1	STATE OF MISSOURI				
2	PUBLIC SERVICE COMMISSION				
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6	TRANSCRIPT OF PROCEEDINGS				
7	Local Public Hearing				
8	October 29, 2012				
9	Poplar Bluff, Missouri				
10	Volume 1				
11	In the Matter of Request for) Increase In Annual Sewer Operating)File No. SR-2012-0263				
12	Revenues By R.D. Sewer Company,) L.L.C.)				
13	1.1.0.				
14	In The Matter of The Rate Increase) For Lakeland Heights Water Company,)File No. WR-2012-0266				
15	Inc.)				
16	In The Matter of the Rate Increase) Of Oakbrier Water Company)File No. WR-2012-0267				
17	or canalier water company , rise not mit zonz one				
18	RONALD D. PRIDGIN, Presiding, SENIOR REGULATORY LAW JUDGE.				
19	ANDY ZELLERS, Chairman's Personal Adviser				
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1	A DDEAD ANGEG.	Page 2
	APPEARANCES:	
2	JOHN BORGMEYER Attorney at Law	
3	P. O. Box 360 Jefferson City, Missouri. 65102. FOR: Public Service Commission	
5	CHRISTINA BAKER, Public Counsel	
6	Office of the Public Counsel P.O. Box 2230	
7	200 Madison Street, Suite 650 Jefferson City, MO 65102 FOR: Office of the Public Counsel	
8	and the Public.	
9	AMANDA McMELLEN Utility Regulatory Auditor	
10	200 Madison St., Ste. 440 Jefferson City, Missouri, 65102	
11	1 ,	
12	DEBORAH A. BERNSEN, CIA Utility Management Analyst III	
13		
14	P. O. Box 360 Jefferson City, MO 65102	
15		
16	Reported by:	
17	Buffy D. Topper, RPR, CRR, CCR Midwest Litigation Services	
18	3095 Lexington Ave, Suite 300 Cape Girardeau, MO 63701	
19	573-200-7900 573-200-7905 fax	
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	Page 3
1	PROCEEDINGS
2	(WHEREUPON, the public hearing began at 6:00
3	p.m.)
4	JUDGE PRIDGIN: All right. Good evening.
5	We're on the record in the local public hearings, Number
6	SR-2012-0263, WR-2012-0266 and WR-2012-0267. I'm Ron
7	Pridgin. I'm a regulatory law judge for the Commission.
8	And with me this evening I have Andy Zellers. He is the
9	chairman's personal adviser. Could I get entries of
10	appearance from counsel, please.
11	MR. BORGMEYER: Representing the Public
12	Service Commission, my name is John Borgmeyer, P. O. Box
13	360, Jefferson City, Missouri 65102.
14	JUDGE PRIDGIN: Mr. Borgmeyer, thank you. On
15	behalf of the Office of Public Counsel, please.
16	MS. BAKER: Christina Baker. P. O. Box 2230,
17	Jefferson City, Missouri 65102, appearing on behalf of the
18	Office of Public Counsel and the ratepayers.
19	JUDGE PRIDGIN: Ms. Baker, thank you. Anyone
20	else wishing to enter an appearance? All right. Because
21	we have such a small crowd and because I believe the
22	customers have been talking with folks from the staff and
23	public counsel. Let me just kind of cut to the chase and
24	ask if there's anyone here who wishes to testify and have
25	the court reporter record your remarks for the

	Page 4
1	commissioners. Yes, sir. All right. I'll make this as
2	informal as possible, just to let you know. I'll just ask
3	you your name, and I'll ask you to raise your right hand
4	and be sworn. And I'll ask you, I guess, what company
5	you're a customer of, why you're here this evening and
6	then ask if you have any remarks you'd like to give for the
7	commission. Do you have any questions?
8	MR. BATSON: No.
9	JUDGE PRIDGIN: Could I get you to give me
10	your name and spell it for the court reporter, please?
11	MR. BATSON: My name is James Batson. Spell
12	it?
13	JUDGE PRIDGIN: Yes, sir. Please.
14	MR. BATSON: B-A-T-S-O-N.
15	JUDGE PRIDGIN: All right. Mr. Batson, if
16	you'll raise your right hand to be sworn, please.
17	JAMES BATSON, called as a witness herein, having
18	been first duly sworn on oath, testified as follows:
19	BY JUDGE PRIDGIN:
20	Q Mr. Batson, thank you. I'll just have two or
21	three questions for you. Then I'll ask if you have a
22	statement. And then counsel may have some clarifying
23	questions for you. This is just your chance to tell the
24	commissioners what's on your mind.
25	So, again, if you'll just please state your

Page 5 name for the record. 1 James Batson. Α 3 And Mr. Batson, what company are you here to testify about today? 4 5 Oakbrier. Α 6 Anytime you're ready, give your statement to the commission and the court reporter. 8 We bought a piece of property in Oakbrier in 2001. We were still living in Florida. And we wasn't 9 moving up here until '05. We moved up here in '05. We 10 found a property. We built a house. We called Oakbrier. 11 Said we, we thought, we thought it actually had county 12 13 water on it. Come to find out it didn't. So I said fine. I told him where I wanted the water to come 14 in. He brought it out. Put it in. And then I brought 15 people in to put the water in. And they, all we -- I don't 16 know anything about water. So they just put a, what fit 17 18 was the three-quarter-inch pipe and it run over 300 feet to the house. 19 20 And we just don't have enough water pressure. And the same line is, is running past where it goes to the 21 house and goes to three outside faucets. And they have no 22 23 boost pump on them. And the water pressure's just not 24 there. We built a 3400-square-foot house with three 25 working bathrooms in it. And the water pressure just is

Page 6 1 not there.

- 2 All, all I would like to have is water
- 3 pressure. We're not getting it. We had to go to extra
- 4 money to put a boost pump in the house. And it puts it up
- 5 to 60PSI. I can unplug it. Run water. It goes down below
- 6 30, 30 or below; and it's just not there. We can't run
- 7 anything. And, and with him wanting to raise rates that's
- 8 not my issue.
- 9 We lived in Florida. Hurricane central. And
- 10 we would lose power, but we still had water. I asked
- 11 Oakbrier Water System if they thought about putting in a
- 12 generator, an emergency generator on this pump. And
- 13 evidently from what he just said he's not making enough
- 14 money to do that.
- 15 Again, it's not what he's wanting to charge.
- 16 I just want the water service. We built this house out
- 17 here. When power's out, we could be self-sufficient. I
- 18 had my house extra wired strictly for emergency generator.
- 19 And when we lose power -- and we've done it several
- 20 times -- I just go out and fire up the generator, plug it
- 21 into the house; and we're good to go. But we don't have
- 22 water because the well, Oakbrier's well, does not have a
- 23 backup system.
- 24 And we've been putting up with this for six
- 25 years. And we just saw this. We thought we'd come in and,

1	Page 7 again, it is not your wanting to raise rates. It is not.
2	UNIDENTIFIED PERSON: Like I said
3	Q You're free to talk after this as much as you
4	like. I just want to get your statement.
5	A That's my complaint. I'm done.
6	JUDGE PRIDGIN: Mr. Batson, thank you. And I
7	don't have any questions. Let me see if we have any
8	clarifying questions. Mr. Zellers, do you have any
9	questions or anything?
10	BY MR. ZELLERS:
11	Q Yes. Thank you for your testimony, sir. Have
12	you spoken with representatives of the company about this
13	and let them know about your complaint?
14	A The water company?
15	Q Yeah.
16	A Yes. Mr. Owens.
17	Q Tonight you have.
18	A No. We've talked to him prior to this.
19	Q Do you feel those talks are productive? Do
20	you have a good relationship with the company?
21	A I have a good relationship with Mr. Owens.
22	The man, I was gone and I had a water pipe burst. He
23	shut it off there. He didn't have to do that. He saw it
24	was really high usage. And he shut it off. And he went up
25	to my house. And he saw water running out of my shop. I

1	Page 8 appreciate that.
2	But no, I have no animosity towards Mr. Owens.
3	I just want better service. Did that answer your question,
4	sir?
5	Q Yes, it did. Thank you.
б	A Because, yeah. He's right on things. And, if
7	something's messed up, he's right out there. I was doing
8	something, lost water; I run over there still had my water
9	boots on. But anyway. That's it. It's just, if we lose
10	power, we don't have water. And, without the extra expense
11	we had to go through just to run the water pressure in the
12	house, it was a boost pump. But my outside faucets it's
13	coming straight from his system; won't even run a yard
14	sprinkler. It's just goes away.
15	And I think this ought to be addressed.
16	Because I think there's some other households in Oakbrier
17	that may be experiencing the same thing. And that's all I
18	have to say.
19	MR. ZELLERS: Thank you.
20	JUDGE PRIDGIN: Mr. Zellers, anything further?
21	MR. ZELLERS: That's all. Thank you, sir.
22	JUDGE PRIDGIN: All right. Anything from
23	counsel?
24	BY MS. BAKER:
25	Q How often are you without water?

1	Page 9 A When the electricity goes out or it was until
2	Ozark cleared a lot of trees. All it took was a squirrel
3	or a branch falling on it.
4	Q How often in the last year?
5	A The last year?
6	Q Mm-hm.
7	A Couple times. Before that, the harsh winters
8	we had we was losing power all the time. No water.
9	Q And you mentioned whenever you turn off the
10	booster pump it goes below 30PSI. DNR's regulation is
11	20PSI. How often does it go below that?
12	A Well, I never have I tell you what, if we
13	turn on faucets or we try to run a washing machine or
14	something like that. It will drop. It drops more. It
15	just runs out of pressure.
16	Q But you haven't measured it go below 20?
17	A I really don't have a way to measure that. I
18	really don't.
19	Q I just wondered. Since you mentioned that it
20	went below 30.
21	A Well, because we have a gauge. My plumber put
22	a gauge on the boost pump. And it's on the other side, and
23	when that boost pump's running we had to put that in
24	when we built the house because the water pressure wasn't
25	there.

	Page 10
1	Q Thank you.
2	JUDGE PRIDGIN: Thank you. Anything further?
3	MR. BORGMEYER: Just a couple quick clarifying
4	questions.
5	BY MR. BORGMEYER:
6	Q So without the boost pump your water pressure
7	is consistently low?
8	A Yes.
9	Q And does it fluctuate at all? It just stays
10	at a pretty constant low pressure?
11	A We don't look at it. Well, if we turn it
12	on all right. If we turn on one faucet upstairs then a
13	restroom, a bathroom's being used or if you've got the
14	water pressure just falls off. It takes forever for a
15	washing machine to fill with water. If nothing else is
16	going on. And then if, if it just runs out, guys. I
17	don't know how else to say it. It's not constant.
18	Q And when you have no electricity you have no
19	water whatsoever?
20	A No water. No, sir. No water and a generator
21	will take care of that. On the, we have a, we're all
22	electric. And he's all electric. I have a generator in my
23	house. I cannot, but I cannot run the well.
24	MR. BORGMEYER: That's all the questions I
25	have. Thank you, sir.

	Page 11
1	JUDGE PRIDGIN: Mr. Borgmeyer, thank you.
2	Mr. Batson, thank you very much for your comments. We
3	appreciate them.
4	MR. BATSON: I appreciate you listening.
5	JUDGE PRIDGIN: Our pleasure. And does anyone
6	else wish to testify? All right. Going once, going twice.
7	No further witnesses. Let me see if we have any closing
8	comments. Mr. Zellers?
9	MR. ZELLERS: No, thank you, Judge.
10	JUDGE PRIDGIN: Anything from counsel? All
11	right. Hearing nothing, we will then conclude this
12	evening's hearing in cases, number SR-2012-0263,
13	WR-2012-0266 and WR-2012-0267. And thank you very much.
14	We're off the record.
15	(WHEREUPON, the public hearing concluded at
16	6:21 p.m.)
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1	Page 12 CERTIFICATE
2	
	STATE OF MISSOURI)) ss. COUNTY OF CAPE GIRARDEAU)
3	
4	I, Buffy D. Topper, Certified Court Reporter with the
5	firm of Midwest Litigation Services, do hereby certify that
6	I was personally present at the proceedings had in the
7	above-entitled cause at the time and place set forth in the
8	caption sheet thereof; that I then and there took down in
9	Stenotype the proceedings had; and that the foregoing is a
10	full, true and correct transcript of such Stenotype notes
11	so made at such time and place. Given at my office in the
12	City of Cape Girardeau, County of Cape Girardeau, State of
13	Missouri.
14	
15	BUFFY D. TOPPER, RPR, CRR, CCR #1325
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21	
22	
23	
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1 INDEX 2 PAGE 3 WITNESSES 4 JAMES BATSON 5 5 By Judge Pridgin: 5 6 By Mr. Zellers: 8 7 By Ms. Baker: 9 8 By Mr. Borgmeyer: 11 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25				
3 WITNESSES 4 JAMES BATSON 5 5 By Judge Pridgin: 5 6 By Mr. Zellers: 8 7 By Ms. Baker: 9 8 By Mr. Borgmeyer: 11 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	1		INDEX	Page 13
4 JAMES BATSON 5 5 By Judge Pridgin: 5 6 By Mr. Zellers: 8 7 By Ms. Baker: 9 8 By Mr. Borgmeyer: 11 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	2			PAGE
5 By Judge Pridgin: 5 6 By Mr. Zellers: 8 7 By Ms. Baker: 9 8 By Mr. Borgmeyer: 11 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	3	WITNESSES		
6 By Mr. Zellers: 8 7 By Ms. Baker: 9 8 By Mr. Borgmeyer: 11 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	4	JAMES BATSON		5
7 By Ms. Baker: 9 8 By Mr. Borgmeyer: 11 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	5	By Judge Pridgin:		5
8 By Mr. Borgmeyer: 11 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	6	By Mr. Zellers:		8
9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	7	By Ms. Baker:		9
10 11 12 13 14 15 16 17 18 19 20 21 22 23	8	By Mr. Borgmeyer:		11
11 12 13 14 15 16 17 18 19 20 21 22 23	9			
12 13 14 15 16 17 18 19 20 21 22 23 24	10			
13 14 15 16 17 18 19 20 21 22 23 24	11			
14 15 16 17 18 19 20 21 22 23 24	12			
15 16 17 18 19 20 21 22 23 24	13			
16 17 18 19 20 21 22 23 24	14			
17 18 19 20 21 22 23 24	15			
18 19 20 21 22 23 24	16			
19 20 21 22 23 24	17			
 20 21 22 23 24 	18			
21222324	19			
222324	20			
23 24	21			
24	22			
25				
	25			

	I			<u> </u>
A	C 3:1 12:1,1	Dept 2:13	6:18,20 10:20,22	listening 11:4
	called 4:17 5:11	DNR's 9:10	getting 6:3	Litigation 2:17 12:5
above-entitled 12:7	Cape 2:18 12:3,12	doing 8:7	Girardeau 2:18	lived 6:9
addressed 8:15	12:12	0		living 5:9
adviser 1:19 3:9		drop 9:14	12:3,12,12	
AMANDA 2:9	caption 12:8	drops 9:14	give 4:6,9 5:6	local 1:7 3:5
Analyst 2:12	care 10:21	duly 4:18	Given 12:11	look 10:11
Andy 1:19 3:8	cases 11:12		go 6:3,20,21 8:11	lose 6:10,19 8:9
animosity 8:2	cause 12:7	E	9:11,16	losing 9:8
Annual 1:11	CCR 2:17 12:15	E 3:1,1 12:1,1 13:1	goes 5:21,22 6:5	lost 8:8
	central 6:9	electric 10:22,22	8:14 9:1,10	lot 9:2
answer 8:3	Certified 12:4	electricity 9:1 10:18	going 10:16 11:6,6	low 10:7,10
Anytime 5:6	certify 12:5	emergency 6:12,18	good 3:4 6:21 7:20	L.L.C 1:12
anyway 8:9			O	L.L.C 1.12
appearance 3:10,20	chairman's 1:19 3:9	Engineering 2:13	7:21	N/
APPEARANCES	chance 4:23	enter 3:20	guess 4:4	M
2:1	charge 6:15	entries 3:9	guys 10:16	machine 9:13 10:15
appearing 3:17	chase 3:23	evening 3:4,8 4:5		Madison 2:6,10,13
appreciate 8:1 11:3	Christina 2:5 3:16	evening's 11:12	H	making 6:13
11:4	CIA 2:12	evidently 6:13	hand 4:3,16	man 7:22
	City 2:3,7,10,14	expense 8:10	harsh 9:7	Management 2:12
asked 6:10	3:13,17 12:12	experiencing 8:17	hearing 1:7 3:2	2:13
Attorney 2:2	/			
Auditor 2:9	clarifying 4:22 7:8	extra 6:3,18 8:10	11:11,12,15	Matter 1:11,14,16
Ave 2:18	10:3		hearings 3:5	McMELLEN 2:9
	cleared 9:2	F	Heights 1:14	measure 9:17
<u> </u>	closing 11:7	F 12:1	high 7:24	measured 9:16
backup 6:23	come 5:13,14 6:25	falling 9:3	house 5:11,19,22,24	mentioned 9:9,19
Baker 2:5 3:16,16	coming 8:13	falls 10:14	6:4,16,18,21 7:25	messed 8:7
	comments 11:2,8	faucet 10:12	8:12 9:24 10:23	Midwest 2:17 12:5
3:19 8:24 13:7	commission 1:2 2:4	faucets 5:22 8:12	households 8:16	mind 4:24
bathrooms 5:25	3:7,12 4:7 5:7			
bathroom's 10:13		9:13	Hurricane 6:9	Missouri 1:1,9 2:3
Batson 4:8,11,11,14	commissioners 4:1	fax 2:19		2:10 3:13,17 12:2
4:15,17,20 5:2,3	4:24	feel 7:19	I	12:13
7:6 11:2,4 13:4	company 1:12,14	feet 5:18	III 2:12	Mm-hm 9:6
began 3:2	1:16 4:4 5:3 7:12	File 1:11,14,16	Increase 1:11,14,16	MO 2:7,14,18
behalf 3:15,17	7:14,20	fill 10:15	informal 4:2	money 6:4,14
	complaint 7:5,13	find 5:13	issue 6:8	moved 5:10
believe 3:21	conclude 11:11	fine 5:13	15540 0.0	moving 5:10
BERNSEN 2:12	concluded 11:15	fire 6:20	J	moving 5.10
better 8:3				N
Bluff 1:9	consistently 10:7	firm 12:5	James 4:11,17 5:2	
boost 5:23 6:4 8:12	constant 10:10,17	first 4:18	13:4	N 3:1 13:1
9:22,23 10:6	correct 12:10	fit 5:17	Jefferson 2:3,7,10	name 3:12 4:3,10
booster 9:10	counsel 2:5,5,7 3:10	Florida 5:9 6:9	2:14 3:13,17	4:11 5:1
boots 8:9	3:15,18,23 4:22	fluctuate 10:9	John 2:2 3:12	never 9:12
Borgmeyer 2:2 3:11	8:23 11:10	folks 3:22	judge 1:18 3:4,7,14	notes 12:10
	county 5:12 12:3,12	follows 4:18	3:19 4:9,13,15,19	number 3:5 11:12
3:12,14 10:3,5,24	couple 9:7 10:3	foregoing 12:9	7:6 8:20,22 10:2	
11:1 13:8	court 3:25 4:10 5:7	forever 10:14	11:1,5,9,10 13:5	0
bought 5:8			11:1,3,9,10 13:3	
Box 2:3,6,14 3:12	12:4	forth 12:7	T7	O 2:3,14 3:1,12,16
3:16	crowd 3:21	found 5:11	<u>K</u>	Oakbrier 1:16 5:5,8
branch 9:3	CRR 2:17 12:15	free 7:3	kind 3:23	5:11 6:11 8:16
brought 5:15,15	customer 4:5	full 12:10	know 4:2 5:17 7:13	Oakbrier's 6:22
Buffy 2:17 12:4,15	customers 3:22	further 8:20 10:2	10:17	oath 4:18
built 5:11,24 6:16	cut 3:23	11:7		October 1:8
				office 2:5,7 3:15,18
9:24		G	Lakeland 1:14	12:11
burst 7:22				
B-A-T-S-O-N 4:14	D 1:18 2:17 3:1 12:4	G 3:1	law 1:18 2:2 3:7	once 11:6
	12:15 13:1	gauge 9:21,22	Lexington 2:18	Operating 1:11
C	DEBORAH 2:12	generator 6:12,12	line 5:21	ought 8:15

Triple T		1	7	1	1:
Owens 7:16,21 8:2 quick 10:3 sir 4:1,13 7:11 8:4 Tonight 7:17 X 13:1 <	outside 5:22 8:12	7:7.8.9 10:4.24	side 9:22	told 5:14	
R R 3:1 12:1 rise 4:3, 16:67.7:1 rise 4:3, 16:67.7:1 responsible 1:2 personal 1:19:39 personally 12:6 pige 5:18 r record 3:5, 25:51 ready 5:6 pige 5:18 r record 3:5, 25:51 ready 5:6 ready 5:					
P		quientions			A 13:1
P 2:3,14 3:1,12.16 PAGE 13:2 people 5:16 PAGE 13:2 people 5:16 ratepayers 3:18 per 5:18 7:2 per 5:18 7:11 public 1:2 7:2 per 5:18 7:12 pur 5:23 6:11.2 pur 5:23 6:12 pur 5:23 6:11.2 pur 5:23 6:12 pur 5:23 6:11.2 pur 5:23 6:11.2 pur 5:23 6:11.2 pur 5:23 6:12 pur 5:23 6:11.2 pur 5:23 6:12.2 pur 5:23 6:11.2 pur 5:23 6:11.2 pur 5:23 6:11.2 pur 5:23 6:12.2 pur 5:23 6:12.2 pur 5:23 6:25 pur 12.2 pur 5:23 6:11.2 pur 5:23 6:11.2 pur 5:23 6:12.2 pur 6:12.2 pur 6:12.2 pur 5:23 11.15 pur 5:23 6:41.2 pur 5:23 6:12.2 pur	O24111 7.2	R			v
P. 23.14.3:1.12,16 PERSON 7:2 personal 1:9 3:9 personally 12:6 pipe 5:18 7:22 place 12:7,11 please 3:10,15 4:10 plumber 9:21 Poplar 1:9 plumber 9:21 plumber 9:21 power 6:10,19 8:10 9.8 power's 6:17 present 12:6 Presiding 1:18 pressure 5:20,25 presty 10:10 Presiding 1:18 pressure 5:22,25 pretty 10:10 Presiding 1:18 pressure 5:22,25 pretty 10:10 presure 5:23 pretty 10:10 presure 5:23 pretty 10:10 proceding 8:6 3:14,19 4:9,13,15 4:19 7:6 8:20,22 protry 10:10 prior 7:18 proceedings 1:6 12:6,9 productive 7:19 property 5:8,11 pump 5:23 6:4,12 siles 1:12 something's 8:7 spell 4:10,11 squirrel 9:2 sprinkler 8:14 squirrel 9:2 SR-2012-0263 1:11 squirrel 9:2 SR-2012-026 1:11 squirrel 9:2 SR-2012-026 1:12 squirrel 9:2 SR-2012-02 squirre	P				
Rate 1:14,16 ratepayers 3:18 record 3:5,25 ready 5:6 rea	P 2:3 14 3:1 12 16				
people 5:16 ratepayers 3:18 rates 6:7 7:1 spoken 7:12 sprinkler 8:14 squirrel 9:2 try 9:13 turn 9:9,13 10:11 years 6:25 personally 12:6 piece 5:8 pipe 5:18 7:22 pipe 5:18 7:22 pipe 5:18 7:22 pige 5:18 7:22 plug 6:20 plug 6:20 plumber 9:21 plug 6:20 plumber 9:21 power 6:10,19 8:10 9:8 readitionship 7:20 7:21 statement 4:22 5:6 staff 3:22 state 1:1 4:25 12:2 plug 6:5 upstairs 10:12 usage 7:24 power 6:10,19 8:10 5:71 7:24 statement 4:22 5:6 UNIDENTIFIED ## 332 5:2:15 pub 1:2 usage 7:24 power 6:10,19 8:10 5:71 7:24 statement 4:22 5:6 ## 3325 12:15 pub 1:2 pustairs 10:12 pub 1:18 stringly 8:13 statement 4:22 5:6 Volume 1:10 Pid 1:18 8:13 street 2:6 ## 3325 12:15 pub 1:2 pub 1:18 street 1:4 stringly 8:13 pub 1:2 pub 1			C		
PERSON 7:2 ready 5:6 squirrel 9:2 squirrel					
personal 1:19 3:9 pipe 5:18 7:22 pipe 5:18 7:22 place 12:7,11 please 3:10,15 4:10 please 3:10,15 4:10 plumber 9:21 plumber 9:21 power 6:10,19 8:10 9:8 power's 6:17 present 12:6 power 6:10,19 8:10 9:8 power's 6:17 present 12:6 presiding 1:18 pressure 5:20,25 6:3 8:11 9:115,24 10:6,10,14 pressure's 5:22 pretty 10:10 Pridgin 1:18 3:4,7 presty 10:10 Pridgin 1:18 3:4,7 presty 10:10 Pridgin 1:18 3:4,7 presty 10:10 Pridgin 1:18 3:4,7 prover 6:10,19 8:10 productive 7:19 productive 7:19 property 7:8,8.11 public 1:2,7 2:4,5,5 prior 7:18 property 6:2,6,9 productive 7:19 property 7:8,8.11 public 1:2,7 2:4,5,5 pump 5:23 6:4,12 8.12 9:10,22 10:6 pump 5:23 6:4,12 8.12 9:10,22 10:11 8.12 10:12 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3 11:10,3					years 6:25
personally 12:6 pipe 5:18 7:22 place 12:7,11 properties 2:18 7:24 9:17,18 properties 2:18 7:22 91.11:4 regulation 9:10 staff 3:22 state 11:4:25 12:2 place 12:7,11 public 1:2,7 2:4,5,5 provide 7:18 property 5:8,11 public 1:2,7 2:4,5,5 productive 7:19 property 5:8,11 public 1:2,7 2:4,5,5 property 5:23 property 5:8,11 public 1:2,7 2:4,5,5 property 5:8,11 public 1:2,7 2:4,5,5 property 5:8,11 public 1:2,7 2:4,5,5 pump 5:23 6:44,2 pump 5:25 6:44,2 pump 5:26 6:44,2 pu					7
piece 5:18 7:22 pipe 5:18 7:22 pipe 5:18 7:22 pipe 6:18 7:24 state 1:1 4:25 1:2: state					
11:14 regulation 9:10 regulation 9:10 regulation 9:10 regulation 9:10 regulation 9:10 regulation 9:10 remarks 3:25 4:6 reporter 3:25 4:10					
Page 12:7,11 please 3:10,15 4:10 regulation 9:10 regulatory 1:18 2:9 3:7 relationship 7:20 7:21 remarks 3:25 4:6 Reported 2:16 remarks 3:25 4:6 Reported 2:16 remarks 3:25 4:6 Reported 2:16 remarks 3:25 4:0 State 1:1 4:25 12:2 unplug 6:5 unplug				***************************************	
Piesas 3:10,15 4:10				U	11:8,9 13:6
A:13.16.25 pleasure 11:5 pleasure 11:5 plug 6:20 plumber 9:21 plumber 9:21 plumber 9:21 power 6:10,19 8:10 9:8 power's 6:17 present 12:6 present 12:6 present 12:6 present 12:6 prestiding 1:18 pressure 5:20.25 6:3 8:11 9:15.24 10:6,10,14 pretty 10:10 pridgin 1:18 3:4,7 3:14,19 4:9,13,15 4:19.76 8:20.22 10:2 11:1,5,10 13:5 prior 7:18 proceedings 1:6 12:6 property 5:8,11 property 5:8,11 property 5:8,11 property 5:23 prior 7:18 property 5:23 prior 7:18 property 5:23 prior 7:18 property 5:23 prior 1:18 property 5:23 put 5:15,16,17 6:4 9:21,23 put 5:15,16,17 6:4 9:21,23 put 5:15,16,17 6:4 9:21,23 put 5:15,16,17 6:4 9:21,23 put 5:15,16,17 6:4 put fing 6:11,24 put fing 6:11,25 put 5:25 et 12:7 Sewer 1:11,12 shop 7:25 et 12:5 put set 12:5 set 12:7 Sewer 1:11,12 shop 7:25 et 12:5 put set 12:5 set 12:7 Sewer 1:11,12 shop 7:25 et 12:5 put set 12:5 set 12:7 Sewer 1:11,12 shop 7:25 et 12:5 put set 12:5 set 12:7 Sewer 1:11,12 shop 7:25 et 12:5 put set 12:5 set 12:7 Sewer 1:11,12 shop 7:25 et 12:5 put set 12:5 set 12:7 Sewer 1:11,12 shop 7:25 et 12:5 put set 12:5 set 12:7 Sewer 1:11,12 shop 7:25 et 12:5 put set 12:3 put 5:15,16,17 6:4 put fing 6:11,24 put fing 6:11,25 set 12:7 Sewer 1:11,12 shop 7:25 put set 12:8 put fing 6:11,25 set 12:7 Sewer 1:11,12 shop 7:25 put set 12:8 shop 7:25 set 12:7 Sewer 1:11,12 shop 7:25 put set 12:8 put fine 6:20 9:7 put set 12:8 shop 7:25 put set 12:8 put fine 6:20 9:7 put set 12					
Pelastionship 7:20					
Ding 6:20					# 1325 12:15
Poplar 1:9 Properter 3:25 4:10 Step over 6:10,19 8:10 9:8 power's 6:17 present 12:6 Representatives 7:12 Street 2:6 Strictly 6:18 Suite 2:6,18 Sworn 4:4,16,18 system 6:11,23 8:13 Tright 3:4,20 4:1,3 4:15,16 8:6,7,22 10:12 11:6,11 Request 1:11 right 3:4,20 4:1,3 4:15,16 8:6,7,22 10:12 11:6,11 RPR 2:17 12:15 RONALD 1:18 4:19 7:6 8:20,22 RPR 2:17 12:15 RPR 2:17 12:15 RPR 2:17 12:15 RPR 2:17 12:15 Right 3:4,20 4:1,3 4:15,16 8:6,7,22 10:12 11:6,11 RPR 2:17 12:15 RPR 2:17 12:15 RPR 2:17 12:15 Right 3:4,20 4:1,3 4:15,16 8:6,7,22 10:12 11:6,11 Right 3:4,20 4:1,3 4:15,16 8:5,6 8:8 Right 3:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13 10:13					<u> </u>
Poplar 1:9					
Possible 4:2 power 6:10,19 8:10 9:8 power's 6:17 present 12:6 Representatives 7:12 Street 2:6 Strictly 6:18 pressure 5:20,25 6:3 8:11 9:15,24 right 3:4,20 4:1,3 pressure's 5:23 pretty 10:10 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16 13:16					05 5:10,10
Second S				23110, 2.2,12	1
9.8 power's 6:17 present 12:6		•		V	
Dower's 6:17 Present 12:6 Representing 3:11 Presiding 1:18 Presiding 1:18 Presiding 1:18 Presiding 1:18 President 5:20,25 6:3 8:11 9:15,24 10:6,10,14 Pridgin 1:18 3:4,20 4:1,3 4:15,16 8:6,7,22 10:12 11:6,11 Ron 3:6 RONALD 1:18 RPR 2:17 12:15 RONALD 1:18 RPR 2:17 12:15 Prior 7:18 Proceedings 1:6 12:6,9 Property 5:8,11 public 1:2,7 2:4,5,5 2:7,8 3:2,5,11,15 3:18,23 11:15 Property 5:8,11 public 1:2,7 2:4,5,5 2:7,8 3:2,5,11,15 3:18,23 11:15 Sump's 9:23 put 5:15,16,17 6:4 9:21,23 put 5:15,16,17 6:4 9:21,23 put 5:15,16,17 6:4 9:21,23 put 6:6 4 9:21,23 put 6:6 4 9:21,23 put 6:6 4 9:21,23 put 6:14 6:16 8:3 Service 1:2 2:4 3:12 Request 1:11 Re				Volume 1:10	
Present 12:6		_		V Granic 1.10	11 13:8
Presiding 1:18 pressure 5:20,25				W	
pressure 5:20,25 6:3 8:11 9:15,24 10:6,10,14 pressure's 5:23 pretty 10:10 Pridgin 1:18 3:4,7 3:14,19 4:9,13,15 4:19 7:6 8:20,22 10:2 11:1,5,10 13:5 prior 7:18 proceedings 1:6 12:6,9 productive 7:19 property 5:8,11 public 1:2,7 2:4,5,5 2:7,8 3:2,5,11,15 3:18,23 11:15 pump 5:23 6:4,12 8:12 9:10,22 10:6 pump's 9:23 put 5:15,16,17 6:4 9:21,23 put 5:15,16,17 6:4 9:21,23 put 5:15,16,17 6:4 puting 6:11,24 puting 6:11,25 put 5:15,16,17 6:4 puting 6:11,24 puting 6:11,24 puting 6:11,25 put 6:16 8:3 question 8:3 put 5:12,12 sheet 12:8 shop 7:25 column 10:13 Revenues 1:12 right 3:4,20 4:1,3 4:15,16 8:6,7,22 10:12 11:6,11 Ron 3:6 T T 12:1,1 stake 10:21 T 12:1,1 stake 10:21 stakes 10:14 talk 7:3 talke 10:21 talk				want 6:16 7:4 8:3	
Revenues 1:12 right 3:4,20 4:1,3 4:15,16 8:6,7,22 rotty 10:10 Pridgin 1:18 3:4,7 3:14,19 4:9,13,15 4:19 7:6 8:20,22 10:2 11:1,5,10 13:5 prior 7:18 8:11,13 9:13 10:23 running 5:21 7:25 9:23 productive 7:19 propeetly 5:8,11 public 1:2,7 2:4,5,5 2:7,8 3:2,5,11,15 3:18,23 11:15 pump 5:23 6:4,12 8:12,23 see 7:7 11:7 self-sufficient 6:17 put 5:15,16,17 6:4 9:21,23 put 5:15,16,17 6:4 9:21,23 put 5:15,16,17 6:4 put ting 6:11,24 p.m 3:3 11:16 P.O 2:6 P.O 2:6 Question 8:3 out of the proceeding 8:0 Question 8:3 out of the proceding side of the process of					
Tight 3:4,20 4:1,3					
T Till Til					
pretty 10:10 In take 10:21 water 1:14,16 5:13 2012 1:3 2012 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2013 1:6 2014 1:6 2013 1:6 2014 1:6 2013 1:6 2014 1:6 2014 1:6 2014 1:6 2014 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 2015 1:6 20		0	T		
Pridgin 1:18 3:4,7 3:14,19 4:9,13,15 4:19 7:68:20,22 10:2 11:1,5,10 13:5 prior 7:18 proceedings 1:6 12:6,9 productive 7:19 property 5:8,11 public 1:2,7 2:4,5,5 2:7,8 3:2,5,11,15 3:18,23 11:15 pump 5:23 6:4,12 8:12 9:10,22 10:6 pump's 9:23 put 5:15,16,17 6:4 9:21,23 put 5:64 P.O 2:6 Q question 8:3 question 8:2 quest			T 12:1.1		
3:14,19 4:9,13,15 4:19 7:6 8:20,22 10:2 11:1,5,10 13:5 prior 7:18 8:11,13 9:13 10:23 10:23 running 5:21 7:25 9:23 running 5:21 7:25 9:23 runs 9:15 10:16 RD 1:12 property 5:8,11 public 1:2,7 2:4,5,5 2:7,8 3:2,5,11,15 3:18,23 11:15 pump 5:23 6:4,12 8:12 9:10,22 10:6 pump's 9:23 put 5:15,16,17 6:4 9:21,23 put 5:15,16,17 6:4 9:21,23 put 6:4 9:21,23 put 6:1,24 put 1in 6:11,24 put 1in 6:16,22 7:14,22 7:25 8:8,8,10,11 8:25 9:8,24 10:6 10:14,15,19,20,20 8vay 9:17 went 7:24 9:20 way 9:17 went 7:24 9:20 we've 6:19,24 7:18 whatsoever 10:19 winters 9:7 wired 6:18 wish 11:6 5:24 30 6:6,6 9:20 30PS 19:10 300 2:18 5:18 309 5:21 8 3400-square-foot 5:24 360 2:3,14 3:13 10:1,2,25 11:1,2,9 11:13 thereof 12:8 wish 11:6 5 5 13:4,5 573-200-7900 2:19 573-200-7905 2:19 518 time 9:8 12:7,11 times 6:20 9:7 1:16 3:6 11:13 WR-2012-0266 6:00 3:2 6:21 11:16 60PSI 6:5 63701 2:18 650 2:6					
## 4:19 7:6 8:20,22					29 1:8
Tun 5:18 6:5,6 8:8 8:11,13 9:13 10:23 10:23 10:23 10:23 10:23 10:24,5.5 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:6,9 12:					3
13:5 prior 7:18 10:23 10:23 talking 3:22 talks 7:19 tell 4:23 9:12 testified 4:18 testify 3:24 5:4 11:6 testimony 7:11 thank 3:14,19 4:20 my septs 5:23 6:4,12 8:12 9:10,22 10:6 pump's 9:23 put 5:15,16,17 6:4 9:21,23 put 5:15,16,17 6:4 9:21,23 put 5:6:4 pump 6:11,24 puting 6:11,24 puting 6:11,24 pum 3:3 11:16			talked 7:18		
prior 7:18 proceedings 1:6 12:6,9 productive 7:19 property 5:8,11 public 1:2,7 2:4,5,5 2:7,8 3:2,5,11,15 3:18,23 11:15 pump 5:23 6:4,12 8:12 9:10,22 10:6 pump's 9:23 put 5:15,16,17 6:4 9:21,23 put 5:15,16,17 6:4 9:21,23 put 6:4 putling 6:11,24 putling 6:17 putling 6:11,24 putling 6:11,25 seet 12:7 Sewer 1:11,12 sheet 12:8 shop 7:25 put 7:23 24 putling 6:20 9:7 questions 4:7 21 23 puts 6:4 put 7:23 24 put 10:21 11:4 talks 7:19 tell 4:23 9:12 testified 4:18 testify 3:24 5:4 11:6 testimony 7:11 thank 3:14,19 4:20 7:6,11 8:5,19,21 7:6,11 8:5,19,21 10:21 11:14 we've 6:19,24 7:18 whatsoever 10:19 winters 9:7 wired 6:18 wishe 11:6 wishes 3:24 wishing 3:20 witness 4:7 witnesses 11:7 13:3 wondered 9:19 working 5:25 WR-2012-0266 1:14 3:6 11:13 WR-2012-0267 1:16 3:6 11:13 650 2:6		· ·			
proceedings 1:6 12:6,9 productive 7:19 property 5:8,11 public 1:2,7 2:4,5,5 2:7,8 3:2,5,11,15 3:18,23 11:15 pump 5:23 6:4,12 8:12 9:10,22 10:6 pump's 9:23 put 5:15,16,17 6:4 9:21,23 put 6:4 9:21,23 put 6:14 9:21,23 put 6:4 9:21,23 put 6:14 9:21,23 put 6:16 8:3 put 7:25 guestions 8:3 questions 8:	prior 7:18				
12:6,9 productive 7:19 property 5:8,11 public 1:2,7 2:4,5,5 2:7,8 3:2,5,11,15 3:18,23 11:15 pump 5:23 6:4,12 8:12 9:10,22 10:6 pump's 9:23 put 5:15,16,17 6:4 9:21,23 put 5:15,16,17 6:4 9:21,23 put 6:4 p.m 3:3 11:16		running 5:21 7:25			
runs 9:15 10:16 R.D 1:12 continue 7:19			testified 4:18		
property 5:8,11 public 1:2,7 2:4,5,5 2:7,8 3:2,5,11,15 3:18,23 11:15 pump 5:23 6:4,12 8:12 9:10,22 10:6 pump's 9:23 put 5:15,16,17 6:4 9:21,23 puts 6:4 puting 6:11,24 p.m 3:3 11:16 P.O 2:6 Q question 8:3 questions 4:7 21 23 q	productive 7:19	runs 9:15 10:16	testify 3:24 5:4 11:6		
public 1:2,7 2:4,5,5 S thank 3:14,19 4:20 we've 6:19,24 7:18 3:18,23 11:15 we've 6:19,24 7:18 we've 6:19,24 7:18 we've 6:19,24 7:18 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 5 5 5 5 1:13 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 4 440 2:10 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 73-200-7900 2:19 5 5 5 73-200-7900 2:19 5 5 73-200-7905 2:19 6 6 6 6 6	property 5:8,11	R.D 1:12	testimony 7:11		
2:7,8 3:2,5,11,15 3:18,23 11:15 pump 5:23 6:4,12 8:12 9:10,22 10:6 pump's 9:23 put 5:15,16,17 6:4 9:21,23 puting 6:11,24 p.m 3:3 11:16 P.O 2:6 Question 8:3 question 8:3 question 8:3 questions 4:7 21 23 question 8:3 questions 4:7 21 23 questions	public 1:2,7 2:4,5,5		thank 3:14,19 4:20	we've 6:19,24 7:18	200 4.3,14 3.13
3:18,23 11:15 pump 5:23 6:4,12 saw 6:25 7:23,25 10:1,2,25 11:1,2,9 winters 9:7 wired 6:18 8:12 9:10,22 10:6 see 7:7 11:7 see 7:7 11:7 wishes 3:24 sing 8:17 see 7:7 12:8 wishing 3:20 see 7:3 12:4 see 7:7 12:8 thing 8:17 wishing 3:20 see 7:3 200-7900 2:19 573-200-7900 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 66 6:00 3:2 6:00 3:2 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:21 11:16 6:00 3:2 6:00 3:2 6:00 3:2 6:00 3:2 6:00 3:2 6:00 3:2 6:00 3:2 6:00 3:2 6:00 3:2 6:00 3:2 6:00 3:2 6:00 3:2 6:00 3:2 6:00 3:2 6:00	2:7,8 3:2,5,11,15	S			4
pump 5:23 6:4,12 saw 6:25 7:23,25 fthereof 12:8 wired 6:18 pump's 9:23 see 7:7 11:7 see 7:7 11:7 wish 11:6 put 5:15,16,17 6:4 SENIOR 1:18 thing 8:17 wishes 3:24 9:21,23 service 1:2 2:4 3:12 think 8:15,16 witness 4:17 puts 6:4 6:16 8:3 thought 5:12,12 witnesses 11:7 13:3 putting 6:11,24 Services 2:13,17 6:11,25 wondered 9:19 p.m 3:3 11:16 12:5 three 4:21 5:22,24 working 5:25 P.O 2:6 Sewer 1:11,12 three-quarter-inch 5:18 question 8:3 thought 5:12,11 WR-2012-0266 1:14 3:6 11:13 6:20 9:7 times 6:20 9:7 1:16 3:6 11:13 covertions 4:7 21 23 shop 7:25 chut 7:23 24 today 5:4					
pump's 9:23 self-sufficient 6:17 thing 8:17 wishes 3:24 5 13:4,5 5 13:4,5 5 73-200-7900 2:19 5 13:4,5 5 73-200-7900 2:19 5 73-200-7900 2:19 5 73-200-7900 2:19 5 73-200-7900 2:19 5 73-200-7900 2:19 5 73-200-7900 2:19 5 73-200-7900 2:19 5 73-200-7905 2:19 5 73-200-7905 2:19 5 73-200-7905 2:19 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 <		saw 6:25 7:23,25			770 2.10
pump's 9:23 self-sufficient 6:17 thing 8:17 wishes 3:24 sing 3:20 5 13:4,5 573-200-7900 2:19 573-200-7900 2:19 573-200-7900 2:19 573-200-7900 2:19 573-200-7900 2:19 573-200-7900 2:19 573-200-7900 2:19 573-200-7900 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 573-200-7905 2:19 60 600 3:2 6:00 3:2 6:00 3:2 6:21 11:16 60PSI 6:5 63701 2:18 650 2:6 650 2:6					5
put 5:15,16,17 6:4 SENIOR 1:18 things 8:6 wishing 3:20 573-200-7900 2:19 puts 6:4 6:16 8:3 butting 6:11,24 butting 6:11,24 butting 6:11,25 butting 6:12,12 butting 6:11,25 butting 6:11					
9:21,23 puts 6:4 putting 6:11,24 p.m 3:3 11:16 P.O 2:6 Q question 8:3 question 8:3 question 8:3 question 8:7 2.1 23 question 8:7 2.1 23 question 8:7 2.2 24 question 8:7 2.1 23 question 8:7 2.2 24 question 8:7 2.2 24 question 8:7 2.2 24 question 8:7 2.2 24 question 8:7 2.2 25 question 8:7 2.2 25 question 8:7 2.2 25 question 8:7 2.2 25 question 8:7 2.2 26 question					
putting 6:14,24 p.m 3:3 11:16 P.O 2:6 Q question 8:3 question 8:3 question 8:3 question 8:7 23 24 question	*				
p.m 3:3 11:16 P.O 2:6 Q question 8:3 shop 7:25 shop 7:2			,		
p.m 3:3 11:16 12:5 three 4:21 5:22,24 working 5:25 P.O 2:6 set 12:7 three-quarter-inch WR-2012-0266 6:00 3:2 Sewer 1:11,12 5:18 1:14 3:6 11:13 60PSI 6:5 question 8:3 shop 7:25 times 6:20 9:7 1:16 3:6 11:13 650 2:6 covertions 4:7 21 23 chut 7:23 24 today 5:4		· · · · · · · · · · · · · · · · · · ·			6
P.O 2:6 Sewer 1:11,12 question 8:3 question 8:3 shop 7:25 sho					
Q Sewer 1:11,12 5:18 1:14 3:6 11:13 60PSI 6:5 question 8:3 shop 7:25 times 6:20 9:7 1:16 3:6 11:13 63701 2:18 questions 4:7 21 23 chut 7:23 24 today 5:4 650 2:6	P.O 2:6				
question 8:3 sheet 12:8 shop 7:25 times 6:20 9:7 1:16 3:6 11:13 650 2:6					
question 8:3 shop 7:25 times 6:20 9:7 1:16 3:6 11:13 650 2:6					
quagtions 4.771 23 1 shut 7.23 24 1 today 5.4				1:16 3:6 11:13	
	questions 4:7,21,23	shut 7:23,24	today 5:4		
		L	<u> </u>	<u> </u>	<u> </u>

		 1
3:13,17		
7		
700 2:13		
8		
8 13:6		
9 9 13:7		
713.7		