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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing

August 20, 2013

Troy, Missouri

Volume 2

In The Matter Of The)
Application Of Lincoln County) SR-2013-0321
Sewer and Water, LLC For)
Approval Of A Rate Increase)

In The Matter Of The)
Application Of Lincoln County) WR-2013-0322
Sewer and Water, LLC For)
Approval Of A Rate Increase)

KENNARD L. JONES, Presiding
SENIOR REGULATORY LAW JUDGE
ROBERT S. KENNEY, Chairman

REPORTED BY:
SUZANNE ZES
MIDWEST LITIGATION SERVICES

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

2 JUDGE JONES: Good evening. How are you
3 all tonight? My name is Kennard Jones. I'm the
4 judge who's presiding over this rate case process.
5 To my right is Chairman Kenney. He'll probably give
6 you all some comments or answer some questions you
7 all may have had in an opening statement.

8 AUDIENCE: Could you speak up?

9 JUDGE JONES: Sure. You all have had
10 the question and answer session. Hopefully you've
11 gotten all your questions answered because at this
12 point we will take on-the-record testimony and
13 during this time you cannot ask any questions of us.
14 Okay. If you still have questions after the process
15 though or after the on-the-record portion, there are
16 persons around here from our staff, from the company
17 and from the Office of Public Counsel who may be
18 able to answer your questions, so you can wait until
19 after and ask questions.

20 At this time let's take entries of appearance
21 beginning with the staff of the Commission.

22 MS. MOORE: Amy Moore for the staff of
23 the Commission.

24 JUDGE JONES: For the Office of the
25 Public Counsel?

1 MS. BAKER: Thank you. Christina Baker
2 appearing on behalf of the Office of the Public
3 Counsel and the customers.

4 JUDGE JONES: And for the company?

5 MR. COOPER: Dean Cooper appearing on
6 behalf of Lincoln County Sewer & Water, LLC.

7 JUDGE JONES: Okay. We have a list here
8 of persons who have signed up to give testimony. I
9 will go through this list and afterwards I will ask
10 if anyone else has something they'd like to say. So
11 if you didn't sign up, you still will be able to
12 make a statement on the record.

13 When I call your name I would like for you to
14 come up to this podium. You'll raise your right
15 hand, I'll swear you in. State your name for the
16 court reporter and if your last name is not an
17 obvious one to be able to spell, then spell it for
18 her also. Give your statement and remain at the
19 podium because the Chairman or myself may have
20 questions and then you return to your seat and I'll
21 call the next person.

22 Does anyone have questions about the process
23 of the hearing? (No response from audience.) Okay.

24 Mr. Chairman, do you have anything you would
25 like to say?

1 CHAIRMAN KENNEY: Good evening,
2 everybody. Thank you for being here. It's --
3 obviously it's a Tuesday night and you're taking
4 time out of your busy schedules to be here because
5 this is important to you and it's also important to
6 us. My name is Robert Kenney. I am chairman of the
7 Commission.

8 There are three other commissioners who
9 aren't able to be here but this is the opportunity
10 for your testimony to be transcribed and there will
11 be a document that the other commissioners will be
12 able to read and review as we enter into our
13 deliberations.

14 So I just want to thank you for being here
15 tonight and I look forward to hearing the testimony
16 that you have to provide.

17 JUDGE JONES: Okay. Let's get right to
18 it. Rhonda Simonsen?

19 MS. SIMONSEN: I would like to discuss
20 --

21 JUDGE JONES: Can you first raise your
22 right hand?

23 MS. SIMONSEN: Yes.

24 JUDGE JONES: Do you solemnly affirm the
25 testimony you are about to give is the truth?

1 MS. SIMONSEN: Yes.

2 JUDGE JONES: Thank you. You may
3 proceed.

4 MS. SIMONSEN: My first bill that I ever
5 received from Lincoln County Sewer & Water was a
6 bill for \$1355. Before that had prior flat rate
7 fees. I was with Evans Company. And I had a bill
8 come to my house, previous reading was 8,621,
9 current usage was 35,491. The usage I had used in
10 that one month, which was from July -- the first
11 reading is on 8/21/12 and it reads 'til to 9/22/12,
12 it was 26,870 gallons of water I used.

13 I am a mother with two children. The billing
14 is -- was unbelievable to me. The usage amount is
15 unbelievable to me. Swimming pools don't even hold
16 26,000 gallons of water. I don't have a sprinkler
17 system but the meter was just put in, so I don't
18 know how 8,000 gallons of water was used. I have
19 all the listing of all my bills. I never used 8,000
20 gallons. The most I've used was 4,000 and the month
21 after that was just 2,000 -- the month after that
22 was 2,780 gallons, is what I used the next month.
23 So it went from 7/28/12 as being 26,870 in usage, to
24 the next month of 8/24/12 to 9/24/12 of
25 2,780 gallons of water use by the same household.

1 And I just never understood it and it has been a
2 conflict of interest. I've spoken with him
3 directly. I was told I had the highest usage in the
4 entire subdivision and I don't understand.

5 And there has never been a time in this
6 entire experience with the billing that I have ever
7 gone over 7,000 gallons of water. My last reading
8 was 6,745. So I just don't understand how they
9 could have come up with that figure or where -- my
10 house would have been flooded. There was no
11 flooding. I check the meter every time I go outside
12 after that. I get a glass of water, I would go
13 check the meter. I was so upset. If you can't have
14 water with your family, it's just pretty sad.
15 Anyway, that's all I have to say.

16 JUDGE JONES: Okay. Do you have any
17 questions?

18 CHAIRMAN KENNEY: Thank you, Ms.
19 Simonsen. So you had one month where you had over
20 26,000-gallon usage. Did you have an opportunity to
21 have the company examine your meter?

22 MS. SIMONSEN: I spoke to Dennis Kallash
23 and his wife and he said he came up on my property
24 twice and seen that the hose was running but he
25 never said anything to me and I never saw the hose

1 running. He got upset with my children, said a rude
2 comment that I won't say again and I just don't -- I
3 don't see that. I would have been so stressed out.
4 It was a drought. We were -- I'm from California.
5 I know what a drought is. I wasn't running water.
6 My plants all died. We couldn't water our plants.
7 We couldn't do anything.

8 CHAIRMAN KENNEY: And the time that he
9 said he observed your hose running, was that during
10 that time when you had the high bill?

11 MS. SIMONSEN: I wasn't sure if the
12 meter was in or not. They were doing records. I
13 don't even know where they came up with this figure.

14 CHAIRMAN KENNEY: I would encourage even
15 like to talk to our staff and/or the Office of
16 Public Counsel about other avenues that you may
17 pursue to seek some further clarification of your
18 situation.

19 MS. SIMONSEN: Thank you very much.

20 CHAIRMAN KENNEY: Thank you for your
21 time.

22 MS. BAKER: May I ask a question? Are
23 you in Bennington or are you in Rockport?

24 MS. SIMONSEN: I'm sorry. I'm at
25 Rockport.

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

3 MS. SIMONSEN: Is it okay to sit?

4 JUDGE JONES: Yes, you may sit. Thank
5 you.

6 Ken Woods?

7 MR. WOODS: Right here.

8 JUDGE JONES: Can you raise your right
9 hand, sir? Do you solemnly affirm that the
10 testimony you are about to give is the truth?

11 MR. WOODS: Yes, sir.

12 JUDGE JONES: Thank you. You may
13 proceed.

14 MR. WOODS: Actually, I'm going on your
15 little thing here. It says how does the proposed
16 rate increase affect you and your family? Well, my
17 wife and I are retired, so we do live on a fixed
18 income. And when we moved to Rockport, as many
19 people have already said, it was \$55 a month. In
20 fact, Mr. Kallash -- I met Mr. Kallash and Mr.
21 Evans when we were out looking at houses and that
22 was one of the things I stressed with Larry Evans
23 and he was standing there and I said this place has
24 a fixed rate and we love that and he commented
25 that's what we like around here, is that we can

1 bring in retired, hard-working families and know
2 that they got a fixed rate. Well, it has only been
3 a year after we finally got our house built and all
4 of a sudden we have got water meters, which we never
5 asked for. So, yes, we do live on a fixed income.

6 We have concerns about the quality and
7 service problems of the customer. Well, if you
8 can't get to the water company to talk to them or
9 have them be reasonable about talking with you, it's
10 kind of difficult to have a conversation, especially
11 when there's never anybody at the water office. And
12 if you call the phone number, nobody calls you back.

13 Now, if you oppose the proposed rate -- yes,
14 I oppose it because when they put the water meter in
15 we were told we were getting a new water meter.

16 Well, the water meter they put in, the first month
17 we had a usage of 6,177 gallons. My wife and I are
18 the only two people in the house. That averaged out
19 to 7.14 gallons per hour for two people. And, when
20 I contacted the office, he basically told me it
21 wasn't my business. Sir, where do you go when you
22 can't have somebody talk to you about it?

23 Now, for the next 11 months -- and all these
24 figures that I'm using are based upon Mr. Kallash's
25 billing. I have not made up any of these figures.

1 They come strictly from the billing. For the next
2 11 months my usage was 3.47 gallons an hour for the
3 next 11 months, which is, I feel, reasonable. I got
4 no problem with that.

5 The last billing we got showed us using
6 4,940 gallons. That averaged out to 8.23 per hour
7 that we were there and we were gone a week on
8 vacation. I have no idea how he comes up with these
9 figures, where he gets them from or how they are
10 there. You can't get anybody to talk to you
11 reasonably about the problem, so we're left with
12 complaining to the water service commission, to
13 the -- you know, anybody in the state that will
14 listen to us about our problems because when you --
15 and, again, Mr. Kallash is here with his lawyer, we
16 don't have lawyers. We speak for ourselves.

17 And I would like Mr. Kallash to address our
18 issues tonight instead of his lawyer but he has
19 chosen to use a lawyer and that's fine but when you
20 can't talk to an individual, sir, that's when
21 communication breaks down and that's when problems
22 can't be solved, when hard-working families and
23 retired people cannot address the person that's in
24 charge of the water about the problems and get an
25 explanation, that's when everything breaks down.

1 That's all I have to say, gentlemen.

2 JUDGE JONES: Any questions?

3 CHAIRMAN KENNEY: Mr. Woods, thank you
4 for taking the time to be here and it sounds like
5 what you're saying is you haven't gotten good
6 customer service as a threshold matter.

7 MR. WOODS: Sir, you're saying customer
8 service, I haven't gotten any customer service.

9 CHAIRMAN KENNEY: Have you had an
10 opportunity to talk with anybody from our staff
11 about --

12 MR. WOODS: I've talked to them on the
13 phone, to Jim Rusow (ph). I've talked to a number
14 of people, DNR, and a lot of people because at one
15 point we had to contact DNR and the water commission
16 because we were being threatened with liens and so
17 forth during the drought season when there was no
18 water meters and found that Mr. Kallash couldn't do
19 that.

20 So I've talked to a lot of people at the
21 state level and we've got -- I have to admit the
22 people at the state have done the best they could
23 under the conditions and I have no problem with the
24 people that I've addressed in the state.

25 CHAIRMAN KENNEY: Well, thank you for

1 taking the time to be here tonight.

2 MR. WOODS: Have a great evening. Thank
3 you.

4 JUDGE JONES: Next is Ande Taub.

5 MR. TAUB: To repeat what the man before
6 me said, I'm retired --

7 JUDGE JONES: Just a moment. Can you
8 raise your right hand? Do you solemnly affirm that
9 the testimony you are about to give is the truth?

10 MR. TAUB: I do.

11 JUDGE JONES: Thanks. You may proceed.

12 MR. TAUB: As the man before me said, we
13 are all retired, on a fixed income and one of the
14 reasons we moved into the subdivision was the cost
15 of the water and sewer being as it was. We haven't
16 had any problems with the meter but we do have
17 problems with the quality of water.

18 An individual in my household is allergic to
19 sulfur. The water we get has sulfur-reducing
20 bacteria in it and UV light or something like that
21 could take care of that sort of thing but it's not
22 the sort of thing that I can call Lincoln County
23 Water District to talk about. Again, because
24 there's nobody there. So one of the things I think
25 should be done is the auditing of the quality of

1 water that you receive because if you don't get good
2 water, you shouldn't be paying for good water.
3 That's all.

4 CHAIRMAN KENNEY: No questions, Mr.
5 Taub. Thank you.

6 MS. BAKER: I would just say get with
7 one of the staff members, give them your address, so
8 someone can talk to you about that.

9 MR. TAUB: When we first moved in and I
10 complained to Mr. Kallash about the smell of the
11 water, he said put a new hot water heater in, that
12 will solve the problem. So we did go through the
13 expense of putting a new hot water heater in, didn't
14 solve the problem. The bacteria doesn't go away.

15 CHAIRMAN KENNEY: Thank you.

16 JUDGE JONES: Thank you, Mr. Taub. Next
17 listed is Brian Bain. Can you raise -- do you
18 solemnly affirm the testimony that you are about to
19 give is the truth?

20 MR. BAIN: Yes, sir.

21 JUDGE JONES: Thank you, sir. You may
22 proceed.

23 MR. BAIN: My name is Brian Bain. I
24 live at 21 Benjamin Drive. I've lived at Benjamin
25 for nine years now and eight of those years the

1 water bill has been \$55. So in less than a year,
2 after we got the meters, it has raised between 65
3 and \$68, which is no big deal, that's fine, but to
4 raise it -- in six months you want to raise it to
5 possibly \$90 a month. I'm sorry, but that's
6 ridiculous.

7 I've checked around from St. Peters to Troy,
8 called different people, different subdivisions and
9 I have a list of them that I contacted and the
10 prices range from \$50 in St. Peters, \$60 in
11 Wentzville. Troy, the subdivision right across from
12 Westborough Estates, their water bill was \$45 and
13 that's water and sewer. And then Troy, Huntington
14 Park subdivision is \$65 and that includes trash.

15 But I just -- I mean, I don't understand how
16 they can raise the rates so high to \$90 because down
17 the road if I try to sell my house, you know, people
18 are going to go \$90 for water and sewer, you're
19 crazy. There's no way.

20 Also, I brought some pictures. Mr. Kallash
21 said that he needed -- he needed to maintain the
22 water and sewer plant and that was part of the
23 reason why the cost was going to go up. I took some
24 pictures of our sewer plant and what it looks like
25 and this is not maintaining it. I mean, you can't

1 even see the plant because of the weeds and
2 everything that are growing up around it. And the
3 water plant is close to the highway and he will not
4 cut that or maintain that. He threatened us, our
5 trustees, he threatened -- or his wife did and said
6 if you try to do anything that we're going to raise
7 the rates of the water and you're not going to be
8 able to afford it and we maintain it.

9 The homeowners association pays for grass to
10 be mowed around the water treatment plant and I
11 don't agree with that either. I don't understand if
12 that's part of this maintenance, why we have to
13 cover that expense? That's all I have.

14 JUDGE JONES: Any questions for
15 Mr. Bain?

16 CHAIRMAN KENNEY: I don't have any
17 questions, Mr. Bain. Thanks for bringing the
18 pictures and thanks for taking the time to be here.

19 JUDGE JONES: Do you want these pictures
20 to be a part of the record?

21 MR. BAIN: Yeah, if they could, I'd
22 appreciate it.

23 JUDGE JONES: While the attorneys are
24 looking at these photographs to consider them for
25 admission to the record, let's keep going down the

1 list.

2 Is this Larry Siefert? Or Siefert? Or Lucy?
3 Larry? If after I've gone through this list, I
4 haven't called your name, that was probably it, just
5 raise your hand and I'll come back to it.

6 Allen Ondes, O-N-D-E-S? Allen? Richard
7 Ladendecker? Anybody named Richard here?

8 MR. LADENDECKER: Yeah.

9 JUDGE JONES: What's your last name?

10 MR. LADENDECKER: Ladendecker.

11 JUDGE JONES: Did you want to testify?

12 MR. LADENDECKER: No, I didn't put it on
13 there.

14 JUDGE JONES: Okay. Matthew Brown? Do
15 you solemnly affirm the testimony you are about to
16 give is the truth?

17 MR. BROWN: I do.

18 JUDGE JONES: Thank you, sir. You may
19 proceed.

20 MR. BROWN: My name is Matthew Brown. I
21 reside in the Bennington subdivision at Lot 56. In
22 the last hearing, and through a letter received last
23 year, it was my understanding that the Bennington
24 subdivision homeowners would not be paying for the
25 water meter.

1 My one thing that I found as a point of
2 confusion is that it appears that that's going to be
3 amortized into the new rate increase. So I have
4 seen that in the letter and I thought that that was
5 wrong from the last hearing, so it's something I
6 don't understand, so I just want to express that to
7 the Commission.

8 CHAIRMAN KENNEY: Thank you, sir.

9 JUDGE JONES: Questions?

10 CHAIRMAN KENNEY: No, no questions.

11 Thank you.

12 JUDGE JONES: Duke Snider? Do you
13 solemnly affirm that the testimony you are about to
14 give is the truth?

15 MR. SNIDER: Yes, your Honor.

16 JUDGE JONES: Thank you, sir. You may
17 proceed.

18 MR. SNIDER: My name is Duke Snider,
19 s-N-I-D-E-R. I live on 188 Rockport Drive. The
20 first comment I had is that we never received any
21 type of letter regarding the specifics why the
22 maintenance and operation costs have increased. We
23 did receive the letter stating, yes, we want the
24 increase because we've had increases in expenses and
25 investment in company facilities. No specific

1 details as to why.

2 Then during our Q and A, I found out that
3 Lincoln County Sewer & Water seems to have no
4 accounting and I believe that a company, a
5 corporation of their size, needs to have retained a
6 certified public accountant.

7 Then my next item, I believe that the meter
8 installation should have been figured in the initial
9 rate or at least to recoup that. The PSC
10 recommended installing at least six meters a year.

11 Also, I noticed that our meters are an
12 automated-electronic-type meter for a hundred
13 houses. I don't believe that's necessary. That you
14 can get a manual reader for less. Lincoln County
15 Sewer & Water should be forced to sell their
16 business to another water utility if unable to
17 provide water at a reasonable rate.

18 Finally, Rockport has a new builder in the
19 process of building several homes and the growth is
20 no longer stagnant like it has been before when the
21 Evans Company went bankrupt.

22 JUDGE JONES: That was a period?

23 MR. SNIDER: Yes.

24 JUDGE JONES: Okay. Did you have any
25 questions?

1 CHAIRMAN KENNEY: No, Mr. Snider. Thank
2 you.

3 JUDGE JONES: Thank you, Mr. Snider. I
4 appreciate your testimony.

5 Maureen and Ed Garvin? Do you solemnly
6 affirm that the testimony you are about to give is
7 the truth?

8 MS. GARVIN: I do.

9 JUDGE JONES: Thank you. You may
10 proceed.

11 MS. GARVIN: My name is Maureen Garvin.
12 I reside at 348 Rockport in the Rockport
13 subdivision. A lot of what I have to speak to today
14 or this evening, has already been discussed. I just
15 want to reiterate that.

16 We have resided in Rockport since 2007,
17 paying \$55 a month for water and sewer. I can tell
18 you exactly what my increase percentage is:
19 24 percent. Yet this evening, when we were
20 discussing through informal discussion, we weren't
21 getting answers with regards to why there is a
22 proposed increase. Are there going to be capital
23 improvements? Why do we need this additional
24 increase?

25 I'm all for being fair. And we practice, my

1 husband and I, water conservation but when there's
2 something before the Commission that cannot be
3 substantiated by hard, cold facts, statistics, I
4 find that alarming.

5 We're in an age, in a political environment
6 of transparency. Yet I can tell you exactly what my
7 increase is but he cannot give us a rational reason
8 as to why we need this increase. We don't know what
9 the fixed expenses are. We don't know what the
10 variable expenses are. We don't know if he files an
11 income tax return for his LLC. We don't have any
12 known facts. So how do we, as residents of
13 Rockport, make informed decisions on saying, yes, we
14 will vote for an increase but maybe instead of
15 39 percent or 19 percent, it needs to be 5 percent
16 or 10 percent, something reasonable if that's going
17 to be the outcome, which I hope it's not.

18 At this point in time, without all these
19 answers to our questions, my husband and I would
20 like to go on the record as being opposed to the
21 increase. Thank you.

22 JUDGE JONES: Okay. Thank you. Did you
23 have questions, Mr. Chairman?

24 CHAIRMAN KENNEY: Ms. Garvin, thank you
25 for being here tonight. Did you have an opportunity

1 to get any of your questions answered during the Q
2 and A period?

3 MS. GARVIN: I asked quite a few
4 questions but I didn't get clarifying answers, no.
5 I would like to know if there is, since this is an
6 LLC and, obviously, there has been articles of
7 organization filed and every LLC files an income tax
8 return, I would like to know if there is an income
9 tax return for the LLC.

10 And if the internal monitor, I'd like to talk
11 to her a little bit about if she does any sort of
12 comparative between the LLC and what she, basically,
13 explained to us, she's putting all the figures
14 together. She's doing the balance sheet. She's
15 doing the income statement. I would like to know if
16 there is some sort of comparison between that.

17 CHAIRMAN KENNEY: I would encourage you
18 to take advantage of our staff's presence here.

19 MS. GARVIN: What is her name? I'm
20 sorry.

21 JUDGE JONES: Probably Lisa.

22 CHAIRMAN KENNEY: Lisa Ferguson.

23 MS. GARVIN: Lisa?

24 CHAIRMAN KENNEY: Yeah, Lisa Ferguson is
25 in the back there.

1 MS. FERGUSON: We're both here. I'm
2 Lisa Ferguson and there's Lisa Hanneken. You can
3 talk to us.

4 MS. GARVIN: Okay. Good. Thank you.

5 CHAIRMAN KENNEY: They will probably be
6 able to provide you some more detailed answers.

7 MS. GARVIN: All right. Thank you very
8 much.

9 CHAIRMAN KENNEY: Thank you.

10 JUDGE JONES: Mr. Garvin, did you want
11 to testify?

12 MR. GARVIN: No.

13 JUDGE JONES: Tom Krewson? Do you
14 solemnly affirm that the testimony you are about to
15 give is the truth?

16 MR. KREWSON: I do.

17 JUDGE JONES: Thank you, sir. You may
18 proceed.

19 MR. KREWSON: I have some evidence. Two
20 copies. So I want to first thank you, your Honor,
21 for your time this evening, as well as the Public
22 Service Commission and all their due diligence in
23 preparation for this evening.

24 We are here tonight because Lincoln County
25 Sewer & Water, LLC, within six months of operation,

1 has been asking for more money. Now, I have not
2 noticed any infrastructure improvements that have
3 enhanced their service to warrant such a rate
4 increase but I do know they have installed automated
5 meters, which I find to be an excessive expense for
6 a company of their size.

7 In addition to the meter, they also replaced
8 my meter cap with a new meter cap, essentially
9 replacing a new part with a new part instead of
10 drilling a hole through the top of the meter cap for
11 the antenna of the automated meter reader. When the
12 subcontractor came out to install my meter, he made
13 a comment that the utility simply just didn't want
14 to get out of their vehicles.

15 Now, I understand that there are intangible
16 factors that a company should take into
17 consideration, however, you know, I question are
18 adequate cost controls in place to make effective
19 business decisions?

20 I would also like to now share with the
21 Commission some research that I conducted on the
22 Secretary of State's website, which I provided for
23 you here this evening.

24 First, the owner of Lincoln County Sewer and
25 water currently has five active water and sewer

1 utilities. Of course, Lincoln County Sewer & Water,
2 LLC, which is the reason why we're here this
3 evening. In addition to that, four not-for-profit
4 organizations: Norton Woods, Bennington, Rockwood
5 Water and Rockport Sewer. Now, Rockport and
6 Bennington companies were legacy utilities that
7 formerly serviced the Rockport and Bennington
8 subdivisions. Annual filings were submitted in
9 August 13th -- excuse me -- August of 2013, about a
10 month after Lincoln County Sewer & Water, LLC began
11 their service and those are companies that are
12 considered active by the Secretary of State.

13 I bring this to your attention so the Public
14 Service Commission can review all expenditures and I
15 ask that the staff can determine that there is proof
16 that an expense should have been paid by Lincoln
17 County Sewer & Water. And, if you look at the
18 entire picture, even if the Bennington and Rockport
19 companies are inactive, there's an opportunity here
20 where Norton Woods and Lincoln County Sewer & Water,
21 who are similar companies, that buy, I'm assuming,
22 the same widgets, the same chemicals, that they
23 share a common stock house. Are there adequate
24 accounting controls in place to ensure that that
25 stock is being expensed to the appropriate account

1 or is there a cross pollinization?

2 Also, on the subject of expenses, I have
3 noticed that the company uses Fitch & Associate
4 vehicles to conduct service to the facilities of
5 Rockport. Now, I don't have an objection to the
6 mode of transportation, however, I discovered on the
7 Secretary of State's website that Dennis Kallash,
8 the owner of Fitch & Associates, dissolved that
9 company in 2007. I find it a little odd that the
10 company was dissolved in 2007 and the truck is a
11 newer vehicle than 2007 with badging on it. So I
12 ask the Commission that they review the validity of
13 all companies submitting expenses to Lincoln County
14 Sewer & Water. I really ask to make sure that they
15 are valid, active companies.

16 Also, let it be known that Dennis Kallash,
17 the owner of Lincoln County Sewer and Water, is a
18 developer of both Bennington and Rockport
19 subdivisions, a current landowner in both
20 subdivisions, owner of Rockport Development, LLC,
21 which previously purchased lots in the Rockport
22 subdivision this year, current trustee -- and also
23 current trustee in Rockport.

24 So, as you can see, he has many different
25 reasons to visit the subdivision outside of any

1 official utility business. So I ask that the
2 utility provide business justification for any
3 mileage expenses that were logged.

4 And generally speaking, if the utility is
5 unable to furnish adequate financial justification,
6 I would like for the Commission to take into
7 consideration a reduction in rates, possibly
8 requiring Lincoln County Sewer & Water to sell to a
9 utility that can provide service at a reasonable
10 cost. If that is not possible, I would like to ask
11 the Commission to work with the utility to maintain
12 better transparency and establish a level of trust
13 and goodwill with its consumer base.

14 I would like to share with you two examples
15 where trust and goodwill has been tarnished. In
16 2001 the Public Service Commission found that Dennis
17 Kallash was, quote, unlawfully operating water and
18 sewer corporations. That was taken directly off the
19 Public Service Commission's website.

20 A letter dated from the utility, July 3rd,
21 2013, contained rate tables that do not match the
22 rate table on a letter dated August 12th. Those
23 numbers also do not match what is on the Public
24 Service Commission's website as the announcement for
25 today's public hearing. Trust and goodwill cannot

1 happen overnight but action must be taken.

2 I offer three suggestions to the Commission.

3 Number one, conducting an audit in partnership with
4 the Missouri Department of Revenue and Internal
5 Revenue Service and make those results public.

6 Two, require the utility to keep a CPA on
7 retainer to prepare financial statements and
8 establish cost controls.

9 And, three, establish a newsletter to
10 disseminate information to its consumers about
11 strategic infrastructure enhancements, quarterly
12 earnings and techniques for consumers to save on
13 their monthly bill. That is all the information
14 that I have to present this evening.

15 JUDGE JONES: Did you have questions?

16 CHAIRMAN KENNEY: Mr. Krewson, I don't
17 have any questions but you have obviously devoted a
18 lot of time and attention to preparing your
19 testimony and so thank you for being here.

20 MR. KREWSON: Thanks for your time.

21 JUDGE JONES: Mr. Krewson, can you pass
22 this to the attorneys of the Public Counsel?

23 MR. KREWSON: Yes, sir.

24 JUDGE JONES: Thank you.

25 MR. KREWSON: Here you go.

1 JUDGE JONES: Next listed is Ray Wilga.

2 MR. WILGA: I don't have anything.

3 JUDGE JONES: Mike Andreas?

4 I've gone through the list. Is there anyone
5 else here who would like to testify who didn't get a
6 chance to put their name down? (No response from
7 the audience.) Okay.

8 Well, that ends the portion of on-the-record
9 testimony. I'm going to mark these photographs
10 given to the Commission by Mr. Bain, as Bain Exhibit
11 1. Are there any objections?

12 MR. COOPER: No objection from the
13 company.

14 MS. MOORE: No objection.

15 JUDGE JONES: And the information
16 provided from the Secretary of State I'll mark as
17 Krewson Exhibit 2. Have you all had an opportunity
18 to look through that information? Are there any
19 objections?

20 MS. MOORE: No.

21 MR. COOPER: I don't have any
22 objections.

23 JUDGE JONES: Okay. Hearing no
24 objection on either Bain Exhibit 1 or Krewson
25 Exhibit 2, they will be admitted into the record.

1 With that, the on-the-record portion of this
2 hearing is concluded. Thank you all for coming out.

3 (Exhibits Bain 1 and Krewson 2 were
4 marked for identification by the court reporter.)

5 - - - - -

6 (Proceedings concluded at 7:35 p.m.)

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CERTIFICATE OF REPORTER

I, Suzanne Zes, within and for the State of Missouri, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Court Reporter

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