another rate increase, and I'd like to read that now.

1 I'm paraphrasing a little bit because some of the  
2 questions have been answered and some is a little  
3 redundant.

4 "Dear Representative Sater.

5 "Thank you for your response" -- and this is  
6 because he wrote a letter into the record here -- "to  
7 the concerns of many in the citizens of Shell Knob with  
8 regard to the ongoing rate increases from our water  
9 service provider.

10 "While I don't know specifically what has  
11 been brought to your attention, I would like to  
12 highlight and perhaps add my concerns and share with  
13 you.

14 "Aqua Missouri has only owned this area  
15 service for about three years now. They have been very  
16 aggressive in their rate hike requests and have  
17 received at least two so far. While initially some  
18 adjustment was necessary and most here did not  
19 complain, it is the ongoing hefty increases that we are  
20 upset about.

21 "In November of '06, our basic rate of  
22 3,000 gallons went from \$14.11 per month to \$20.48,  
23 which is a 46 percent increase. In November of '08,  
24 they were allowed a 37 percent increase. And again the  
25 current request is for another 45 percent." I think

1     that's about 35 percent. I'm sorry. "Which while they  
2     may not get all of that, the track record indicates  
3     that they will get much of it.

4             "Moreover, there is no limit to how often  
5     they may continue to appeal for higher rates. They  
6     have shown to wait less than a year from the time of  
7     the last granted increase to when they ask for another  
8     one.

9             "Also, Aqua Missouri stated reasons for  
10    requesting the higher rates on top of those granted  
11    just last year, given that their books and records were  
12    examined at the time. I would assume further requests  
13    means new circumstances have caused the need.

14            "In 2008, reasons were given for increased  
15    operating expenses, capital investments. Granted that  
16    gas prices were a bit higher and employees probably got  
17    some raises, there were improvements like a small  
18    cinder block building got a new coat of paint, and  
19    there was a new and bigger tank and a fence around  
20    that.

21            "While this area is certainly not growing, in  
22    fact, may be declining in population, a new bigger tank  
23    is forward looking.

24            "We did try to question the validity of over  
25    upgrading where the need is not warranted. This year's

1 request cites more upgrades, and we'd like to know what  
2 those upgrades continue to be. Again, we're not  
3 informed as to what's going on behind that.

4 "And then one other thing is that perhaps  
5 Aqua Missouri should also consider some cost-cutting  
6 measures and better demographic information so that  
7 they can prepare more based on what our economic  
8 realities are and what our actual population needs  
9 are."

10 And that's pretty much it. And the only  
11 other thing I would like to add is that Aqua Missouri  
12 is in an aggressive acquisition mode. They've gotten  
13 26 other small water and wastewater companies that  
14 they've gotten in just like the last two years. And we  
15 kind of want to know how much of our rate increase is  
16 going to help bolster their cash position to acquire  
17 these purchases.

18 Thank you.

19 CHAIRMAN STEARLEY: Questions? Commissioner  
20 Gunn?

21 COMMISSIONER GUNN: You're going to get some  
22 of the same questions.

23 Any quality of service issues? Is your  
24 water -- does it have some of the same problems that  
25 have been described here tonight?



1 PUBLIC PARTICIPANT: No. The water is fine.

2 COMMISSIONER GUNN: Pressure is fine?

3 PUBLIC PARTICIPANT: We have no problems with  
4 water.

5 COMMISSIONER GUNN: Any billing confusion?

6 PUBLIC PARTICIPANT: Well, it's been  
7 resolved. And that was going in 2007. It took over a  
8 year to get the problem solved. I was being billed for  
9 2,000 gallons in a month. I had 12,000, 8,000. On and  
10 on. It was a nightmare.

11 And in fact, when the meter readers would  
12 come out, I'd go out there and show them the bill, the  
13 bill number and the meter were not -- were not  
14 coordinated. It did take me about a year to get than  
15 done.

16 And one of the things is they replaced my  
17 meter. There was nothing wrong with the meter. And as  
18 I explained to the guy who was out there changing it.  
19 And that's one of those improvements that, you know,  
20 was that expense necessary? I don't know how many  
21 meters they replaced, but there wasn't anything wrong  
22 with the meter. The meter was reading correctly.

23 It was not getting computed through when it  
24 got billed in. But I tell you, that was a nightmare  
25 trying to get it fixed up, trying to contact people.

1 And I mean, there were threats of shutoff notices and  
2 stuff. And I mean, it was way out of line. But over a  
3 year, we did finally get it straightened out.

4 COMMISSIONER GUNN: And similar problems and  
5 frustrations that have already been described here  
6 tonight in trying to get in touch with a representative  
7 and having nobody call you back?

8 PUBLIC PARTICIPANT: Well, you could call in  
9 and say, "There's a problem," and it just would fall on  
10 deaf ears. The next month I would get a bill for even  
11 more gallons a month. And it's like you guys are  
12 confusing me with a laundromat or something.

13 COMMISSIONER GUNN: I don't have anything  
14 else. Thank you for your testimony. Appreciate it.

15 PUBLIC PARTICIPANT: Thank you.

16 COMMISSIONER GUNN: If you would like, and if  
17 it's a copy, or if not, you can always submit that  
18 letter that you wrote to the representative and we can  
19 put it in as an exhibit into the record, if you so  
20 choose.

21 PUBLIC PARTICIPANT: Okay.

22 COMMISSIONER GUNN: And you can either do it  
23 tonight, or if you want to make a copy of it, you can  
24 send it in to the PSC later.

25 PUBLIC PARTICIPANT: Thank you.

1                   CHAIRMAN STEARLEY: Any questions, Ms. Baker?

2                   MS. BAKER: Not from me, but thank you for  
3 coming in.

4                   CHAIRMAN STEARLEY: Mr. Dearmont.

5                   MR. DEARMONT: I have no questions. Thank  
6 you.

7                   CHAIRMAN STEARLEY: Thank you for your  
8 testimony.

9                   Next I have Joanne Reinhart.

10                  Ms. Reinhart, if you'd please raise your  
11 right hand.

12                  Do you solemnly swear or affirm that the  
13 testimony you are about to give will be the truth, the  
14 whole truth, and nothing but the truth?

15                  PUBLIC PARTICIPANT: I do.

16                  CHAIRMAN STEARLEY: And spell your name for  
17 our court reporter.

18                  PUBLIC PARTICIPANT: J-O-A-N-N-E,  
19 R-E-I-N-H-A-R-T.

20                  CHAIRMAN STEARLEY: And do you know which  
21 rate district you're in?

22                  PUBLIC PARTICIPANT: Ozark Mountain, Lakeside  
23 Heights.

24                  CHAIRMAN STEARLEY: And you may proceed.

25                  PUBLIC PARTICIPANT: I would like to be on

1 the record for opposing the company rate requests. And  
2 I've testified at each of these meetings that we've had  
3 so far, and it seems like we just get one rate increase  
4 after another. And now with the decreased amount of  
5 water, which I don't think we ever use the basic water  
6 to begin with.

7 And the only thing I'd hope is you take into  
8 account the books of this company, because things I've  
9 seen done in our subdivision were the meters were  
10 changed, and I see fire hydrants up. I don't know what  
11 the use is for that. Apparently, the fire department  
12 can't use 'em.

13 And I think that's all I have. I think  
14 everybody else has made points that are mine.

15 CHAIRMAN STEARLEY: All right. Commissioner?

16 PUBLIC PARTICIPANT: I have one other thing.  
17 We do have chlorine. And I testified on that the last  
18 time. You can smell chlorine all the time. So I just  
19 solved it by buying a refrigerator pitcher, and use  
20 that water instead of drinking from the faucet.

21 COMMISSIONER GUNN: Other than that, any  
22 other quality -- water quality issues?

23 PUBLIC PARTICIPANT: Well, you know, if you  
24 don't have anybody in the basement and the toilet  
25 doesn't get flushed routinely, there is always a black

1 circle.

2 COMMISSIONER GUNN: Any billing issues?

3 PUBLIC PARTICIPANT: No.

4 COMMISSIONER GUNN: All right. Thank you

5 very much for coming in, ma'am.

6 CHAIRMAN STEARLEY: Ms. Baker, any questions?

7 MS. BAKER: No, I have no other questions.

8 Thank you.

9 CHAIRMAN STEARLEY: Mr. Dearmont?

10 MR. DEARMONT: No questions. Thank you.

11 CHAIRMAN STEARLEY: Thank you very much for

12 your testimony.

13 Next I have Cassity Flygare? Did I get your

14 name right? Probably not. Sorry about that.

15 PUBLIC PARTICIPANT: Cassity Flygare.

16 CHAIRMAN STEARLEY: Do you solemnly swear or

17 affirm that the testimony you are about to give will be

18 the truth, the whole truth, and nothing but the truth?

19 PUBLIC PARTICIPANT: Yes.

20 CHAIRMAN STEARLEY: Please spell your name

21 for our court reporter.

22 PUBLIC PARTICIPANT: C-A-S-S-I-T-Y,

23 F-L-Y-G-A-R-E.

24 And I live in Turkey 1, Ozarks Mountain.

25 And I talked to the people that live across

1 the street from the Crestwood West, or they live maybe  
2 50 feet from one of the places that's getting an  
3 increase, and their water bill is \$180 a year from ABC  
4 Water Company. And if you break that down, that's \$15  
5 a month. That's way more than any of us are paying,  
6 and -- or way less than what we're paying, and they get  
7 unlimited water use.

8 And I've lived where I live now for about  
9 five years, a little bit longer, and it started out my  
10 bill was \$14.11. I never went over, ever. And as soon  
11 as the rate went up to 20 something, it was 20 and some  
12 change, I don't know what it was exactly, every single  
13 month I was over because of that increase. And now  
14 it's decreasing again.

15 My water bill is between -- it varies now 40,  
16 50, \$60 a month. And I have to watch how much I use.  
17 One of our neighbors recently, just in the last month  
18 put in a well for the very reason that we're here,  
19 because they -- their water was about \$86 every month.  
20 So for them right now they're on a five-year loan for a  
21 well for \$110 a month. With the rate increase, they're  
22 going to -- they would have been paying for their  
23 water, and they're going to own it in five years and  
24 they're not going to be paying anything.

25 But where I live, I don't have the choice to

1 do that because regulations are that I can't have the  
2 well because I don't have enough land to put a well on.

3 So really, it's what I would consider a  
4 monopoly. There's only one person that's selling.  
5 There's no choice that I have whatsoever besides to pay  
6 this. And I definitely oppose the increase.

7 And about the water quality. When I give my  
8 kids a bath, when I drain the tub, it's just gritty.  
9 It looks like I washed the dogs in the tub.

10 And the toilets are the same way. We have  
11 two toilets. One of them we don't use as much. And  
12 it's ridiculous. At first I thought something was  
13 wrong. I changed our cleaners. Several times I  
14 changed to different cleaners thinking maybe it was  
15 something to do with that. And you just -- it doesn't  
16 matter how many times you scrub it, it's stained like  
17 that.

18 And I don't know why -- I was wondering why  
19 some of the people on here have a flat rate and we  
20 can't have a flat rate. Why that there is a charge for  
21 over that.

22 And when all this stuff that they are saying  
23 that they're paying for is done being paid for, the new  
24 power, the fence, whatever they're saying that it's  
25 for, are our rates going to go back down after all that

1     stuff is paid for? Probably not. They're probably  
2     just going to ask for another increase.

3             And also, about the customer service, two  
4     things. My neighbor called them because he was having  
5     an issue with how much they were charging him, and they  
6     said that they -- with the estimated bill, and they  
7     said, "No, we don't estimate it. We have it. It's  
8     digitally. It goes straight to our computer. We have  
9     digital readers."

10            We don't have digital readers. We have a  
11    meter reader that comes every month. And he went out  
12    and said, "Did you guys get a new special meter that I  
13    didn't get?" And we said, "No, I don't think." We  
14    went and checked in the yard. It's the same meter.  
15    They just told him that to get him off the phone.

16            And then today I called because I was in  
17    Springfield, and I wanted to make sure I made it back  
18    for this meeting. First time I called, I got this  
19    message. The second I called, I asked, "I need some  
20    information about what time the meeting starts." And  
21    they said, "Hold on. I have to transfer you to  
22    customer service."

23            It rang about 20 times before I hung up. And  
24    I never got an answer.

25            So that's pretty much all I have to say.





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

3 PUBLIC PARTICIPANT: I do.

4 CHAIRMAN STEARLEY: Thank you.

5 If you could please spell your name for the  
6 court reporter.

7 PUBLIC PARTICIPANT: D-A-V-I-D,  
8 W-I-L-H-E-L-M.

9 CHAIRMAN STEARLEY: And do you know which  
10 rate district you're in?

11 PUBLIC PARTICIPANT: I'm in Tomahawk Heights.  
12 I guess that's Ozark Mountain, I guess.

13 CHAIRMAN STEARLEY: All right. You may  
14 proceed.

15 PUBLIC PARTICIPANT: I guess the main thing I  
16 just think that Commissioners ought to really look at  
17 is the number of raises they've been given over the  
18 years here. Because since 2006 up till now, we started  
19 out \$14. Now we're up to prit near \$40 for these  
20 rates. And you know, that's quite a raise.

21 Over that time, most of your cost of living  
22 has been around 3 percent, in that area. And I realize  
23 maybe they do take some things they have, inflationary  
24 and other things. But over in that region, that's what  
25 they base all of our raises on. And Social Security

1 and everything else has been about that. And of  
2 course, we didn't get any this year.

3 But I think that right now, this  
4 3,000 gallons they're talking about, going from three  
5 to 2,000 gallons, that's going to change that bill, the  
6 3,000 gallons, 30 percent.

7 One full jump of 30 percent. I think that's  
8 just exorbitant. I mean, how can they sit there and  
9 look at and that say, "Well, we need that money for  
10 that"? There's something wrong.

11 I have no other complaints about the water.  
12 It isn't that great, but I'm not, you know.

13 I walk around, I help them find leaks every  
14 once in a while.

15 CHAIRMAN STEARLEY: Questions?

16 COMMISSIONER GUNN: I don't have any  
17 questions. Thank you, sir.

18 CHAIRMAN STEARLEY: Miss Baker?

19 MS. BAKER: Have you had any billing issues?

20 PUBLIC PARTICIPANT: No. They did one time,  
21 but it was -- if they have a misreading, then they  
22 catch up. They manage to use the whole use on one.  
23 They don't give you a 3,000 year and then add, you  
24 know. Which is almost highway robbery, really. If  
25 they get 3,000 every month, they should give you the

1 rate for it.

2 MS. BAKER: Have you had any problems with  
3 their customer service?

4 PUBLIC PARTICIPANT: No.

5 MS. BAKER: That's all the questions I have.

6 CHAIRMAN STEARLEY: Mr. Dearmont?

7 MR. DEARMONT: I have no questions. Thanks.

8 CHAIRMAN STEARLEY: Thank you very much for  
9 your comments.

10 Next I have Joanne Spalinger? Am I getting  
11 that name correct?

12 Can I get your name?

13 PUBLIC PARTICIPANT: Spalinger.

14 CHAIRMAN STEARLEY: Do you solemnly swear or  
15 affirm that the testimony you are about to give will be  
16 the truth, the whole truth, and nothing but the truth?

17 PUBLIC PARTICIPANT: I do.

18 CHAIRMAN STEARLEY: Will you please spell  
19 your name for the court reporter?

20 PUBLIC PARTICIPANT: My first name is  
21 actually Zoa, Z-O-A; Joanne, J-O-A-N-N-E; Spalinger,  
22 S-P-A-L-I-N-G-E-R.

23 CHAIRMAN STEARLEY: Do you know what district  
24 you are in?

25 PUBLIC PARTICIPANT: I'm in Lakewood Manor.

1                   CHAIRMAN STEARLEY: You may proceed.

2                   PUBLIC PARTICIPANT: First of all, I would  
3 like to thank you each of you for providing a room to  
4 which we can all get into.

5                   Last year it was a disaster in a little bitty  
6 corner back down there. And a lot of people I know in  
7 Lakewood Manor did not show up this year because they  
8 assumed it would be the same. So I thank you for  
9 having it in a room where we can all get in and talk to  
10 you here.

11                  I thank our representative, David Sater, for  
12 showing up. I did write to him in September. I also  
13 cc'd the Public Service Commission, our Senator and the  
14 Office of the Public Counsel in my letter. I also  
15 wrote a note online to the Public Service Commission.

16                  So I will not repeat all that I have said  
17 right now, but I would like to talk about some of the  
18 things that happened with Aqua Water.

19                  Last time when we all met, it was a lot of  
20 problems with billing, and a lot of that's increased.  
21 On January 29th, we received a boil order, that there  
22 was a problem and our water had to be shut down.

23                  On the 30th, I called. I said, "Are we still  
24 on the boil order?" On the 31st, I called. On the  
25 2nd, I called. "Yes, we're still on the boil order."

1               So I had to call each day to find out if we  
2     were still on the boil order. I don't remember, and I  
3     didn't record when it finally came off. But there was  
4     very poor communication on the boil order.

5               Then they put in our tower. I don't think it  
6     worked smart. They put in the tower, and then I  
7     noticed a few months later they had a crew up there and  
8     they had hauled in a water tank that they're willing to  
9     pay for.

10              And I said, "Why are we doing this again when  
11    you just installed the new tower?"

12              "We decided we should put an access door at  
13    the bottom of the tank."

14              That's not smart. If you're a water company  
15    and you're putting tanks in throughout the United  
16    States from coast to coast, I would think you would  
17    know in advance what type tank you need, the design you  
18    need, what color you want to paint it, how it has to be  
19    sealed, so we do not have to rent tanks to hold the  
20    water and close it down to install a access. And  
21    that's just my opinion, but that's not smart business.

22              The other thing was on billing. I have  
23    automatic deduction, which I appreciate being able to  
24    do, but I'd also like to see my statement on why I'm  
25    getting billed the way I am. They have no problems

1 deducting my bills on each month, all they -- they do  
2 it different -- never the same. It's not like the  
3 12th of every month.

4           And this continued from last time. It might  
5 be the 4th one month and gradually it will get to be  
6 the 30th. So they're very -- just their accounting  
7 system leaves much to be desired.

8           In June, they came in and changed all of the  
9 meters without notification. Came onto my property, up  
10 next to my house, replaced my meter, did not notify me.

11           At a later date, I was under my house in a  
12 crawl space, and I noted a water leak right as my line  
13 comes into the house. I had never had that before. I  
14 can only assume that came from them jarring the pipes  
15 and the work they did to replace the meter without  
16 notifying me so that I could not check to see what it  
17 was.

18           Also, I had problems receiving my bills in  
19 June. I called the Company. The girl did not seem to  
20 be able to understand what I was saying. And I kept  
21 explaining to her, "All I want is a copy of my June  
22 bill."

23           So finally, she ended up -- I don't know.  
24 She was going to send me three. And I never did get  
25 those. So I went online and I told them that I had not

1     gotten it. And didn't hear.

2                 Finally, I called them back and they said,  
3     "Well, you know, we don't have your account number and  
4     address." This is after I had talked to them several  
5     times with my account number.

6                 And come to find out they had not changed my  
7     address when we went to 911, which I had turned in and  
8     submitted a year ago. So they said that was the  
9     reason. Although I get the notice for the Aqua change,  
10    rate change and everything, that I had not received  
11    that bill. It took a lot of emails and a lot of doing  
12    to get my copy of my June bill.

13                Also, when they removed my meter, I would  
14    have liked to have known. I'd like to have been there  
15    to see what the reading was on it. You might know that  
16    I average 2,000 gallons a month, and the meter is read  
17    usually on the 4th or 5th of each month. The meter,  
18    they said, was changed on June the 30th.

19                I had used 2,000 gallons. So they said it  
20    was 6650. I would have like to have verified it. And  
21    then I got a bill for 44 -- well, for 3,000, which is  
22    very rare for me unless I have company, because I live  
23    alone.

24                And so I called and asked what that was, and  
25    they told me it was my fault. I must have a leak.



1 "Your meter was installed at zero. You had a similar  
2 bill in May." I said, "Yes, I did." The Company said,  
3 "If you feel you are not using the water, you may want  
4 to check for leaks; specifically, the toilet area. Put  
5 dye in your toilet. Wait about 15 minutes. If it goes  
6 through the hole, it's leaking. You generally stay  
7 about the same. The meter is doing fine. Keep an eye  
8 on the bill. If there's any more increase, you might  
9 want to consult a plumber. If you have any further  
10 questions, please contact me."

11 Then suddenly my pressure started going up  
12 and down. And some of it came from the Public Service  
13 Commission came to my house and talked to me about it.  
14 At that time, of course, it was okay.

15 And as I get in the shower and get blown to  
16 the other side, suddenly I had leaks in my pipes. So  
17 I've had to have plumbers in twice to repair, once for  
18 the meter and once for pressure problems where they  
19 blowed the pipes when the pressure would go up and  
20 down. As soon as I complained about that, I have not  
21 had any other issues with the pressure.

22 On the chlorine, I don't know if it's  
23 possible to get too much chlorine. When you drink  
24 water -- as I was leaving the house this afternoon or  
25 evening, I took a drink from my bathroom faucet, and it

1 was like pure bleach. And I don't understand that.

2 I don't know if they have to have their water  
3 tested at a certain time of month so they hyper the  
4 chlorine so it will pass. I don't know. It just seems  
5 unusual to me that we have such a high taste of  
6 chlorine in the water.

7 I also don't understand why, if this is to  
8 pay for the repairs and the upgrades that they have  
9 done, they say are needed, they say they have done them  
10 and we know that they have, why can't it be spread over  
11 a longer period of time.

12 There's 37 of us in Lakewood Manor. I'm not  
13 sure I could count the houses or the building, but  
14 they're building all the time. I think it's very  
15 unfair that these large increases are here.

16 And when people talk about the 4,000 to the  
17 5,000, our bills, we used to get our bills -- our  
18 rates -- hold on just a minute. Your total monthly  
19 bill was based on at 5,000 gallons usage.

20 And suddenly this year when they asked for  
21 the rate increase on this paper, it's based on 4,000  
22 instead of 5,000. And the other two are for 2,000.  
23 But the total monthly bill has been dropped. Instead  
24 of basing that 5,000, it's based at 4,000.

25 I don't know the purpose of that or what that

1 means, but it looks like they're asking for a larger  
2 increase, basing it on an average bill based on a much  
3 smaller figure. I think that about covers it for me.

4 I thank you, and I'm sure you'll read my  
5 other notes of it, too.

6 CHAIRMAN STEARLEY: Questions from  
7 Commissioner Gunn?

8 COMMISSIONER GUNN: Thank you.

9 Thank you very much for your testimony.  
10 We'll make sure we go back and take a look at what  
11 you've sent in already.

12 You said you had to call every day for the  
13 boil order. Do you remember how you were notified that  
14 the boil order was off? Did someone contact you or was  
15 that as a result of your phone call?

16 PUBLIC PARTICIPANT: No. We had a  
17 notification, precautionary boil water advisory issued  
18 on January the 29th.

19 COMMISSIONER GUNN: But then you said it  
20 doesn't say how you know when it's okay.

21 PUBLIC PARTICIPANT: It says, "Please contact  
22 this number if you have any questions." So I had a  
23 question. "When can I drink my water and quit  
24 boiling?"

25 COMMISSIONER GUNN: Do you remember how you

1 found out that it was okay to go ahead and drink?

2 PUBLIC PARTICIPANT: I believe I kept calling  
3 until they told me.

4 COMMISSIONER GUNN: You think it was a result  
5 of your contacting them, not as a result of them --

6 PUBLIC PARTICIPANT: Yes. They may have  
7 eventually. But I called them every day to find out  
8 when I could -- to ask when I could use water.

9 COMMISSIONER GUNN: One other thing you  
10 talked about was they take money out of your account at  
11 different times of the month. Is there any pattern to  
12 that? Do you notice it --

13 PUBLIC PARTICIPANT: Just that it's different  
14 each month.

15 COMMISSIONER GUNN: Each month there are  
16 different days. So no rhyme nor reason.

17 PUBLIC PARTICIPANT: Different reading, but  
18 each month it's deducted at a different day. And it's  
19 never on exactly what the bill says it will be, you  
20 know.

21 COMMISSIONER GUNN: Is it more or less?

22 PUBLIC PARTICIPANT: I mean, the dollar  
23 amount is the same. The date.

24 COMMISSIONER GUNN: The date. All right.

25 And then the chlorine smell, is that constant?

1 PUBLIC PARTICIPANT: It's not a smell. It's  
2 a taste.

3 COMMISSIONER GUNN: Is that constant or is  
4 it ...

5 PUBLIC PARTICIPANT: You know, it comes and  
6 goes. It seems to me like it's stronger at times. And  
7 tonight it was really strong.

8 COMMISSIONER GUNN: Does it change on a daily  
9 basis or does it change from day to day or week to  
10 week?

11 PUBLIC PARTICIPANT: You know, I don't think  
12 it's on a daily basis.

13 COMMISSIONER GUNN: So it's not better in the  
14 morning or better in the afternoon?

15 PUBLIC PARTICIPANT: No. No. If it's bad in  
16 the morning, it's bad in the evening.

17 So it just seems like it's very high. So I  
18 don't know if they're having to do that because they  
19 have to pass some kind of water test or not. It just  
20 seems like it's suddenly very high.

21 COMMISSIONER GUNN: I don't have anything  
22 else. Thank you.

23 CHAIRMAN STEARLEY: Ms. Baker, any questions?

24 MS. BAKER: I have no questions. Thank you.

25 CHAIRMAN STEARLEY: Mr. Dearmont?

1                   MR. DEARMONT: I have no questions. Thank  
2 you.

3                   CHAIRMAN STEARLEY: Thank you very much for  
4 your testimony.

5                   Next, I have William Darber (phonetic).

6                   PUBLIC PARTICIPANT: I have no comments at  
7 this time.

8                   CHAIRMAN STEARLEY: Okay. Thank you,  
9 Mr. Darber.

10                  Dale Jenkins?

11                  Mr. Jenkins, can you please raise your right  
12 hand?

13                  Do you solemnly swear or affirm that the  
14 testimony you are about to give will be the truth, the  
15 whole truth, and nothing but the truth?

16                  PUBLIC PARTICIPANT: I do.

17                  CHAIRMAN STEARLEY: Okay. Please spell your  
18 name for our court reporter.

19                  PUBLIC PARTICIPANT: First name D-A-L-E, last  
20 name Jenkins, J-E-N-K-I-N-S.

21                  CHAIRMAN STEARLEY: Mr. Jenkins, do you know  
22 which of these rate districts you're on?

23                  PUBLIC PARTICIPANT: I'm in Turkey  
24 Mountain 2. I'm not sure which one it is.

25                  CHAIRMAN STEARLEY: Okay. You may proceed.

1                   PUBLIC PARTICIPANT: Okay. I was wondering,  
2 are they -- is Aqua Missouri required to send out water  
3 quality or CCR reports? And if they are, how often?  
4 Because I've never got one, and I've been in the same  
5 location for about 13 or 14 years.

6                   The jar (displaying glass jar) I brought kind  
7 of shows some of the particulates that people have been  
8 talking about.

9                   CHAIRMAN STEARLEY: If you'd please bring  
10 that forward, Mr. Jenkins.

11                  PUBLIC PARTICIPANT: (Complying).

12                  CHAIRMAN STEARLEY: Thank you.

13                  PUBLIC PARTICIPANT: Don't shake it.

14                  PUBLIC PARTICIPANT: That looks kind of red.

15                  PUBLIC PARTICIPANT: Now, go ahead and open  
16 it and take a drink. That's what they're asking us to  
17 shower in, to wash our clothes in, and to drink.

18                  Thankfully, I've had my hepatitis shot. So  
19 it wouldn't hurt me, I guess, to have a little bit of  
20 that.

21                  But that came out of the back of the toilet  
22 tank. You can clean that toilet tank out, and about a  
23 month or two months, and you'll have the same thing.  
24 And your shower head's continuously plugging up.

25                  All the screens in your laundry hoses plug

1 up. All the little water savers and the screens in our  
2 kitchen sink are always plugging up.

3           And they think they can have more money to  
4 get this quality of water to us. I think if you agree  
5 to the rate, you're just agreeing to robbery without a  
6 gun.

7           And another thing, when they have breaks, are  
8 they required to issue a boil water order? I've never  
9 got one. There's a spot about the size of that table  
10 that's within 200 feet of my house that has had  
11 probably ten breaks in the last five or six years.  
12 Same place.

13           They come out and tear up the asphalt, repair  
14 it. The water looks like that for two days. And then  
15 a month or so later, they're back doing it again.

16           They never fix the asphalt because they  
17 figure, well, they're going to be back doing it again  
18 anyhow. So you have to drive through potholes where  
19 they dig up the asphalt in the road.

20           I'd say I've probably gone through a dozen  
21 coffee makers in the last couple years because of the  
22 water quality. I know we've got hard water around  
23 here, but it isn't just hard water; it's everything  
24 else that's in it, too.

25           And one more question was why different



1 minimum on the gallon-age? Some people have 3,000,  
2 some people have 5,000, some people have 4,000. But  
3 like a two-person home or a two-bedroom home, it  
4 doesn't matter if they're in Turkey Mountain or if  
5 they're in Lakewood Manor or Timbuktu, basically, on an  
6 average, they're going to use the same amount of water  
7 no matter where they're at.

8               So why do you say, "Okay, you get  
9 4,000 gallons; you guys over here, you only get  
10 2,000 gallons"? It doesn't make any sense to me.  
11 They're trying to juggle things and just for the  
12 confusion of it, I guess.

13              And I had one more question. Jefferson City  
14 headquarters, are they just one of many that belong to  
15 a parent company? It seems like most of the bills and  
16 stuff go to Ohio. And the farther away they get, the  
17 less they care about us old people down here.

18              Every one of them -- there are more members  
19 in that company -- needs to come down here and live in  
20 these conditions for two months, drink the water, and  
21 see if they'll leave us like they're doing us now.

22              That's all I've got to say.

23              CHAIRMAN STEARLEY: Questions? Commissioner?

24              COMMISSIONER GUNN: Thank you.

25              When did you collect this water? Was this

1 today?

2 PUBLIC PARTICIPANT: Last night.

3 COMMISSIONER GUNN: Last night.

4 This is how it is constantly?

5 PUBLIC PARTICIPANT: No. It usually looks

6 fairly clear.

7 COMMISSIONER GUNN: But this is the buildup

8 that occurs in your toilet?

9 PUBLIC PARTICIPANT: Right. It will settle.

10 Last night, it looked like that. I left it set. Today

11 it was clearer, except for what was in the bottom. But

12 it looks like there's rust in there, too. And where

13 does the rust come from? I don't have any metal pipes

14 anywhere on my side of the meter.

15 COMMISSIONER GUNN: Have you used this jar

16 for anything else, to store anything in there?

17 PUBLIC PARTICIPANT: No.

18 COMMISSIONER GUNN: So is the smell of this

19 water the smell that comes out of -- when it comes out?

20 PUBLIC PARTICIPANT: Part of the time.

21 Sometimes you get a definite chlorine, I'd say maybe

22 twice a month. You'll be washing the dishes and it's

23 almost bad enough that it makes your eyes water.

24 COMMISSIONER GUNN: I ask because when I

25 opened it up, there was a very strong smell. Just put

1 on the record there was almost a turpentine smell.

2 PUBLIC PARTICIPANT: When you shake it up,  
3 that's about how it is on the bad days.

4 But that's the only thing that's been in that  
5 jar. It was -- well, it was washed in Turkey  
6 Mountain 2 water, with dishwashing soap and rinsed and  
7 dried, and then --

8 COMMISSIONER GUNN: But just to be clear, no  
9 other chemicals, nothing else? Just water.

10 PUBLIC PARTICIPANT: That's it.

11 COMMISSIONER GUNN: Soapy water that came out  
12 of the dishwasher.

13 PUBLIC PARTICIPANT: That's it.

14 COMMISSIONER GUNN: I want to go back on the  
15 section of the pipe that had breaks. When those breaks  
16 occur, how long typically are you without water? Is  
17 the water shut off or is it not?

18 PUBLIC PARTICIPANT: Well, usually it's not  
19 for more than six to ten hours. The only problem is,  
20 if I'm on the top of the hill, everything below me --  
21 so there's no anti-siphon or check valves of any  
22 kind -- everything gets sucked out of my house and down  
23 the lines.

24 Then as soon as they're done repairing it,  
25 which is another point, they should have washed that

1    thing so we don't get so much mud come in for the next  
2    two days.

3                   But there's no fire hydrants.  There's  
4    nothing on the main lines that would allow them to  
5    flush the contaminants out of it before they turn on  
6    the water to the rest of the line up the hill.

7                   So seeing that there's that much in the  
8    bottom of the toilet tank over about a  
9    month-and-a-half, two-month period, imagine what the  
10   bottom of the water heater looks like?  Probably solid.

11                  I've had to change water heater elements  
12   before, and a couple of times it's all when they turned  
13   the water off.  You don't know when they're coming to  
14   repair it; they don't notify you.

15                  When they repair it, the only way you know it  
16   is by driving by the pothole.  It's got a big pile of  
17   dirt on top of it.  Then you get home and you put up  
18   with muddy water for two days.  And they don't let you  
19   know, "Okay, you've got to boil your water."  So ...

20                  COMMISSIONER GUNN:  Have you talked to the  
21   Company about the water quality issues?

22                  PUBLIC PARTICIPANT:  I'm like the rest of  
23   'em.  How many times do you have to call 'em before you  
24   get somebody?

25                  COMMISSIONER GUNN:  Let me rephrase it.  Have

1     you attempted to contact the Company?

2                   PUBLIC PARTICIPANT:   I have called two or  
3     three times and hung up in frustration.

4                   COMMISSIONER GUNN:   Was it because of the  
5     response that you got or was it because there was no  
6     one answering the phone?

7                   PUBLIC PARTICIPANT:   The first time I called  
8     them was because of the leak in the same place.   I  
9     noticed water was running down the side of the road,  
10    and I called up there.   Of course, if you don't call in  
11    a certain window, then a lot of people who don't work  
12    there, you know, they aren't off, to where you can call  
13    them during their hours.   And I didn't get any response  
14    then either.

15                  COMMISSIONER GUNN:   Just to be clear, was no  
16    one picking up the phone or was the response just,  
17    "We'll get back to you"?

18                  PUBLIC PARTICIPANT:   Well, it was probably  
19    two or three days.   And we've got a lot of groundwater  
20    that follows the Table Rock and come out surfaces.   "So  
21    are you sure it's a leak?"   That was the question.  
22    "Well, yeah, I'm pretty sure it is."

23                  It's been the same place several times  
24    already.   And it stayed that way.   The next day and  
25    then the second day after, I called, they came out and

1 repaired it.

2 COMMISSIONER GUNN: But it took you two phone  
3 calls?

4 PUBLIC PARTICIPANT: No, just one phone call  
5 on that one. After one, it's their water. If they  
6 want to burn up a well, that's fine.

7 COMMISSIONER GUNN: Any billing issues that  
8 you've had?

9 PUBLIC PARTICIPANT: No, I haven't.

10 I had a neighbor that moved in a couple of  
11 doors down from me. He was about four months and never  
12 got a bill. Two of those or maybe three of those  
13 months, the bill wound up in my mailbox, so I was able  
14 to get it to him, but I -- I don't -- you know, I don't  
15 know who all lives around where. And I got talking to  
16 him one day and he said, "You know, I've talked to him  
17 for about four months now and finally started getting  
18 my billing."

19 And he said, "You know, they couldn't get my  
20 address on the envelope to send the bill, but the  
21 disconnect notice sure found the right mailbox." He  
22 got two disconnect notices with the right address on  
23 'em. Figure that one out.

24 COMMISSIONER GUNN: Can we keep this?

25 PUBLIC PARTICIPANT: Go ahead.

1                   COMMISSIONER GUNN: Okay. We'll figure out a  
2 way to mark it.

3                   CHAIRMAN STEARLEY: I'm going to mark this  
4 jar, about the size of a peanut butter jar, labeled  
5 with the name Dale Jenkins, as Exhibit No. 1 for this  
6 public hearing.

7                   Any objections to the admission of Exhibit  
8 No. 1 into this record?

9                   MS. BAKER: I would maybe suggest that we  
10 take pictures of it and add it to the record as well.

11                  CHAIRMAN STEARLEY: That would be the easiest  
12 way to add it to our paper file. For the time being,  
13 we'll take it in its entirety.

14                  MS. BAKER: No objections.

15                  PUBLIC PARTICIPANT: Put a paper over the top  
16 of it.

17                  CHAIRMAN STEARLEY: There are no objections.  
18 It will be admitted in a proper format.

19                  PUBLIC PARTICIPANT: Aren't we supposed to be  
20 turning in our questions that we fill out to you?

21                  CHAIRMAN STEARLEY: If you wish to turn in  
22 any written comments, we do have prepared sheets up  
23 here. Our Staff does it. And you can also have -- if  
24 you have copies or if you would like to just give us as  
25 exhibits, I can take those as well.

1                   Let me come back to that when we're done with  
2 Mr. Jenkins' testimony.

3                   Any other questions?

4                   COMMISSIONER GUNN: I don't have anything  
5 else, sir. Thank you very much. I appreciate it.

6                   CHAIRMAN STEARLEY: Any questions, Ms. Baker?

7                   MS. BAKER: I have no questions. Thank you.

8                   CHAIRMAN STEARLEY: Mr. Dearmont?

9                   MR. DEARMONT: No questions. Thanks.

10                  CHAIRMAN STEARLEY: Thank you very much for  
11 your testimony, Mr. Jenkins.

12                  COMMISSIONER GUNN: I forgot to say one  
13 thing. You did have serious questions again on the  
14 water quality reports and things like that. Talk to  
15 one of our Staff members on some of those specific  
16 questions, and if there are answers, we'll be able to  
17 give them to you.

18                  PUBLIC PARTICIPANT: Okay.

19                  COMMISSIONER GUNN: Thank you.

20                  CHAIRMAN STEARLEY: At this time, my list of  
21 names on the sign-up sheets are complete.

22                  Do we have one more?

23                  PSC STAFF MEMBER: We have one more. Earl  
24 Heggen.

25                  CHAIRMAN STEARLEY: Mr. Heggen. Will you



1 please step forward?

2 Mr. Heggen, will you please raise your right  
3 hand?

4 Do you solemnly swear or affirm that the  
5 testimony you're about to give will be the truth, the  
6 whole truth, and nothing but the truth?

7 PUBLIC PARTICIPANT: I do.

8 CHAIRMAN STEARLEY: Will you please spell  
9 your name for our court reporter?

10 PUBLIC PARTICIPANT: E-A-R-L, H-E-G-G-E-N.

11 CHAIRMAN STEARLEY: And Mr. Heggen, do you  
12 know which rate district that you're a part of?

13 PUBLIC PARTICIPANT: Turkey Mountain 2.

14 CHAIRMAN STEARLEY: You may proceed.

15 PUBLIC PARTICIPANT: A lot of people have  
16 trouble with their water here. I don't have any  
17 trouble with it. That's because I run all my water, my  
18 drinking water and cooking water, through a distiller  
19 and it comes out pure and clear all the time.

20 I see how they get the dirt in it. I had  
21 five breaks on my property, and they simply dig it up  
22 and do their thing, and there's no effort to try and  
23 keep the crap out of it.

24 But I'm not in Turkey Mountain 2. I'm on the  
25 line that goes down to Claiborne. So my line -- that

1 line has been used by Claiborne all the time, so my  
2 water comes out pretty clean. The guy at the end,  
3 though, I hate to say what his is.

4 The changing the amount of water, 3,000 to  
5 2,000, I think that's just a racket because they charge  
6 you on a thousand gallons.

7 So up to 2,000 you pay so much. 2,010, it is  
8 now pay for 3,000. So if they keep on dropping it  
9 down, by the time they drop it down to a hundred  
10 gallons, why, they're going to get you pretty good. I  
11 suspect that's one of the reasons.

12 The Company has bought this company, I assume  
13 that they are not completely stupid. So, therefore,  
14 when they bought out the old -- the Company, they knew  
15 that -- the quality of the pump and how deep it was and  
16 what condition the pump was in and what condition the  
17 tank was in before they bought it. Therefore, their  
18 basic idea is to old American capitalism, make money  
19 any way you can for as long as you can.

20 And the reason I know that is, it wasn't  
21 their fault. Whoever put it in originally, they never  
22 put the cleaner around the seal. At least I have --  
23 the pipe broke. It just sprung a leak out the side,  
24 because they're supposed to put the cleaner on there  
25 and then you put on the cement and put it together.

1 They didn't bother putting the cleaner on. So  
2 eventually the stuff seeps through.

3 And of course, they didn't put it down at the  
4 depth they're supposed to. All of my pipes, I got  
5 10 acres, and it goes through my land right along the  
6 edge, comes directly off of the land north of me, and  
7 it's probably about a foot deep. I believe it's  
8 supposed to be 23 inches minimum or something,  
9 state-wide. And it's not 23 inches.

10 The guy that had the 18 acres north of me put  
11 in a road, and he graded it, and he clipped their pipe  
12 about three or four times. They took him to court and  
13 he got it thrown out. But all the guy was doing was  
14 grading the top for gravel, and clipped a pipe.

15 It wasn't even a foot deep there. About  
16 6 inches. But then I see Claiborne using the water all  
17 the time, I guess that keeps it from breathing.  
18 There's always water running through it.

19 But he sold the property, so that takes care  
20 of that problem. Like I say, I run all my water  
21 through an evaporator, distiller that I use for cooking  
22 or drinking purposes.

23 That's about it. I don't like this idea,  
24 especially around here, that so many people are out  
25 here not on a permanent basis. I don't see why -- I

1    had a couple of businesses of my own, so you got to get  
2    the money back for whatever you do. And if you put in  
3    a tank -- of course, when I bought tractors for brush  
4    hogging, I took it off on the basis of the government  
5    on my taxes.

6                    And I imagine this outfit can do the same  
7    damn thing. So you get a tax break all the way along  
8    just to pay for the tank and the well. I don't know at  
9    what point in time -- I deducted a tractor to the  
10   factory in three years. Now I can go back up at five.  
11   Maybe they can do that.

12                   And the old company used to notify you that  
13   anyone down from wherever the break was would be  
14   notified that they were going to turn the water off.  
15   They don't do that now.

16                   They usually leave a hole. And they left  
17   five holes and said they'd be back to fill them up.  
18   They never did. But I got something there and I just  
19   filled up the holes. But don't count on them doing it.

20                   I don't even know if they got an easement on  
21   my property. I'll have to -- like I say, nothing, it's  
22   going next to the fence line. Goes right through my  
23   property, goes down to the end of my property, and then  
24   down the road, and then down to Claiborne.

25                   Kind of an odd situation, but it was there

1    when I bought the house, so there isn't anything I can  
2    end up doing. I really don't have a bitch about it, I  
3    guess. I accepted it then, so I got to accept it now.  
4    Just be careful where you're driving your tractor, if  
5    it gets very soft.

6                But I think -- I don't see why they can't  
7    deduct the tank on the taxation and the pump, and have  
8    a set amount, you got to have this much money to pay  
9    for the tank, within a reasonable amount of time. You  
10   know, five, eight years, you got to pay the tank and  
11   the pump off. After that, it's supposed to last a  
12   while.

13               And like the one other lady said, that's an  
14   awful big tank for Turkey Mountain 2. There ain't a  
15   hell of a lot of people out that way. There's about  
16   three less, because their trailers burned up the last  
17   couple months.

18               After you've set a price, there ought to be  
19   an acceptable service, you might say for a thousand  
20   gallons. Like the electric company does, they'll  
21   charge you for a certain amount of kilowatts for having  
22   it hooked up to their system. But after that, it  
23   should be on a per-gallon basis.

24               You know how much it costs you in electric,  
25   you know how much it costs you in your bleach. And it

1    does stink. I would hate to have to use the water that  
2    comes out my tap. It's clean. It ain't like that  
3    (indicating).

4                But it does smell. If you're going to use it  
5    for cooking, it wouldn't help your taste at all. Like  
6    I say, I run it through a distiller. I do that to all  
7    my water.

8                I see how they opened up the thing and you  
9    have no idea. I see -- I was almost always there. In  
10   fact, I was the one that told them where the leak was.  
11   So they would come out. And they came out in a  
12   reasonable amount of time, a day, two days. And he  
13   didn't have to dig very far.

14               Like I said, it's only about a foot under the  
15   ground. And I see they just saw the pipe off straight  
16   and slip another section in. But there's dirt that  
17   gets in with it and whatever. And as the other person  
18   said, there is no -- I don't know of any places where  
19   you can drain the system.

20               It goes all the way down to Claiborne  
21   nonstop, and you can see the shutoffs, but I don't see  
22   any places where they can flush the system out. And  
23   given the situation that hardly any of this here pipe  
24   is put down is deep as it's supposed to be, and I can  
25   see why, that part of -- well, Shell Knob is all half

1 rock. You keep on going down 22 or 23 inches, or  
2 whatever it's supposed to be, why, you better bring a  
3 jackhammer along, because you can't dig down that far,  
4 not in very many places.

5 But I mean, this is their business. They're  
6 supposed to, you know, check the tank. I don't know  
7 how bad the old tank was. They knew how long the old  
8 well was there, and how long the pump was there, and  
9 how many gallons it would pump, et cetera, et cetera,  
10 et cetera. So you assume that.

11 I mean, they didn't buy the place for -- used  
12 to be, you know, neighborly to us. Because they made  
13 money. And they're doing it, a little too much.

14 So I would want them to have a set price over  
15 a reasonable amount, a thousand gallons, and everything  
16 after that is per gallon, not per thousand gallon.  
17 Because all you have to do is add 3,003, I'm charged  
18 for 4,000. You make money that way, a good chunk. And  
19 that's why they're doing it.

20 Any questions?

21 COMMISSIONER GUNN: I don't have any. Thank  
22 you very much.

23 CHAIRMAN STEARLEY: Miss Baker, do you have  
24 any questions?

25 MS. BAKER: I have no questions. But thank

1     you for coming.

2                 CHAIRMAN STEARLEY:   Mr. Dearmont?

3                 MR. DEARMONT:    I have none.   Thank you.

4                 CHAIRMAN STEARLEY:   Thank you, sir.

5                 PUBLIC PARTICIPANT:   You're welcome.

6                 CHAIRMAN STEARLEY:   I don't have anyone else

7     signed up, but I do want to know if anyone else would

8     like to speak.   (Two hands raised.)

9                 Come on down.   Yes, ma'am.

10                PUBLIC PARTICIPANT:   Hi.   I'm Mary

11   Abel-Laveli, with a hyphen.   A-B-E-L, hyphen,

12   L-A-V-E-L-I.   And I'm in Turkey 1, which I believe is

13   Ozark.

14                CHAIRMAN STEARLEY:   If you'd please raise

15   your right hand.

16                PUBLIC PARTICIPANT:   Yes, sir.

17                CHAIRMAN STEARLEY:   Do you solemnly swear or

18   affirm that the testimony you're about to give will be

19   the truth, the whole truth, and nothing but the truth?

20                PUBLIC PARTICIPANT:   That's right, sir.   Yes.

21                CHAIRMAN STEARLEY:   You may proceed.

22                PUBLIC PARTICIPANT:   Several things.   There

23   are seven points that I would make.

24                The first one is, this is a large company.

25   And from reading their stock reports, they have a



1 growth by acquisition strategy, and that they are  
2 operating -- which I don't know, I have to ask  
3 counsel -- under the 1995 acquisition whatever law it  
4 is, probably with the SEC or something.

5           However, I do have a problem. They are a  
6 utility. They have a captive audience. They have --  
7 and growth by acquisition is they are increasing their  
8 number of consumers. Their product, as you can see,  
9 and their responsiveness, as you can see, is  
10 substandard. They cannot deliver a product. They can  
11 sell water, you can't drink it. That simple.

12           The other thing is, it takes the State and  
13 the Service Commission to seek leverage on this  
14 company. They are the fox guarding the chicken house.  
15 They monitor all the communications, and it's only till  
16 you get to the public hearing. There is no  
17 transparency to this company.

18           They are acquiring and becoming bigger. What  
19 is it, nine acquisitions in 2008, 26 acquisitions in  
20 2007. We're talking about growth, and we're talking  
21 about a bottom-line business philosophy, not serving a  
22 utility customer base requirements. That's number 1.

23           Number 2, we live at the bottom of the hill,  
24 unlike the others at the top. Which means when they  
25 flush the system, we happen to have a hydrant at the

1 bottom of the hill, and one month -- and I have to  
2 thank you -- the Public Service Commission, thank you  
3 very much -- you probably recognize the name -- he went  
4 on our behalf, after phone calls, and letters and  
5 months we were charged with 45,000-dollar-gallon-age.  
6 And we said there's no way we can use that at all. And  
7 he went forward and I think he got a hundred bucks off  
8 the bill.

9               However -- no, he cut the bill in half.  
10 However, we had to pay another difference of 79 bucks,  
11 something like that. This isn't -- it's within that  
12 range. And then even though we were questioning the  
13 billing -- normally in law, I believe, if you have a  
14 question on billing, just like a credit card company,  
15 you don't have to pay late charge fees. So we had to  
16 pay up whatever the negotiation was because late  
17 charge.

18               Okay. That's number 2.

19               Oh, I forgot. The bottom of the hill. To  
20 stop this, we realized that in order to flush the  
21 systems after these breaks -- which we've seen our  
22 breaks, one of them was a geyser. It was unbelievable.  
23 They used our system on our hydrant to flush because  
24 we're at the bottom of the hill. So we put a lock on  
25 our hydrant and we have not had any overage since then.

1     So we think we have nipped it in the bud.  However,  
2     they would not admit to it.

3                 We have heard, number 3, that there are no  
4     valve installations in the current system at Turkey 1  
5     that will allow the fire department to pump their  
6     trucks, to get water.  They have to go down to the  
7     lake.  And I guess it takes several valves.  I'm not an  
8     expert, so I won't be -- I'll be quiet there.

9                 The water break.  I will say this, they were  
10    very responsive on the one time my husband called.  It  
11    was a geyser.  The Carol Electric came through and was  
12    burning all the trees.  We all remember that.  And the  
13    truck went off the road slightly.  And it's so close as  
14    far as the buried water lines -- they're 4-inch lines.  
15    They're big, blew the whole 4-inch line.

16                So we called.  And how you would enjoy the  
17    extreme professionalism of this company that deals with  
18    the DNR and all its regulations, around this repair are  
19    twigs in the ground with the do-not-go-beyond police  
20    yellow tapes.

21                So we are not dealing with professionalism.  
22    While it may occur at the billing level, the  
23    acquisition level and all the other levels, in terms of  
24    the service level, it ain't there.  No follow-through.

25                Okay.  Bills.  Our minimum, the three months

1 in September -- in the winter, 2,000 gallons. We are  
2 paying a minimum of 3,000 gallons. Summer, we pick it  
3 up. The second we go over 3,000 gallons, it's 4,000  
4 gallons.

5           There's a problem here. Two problems. The  
6 first problem is, look at the billing dates. You can  
7 see that they staged the billing dates within five to  
8 six days, which is almost a week's different. So if  
9 you tighten your belt one month and you go for the  
10 3,000, you can loosen your belt the next month and hit  
11 4,000 really easy.

12           It's inconsistent in its billing practices.

13           The other issue that I would like to -- this  
14 is on number 6, is while they're going down to a  
15 minimum of 2,000, that is still incorrect. I am not an  
16 average consumer. My neighbor doesn't even consume  
17 any. He's not there. Most of our people are not  
18 there.

19           I would like to be billed, okay, a service  
20 charge, just like Carol Electric, just like any other  
21 utility. It costs me ten bucks a month to have a meter  
22 out there, whether I use it or not. That's fine. But  
23 I would like to be billed at a hundredth gallon of  
24 consumption on what I use.

25           What's interesting -- and I'm going to ask

1   you guys. They're coming out -- today is their day --  
2   and they had an online conference, and they report  
3   their earnings. Well, it's February 10th. I'm sorry.  
4   I'm a day late. They will issue that to the public  
5   February 25th.

6               I implore you to look at that earnings  
7   statement, because they are consistently making profits  
8   over and over and over again. They are consistently --  
9   where she claims they got to eat some of their stuff in  
10  budget? No. They have revenue surcharges. And it's  
11  also the infrastructure rehabilitation surcharge  
12  mechanism which allows them, and it states, to permit  
13  them to charge surcharge -- other charges in order to  
14  recoup us.

15              Okay. Questions?

16              CHAIRMAN STEARLEY: Commissioner Gunn?

17              COMMISSIONER GUNN: I just have a couple.

18   Maybe only for one.

19              The billing dates, you talked about how  
20  they're inconsistent.

21              PUBLIC PARTICIPANT: Yeah.

22              COMMISSIONER GUNN: Is it a -- so there's no  
23  regular pattern? It's not a 28-day cycle or a 30-day  
24  cycle? It just happens when they cut you off?

25              PUBLIC PARTICIPANT: It happens, but it's

1 very interesting. They'll run back-to-back -- because  
2 I started to do some analysis.

3 If I was a company where I would want to make  
4 money, I'd slop up my billing so I can get this  
5 overage. I'm not billing them on what they use.  
6 That's the first thing. You guys get this down on what  
7 I use, you're going to eliminate this company's profits  
8 and get them to toe the line. There is no way that I  
9 can deal with average minimums. I want to pay as a  
10 utility customer what I use.

11 COMMISSIONER GUNN: And you think they're  
12 short-cycling?

13 PUBLIC PARTICIPANT: Or long-cycling.

14 COMMISSIONER GUNN: In a way to get you over  
15 that 3,000-gallon?

16 PUBLIC PARTICIPANT: You got it. It's real  
17 easy. It's hard, you know.

18 COMMISSIONER GUNN: All right. Thank you  
19 very much. That's all I have.

20 PUBLIC PARTICIPANT: Okay.

21 CHAIRMAN STEARLEY: Miss Baker?

22 PUBLIC PARTICIPANT: I just want to say thank  
23 you guys for helping us do that. They were totally  
24 unresponsive, and she went forward and she just kept on  
25 being -- she just went forward, and she was

1     unresponsive.

2             Thank you for coming here.

3             MS. BAKER: Well, I don't have any questions.

4             CHAIRMAN STEARLEY: Mr. Dearmont?

5             MR. DEARMONT: I have actually just a few.

6             PUBLIC PARTICIPANT: Yeah.

7             MR. DEARMONT: Did you file -- were you

8     referring to an informal or a formal complaint that you

9     filed with the Commission?

10            PUBLIC PARTICIPANT: Yes.

11            MR. DEARMONT: Do you know approximately when

12     that was?

13            PUBLIC PARTICIPANT: My "memory boss" is

14     better than I am. It was at least six months ago.

15     Eight months?

16            PUBLIC PARTICIPANT: September 10th, 2009.

17            PUBLIC PARTICIPANT: September 10th, 2009.

18            MR. DEARMONT: Is when it was filed?

19            PUBLIC PARTICIPANT: I think so.

20            MR. DEARMONT: It was within the last year?

21            PUBLIC PARTICIPANT: Oh, yes. Yes. It's

22     when we started pulling out all the data and started

23     analyzing how they make their profits and then

24     starting, looking on the web sites to see what is the

25     motivation of this company? When will this rate

1     increase end, see?

2                   There's nothing -- if you read on the web  
3     site, they use this modus operandi in order to  
4     constantly increase their rates. Now, if they don't  
5     get the rate this year, they'll lag it and put it on  
6     next year.

7                   So they will get these small companies and  
8     small communities to pay right through the nose so that  
9     they can acquire more. It's a real simple acquisition,  
10    and I really think -- I don't know what that 1995  
11    acquisition law with the SEC or the -- you know, Trade  
12    Commission, it's got to have some utility problems with  
13    it.

14                  So I'll get off. Thank you.

15                  MR. DEARMONT: I have one more for you,  
16    actually.

17                  You mentioned a fluctuation in billing dates  
18    and billing periods.

19                  PUBLIC PARTICIPANT: Yeah.

20                  MR. DEARMONT: Can you tell me, did you ever  
21    see a large fluctuation? In other words, is there ever  
22    a month when you get a bill for 15 days of service, or  
23    on the other end is there ever a month when you get for  
24    45?

25                  PUBLIC PARTICIPANT: Well, yeah. And



1 sometimes they estimate. And this last one -- I'm  
2 sorry, I'm going to tell the story. The meter reader  
3 comes, and Tom goes out and says, "Okay, I'm going to  
4 start checking the meter to see what they're actually  
5 reading." The guy lifts the hood; Tom went out, he  
6 couldn't read the meter. It was full of garbage on  
7 top. So at that point, they might -- so he cleaned it  
8 off, and he wrote down what it was.

9 But we can get down to a hundredth real easy  
10 with our meter. No problem. They're already in place.  
11 They just elect not to bill on a usage basis.

12 MR. DEARMONT: I have no further questions.

13 PUBLIC PARTICIPANT: Can I go?

14 MR. DEARMONT: Thank you.

15 CHAIRMAN STEARLEY: Miss Reinhart, do you  
16 have some additional remarks?

17 PUBLIC PARTICIPANT: No, I would like to  
18 answer --

19 PUBLIC PARTICIPANT: I just had a couple  
20 things real quick.

21 About the boil orders, I've never got one  
22 either. One time we had a cardboard sign up going into  
23 our little area, and on one side it said "boil order."  
24 When you drove out to town, when you came back, on the  
25 opposite side it said "water okay." So I mean, if

1     you're going in the area, I guess it's all right.  If  
2     you're leaving, don't drink it.

3                 And then the billing statements, I've had  
4     them 15 days, 40 days.  I have the same problem.  
5     They're never a certain number of days that the billing  
6     statements are.  But I just wanted to add that, too.

7                 COMMISSIONER GUNN:  I don't have anything  
8     additional.

9                 MR. DEARMONT:  No questions.  Thank you.

10                CHAIRMAN STEARLEY:  Thank you.

11                Why don't you come forward?

12                Please state and spell your name for us.

13                PUBLIC PARTICIPANT:  Dee, D-E-E, Banta,  
14     B-A-N-T-A.

15                CHAIRMAN STEARLEY:  If you'd please raise  
16     your right hand.

17                Do you solemnly swear or affirm that the  
18     testimony you are about to give will be the truth, the  
19     whole truth, and nothing but the truth?

20                PUBLIC PARTICIPANT:  Yes, I do.

21                CHAIRMAN STEARLEY:  You may proceed.

22                PUBLIC PARTICIPANT:  I am definitely against  
23     this rate increase, and I have contacted the Commission  
24     and I have things on file with them already.

25                And regarding the dirty water, I have been on

1     this system since 1996, so it was the original owners.

2                 When the next company took over is when all  
3     of this water quality problem started with me. I live  
4     in Lakeside Heights and I am two lots from this huge  
5     tower that I do not believe I need.

6                 Anyway, all of a sudden I start getting  
7     totally muddy water. Runs pure mud right out of the  
8     faucet.

9                 I haven't had a hot water heater for over a  
10    year. There is no point in putting one in because I'm  
11    not going to have it, because I'm sure my lines are so  
12    plugged up.

13                I'm going to have to come up with some sort  
14    of a water softener system, which I do not want salt,  
15    so what I'm looking at is big dollars. And then I was  
16    going to go to hot water on demand. I don't know what  
17    else to do because I can't have a hot water heater.

18                All right. About the billing, been around  
19    and around with that. Calling this company, forget it.  
20    It's just useless. It's a waste of your time. They  
21    seem to have a little wrinkle.

22                They had wanted \$43 or better out of us. And  
23    I notice that there's a good way of getting it out of  
24    you: Have your billing date due on the first of the  
25    month, and have you another bill sent that's due on the

1 27th or the 25th. None of the dates ever match.

2 How I combat this? I pay this company once a  
3 month, like it or not. I don't go by their billing. I  
4 don't know what they're doing with their billing.

5 But I look at it, this is a double-dipping  
6 deal, where if you can fool these people into paying a  
7 bill and having it due on the first, and getting some  
8 more money out of them by the 25th, I got my over \$42.

9 That's all I have to say. The rest is all on  
10 file with the Commission.

11 CHAIRMAN STEARLEY: Commissioner Gunn, any  
12 questions?

13 COMMISSIONER GUNN: I have no questions.  
14 Thank you.

15 MS. BAKER: Did you say which district you're  
16 on?

17 PUBLIC PARTICIPANT: I'm in Lakeside Heights.  
18 I guess that's Ozark Mountain.

19 MS. BAKER: That's the only question I have.

20 CHAIRMAN STEARLEY: Mr. Dearmont?

21 MR. DEARMONT: I have no questions. Thank  
22 you.

23 CHAIRMAN STEARLEY: Thank you very much for  
24 your testimony.

25 Is there anyone else who would like to speak

1 at this time?

2 Would you please come forward?

3 PUBLIC PARTICIPANT: Do you have any

4 questions for me? This lady mentioned ABC Water

5 Association. I am the secretary/treasurer for ABC. Do

6 you have any questions?

7 COMMISSIONER GUNN: I have no questions.

8 CHAIRMAN STEARLEY: Ms. Baker?

9 MS. BAKER: No questions.

10 MR. DEARMONT: No.

11 CHAIRMAN STEARLEY: Thank you for

12 volunteering here.

13 Anybody else who would like to speak?

14 PUBLIC PARTICIPANT: May I make a statement?

15 CHAIRMAN STEARLEY: Come forward.

16 PUBLIC PARTICIPANT: My name is Robert

17 Kisler. And from what I heard tonight, I think we just

18 gave them an excuse to raise all our rates: Dirty

19 water. But we didn't have it until we got these new

20 tanks.

21 I'm pissed.

22 CHAIRMAN STEARLEY: Is there anyone else who

23 would like to add any other comments? (No audible

24 response).

25 All right. For those of you who do not want

1 to get up and speak before us, I do want to remind you,  
2 you can submit comments to the Commission in writing.  
3 You can also submit them on our web page. You can just  
4 call the Commission. You can make contact with the  
5 Office of Public Counsel as well.

6 So we do appreciate all your comments. We  
7 appreciate all the testimony that we've received  
8 tonight.

9 Commissioner Gunn, would you like to make any  
10 closing remarks?

11 COMMISSIONER GUNN: Yeah. I would like to  
12 thank everybody for coming tonight. It certainly was  
13 very interesting testimony.

14 We have evidentiary hearing dates reserved in  
15 this case the first two weeks in March. Our web site  
16 is [www.psc.mo.gov](http://www.psc.mo.gov). Any further hearings will be  
17 webcast on that, including most local public hearings,  
18 if the venue allows it.

19 Sometimes we have issues with broadcasting  
20 out of it, but some of the other local hearings will be  
21 webcasted. And evidentiary hearings in the state will  
22 also be webcast. So I would encourage you to tune in  
23 to those.

24 Also, if you have additional comments or if  
25 you have -- know of some of those part-time residents

1 that were not able to be here tonight, we are still  
2 accepting written comments either by mail or on the web  
3 site. It can certainly be -- either one of those two  
4 will be entered into the record and will be considered  
5 by the Commission.

6 So other than that, I appreciate everybody  
7 taking your time to come out and being with us and the  
8 Commission, and thank you very much.

9 PUBLIC PARTICIPANT: Sir, will you repeat  
10 that web site, please?

11 COMMISSIONER GUNN: Yes, ma'am. [www.psc, as](http://www.psc.mo.gov)  
12 in Public Service Commission, [mo.gov](http://mo.gov).

13 CHAIRMAN STEARLEY: I'd like to thank you all  
14 again for coming. Since we have no further comments,  
15 I'm going to go ahead and adjourn this public hearing.

16 We stand adjourned.

17

18 (Concluded at 8:25 p.m.)

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## 1 CERTIFICATE OF REPORTER

2

3 STATE OF MISSOURI )

4 ) ss:

5 COUNTY OF WEBSTER )

6 I, Paula C. Voyles, a Registered Professional Reporter,  
7 Certified Real-Time Reporter, Certified Court Reporter,  
8 and Notary Public within and for the State of Missouri,  
9 do hereby certify that the foregoing matter was  
10 recorded by me to the best of my ability and was  
11 thereafter reduced to written form under my direction.  
12 I further certify that I am not a relative or employee  
13 of counsel of any of the parties, nor a relative or  
14 employee of the parties involved in said action, nor a  
15 person financially interested in the action.

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18 \_\_\_\_\_  
19 PAULA C. VOYLES, RPR, CRR,  
20 CCR No. 750, and Notary Public  
21 within and for the State of Missouri

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