

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

Local Public Hearing
Thursday, April 21, 2022
6:41 p.m.

In the Matter of S.K.& M.

Water and Sewer Company's

SR-2022-0239

Application For an Increase

in Annual Sewer System Operating

Revenues

In the Matter of S.K.& M.

Water and Sewer Company's

WR-2022-0240

Application For an Increase

in Annual Water System Operating

Revenues

Reported by: Riley Lammert

Job No.: 5167129

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List of Attendees:

Ken Seyer, Regulatory Law Judge

Commissioner Maida Coleman

Commissioner Jason Holsman

Commissioner Glen Kolkmeier

Jackie Keely, Missouri Public Service Commission

Lindsay VanGerpen, Esquire, Office of Public Counsel

Karen Bretz, Esquire, Missouri Public Service

Commission

Curtis Gately

David Spratt

Deborah Quick

Brian Lamons

Patrick Naeger

Rodney LaRose, S.K.& M

Susan LaRose, S.K.& M.

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Mr. Patrick Naeger

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P R O C E E D I N G S

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2 JUDGE SEYER: First, I would ask that
3 everyone mute themselves on their phone or their
4 computer unless you're speaking. That will cut down
5 on the noise level and prevent any audio feedback. If
6 you don't have the mute button, or perhaps you can't
7 find it, I believe that star six will also mute and
8 unmute your phone.

9 So today is April 21, 2022. The
10 Missouri Public Service Commission has set this time
11 for a local public hearing for two related cases, file
12 number SR-22-0239 which is captioned In the Matter of
13 S.K.& M. Water and Sewer Company's Application For an
14 Increase in Annual Sewer System Operating Revenues.
15 And then also file number WR-2022-0240, which is
16 captioned as In the Matter of S.K.& M. Water and Sewer
17 Company's Application For an Increase in Its Annual
18 Water System Operating Revenues.

19 The Commission has scheduled this local
20 public hearing to give members of the public a chance
21 to comment about S.K.& M's, two applications. The
22 Missouri Public Service Commission regulates the rates
23 charged by public utility companies in Missouri to
24 ensure that those rates are just and reasonable. The
25 Commission also regulates the quality of service and

1 safety of the operations of public utilities. The
2 Commission is made up of five Commissioners. The
3 Commissioners are appointed by the Governor to fixed
4 terms and are confirmed by the Senate.

5 The Commissioners employ a staff of
6 engineers, accountants, attorneys, financial analysts,
7 and other specialists in the field of utility
8 regulation. My name is Ken Seyer. I'm a regulatory
9 law judge for the Commission and will preside over
10 this hearing. With me today are Commissioners Coleman
11 and Holsman, and possibly Commissioner Kolkmeyer.

12 MR. KOLKMEYER: Kolkmeyer is here.

13 JUDGE SEYER: Thank you, Commissioner.
14 This is an official hearing of the Missouri Public
15 Service Commission. And the statements and testimony
16 of witnesses will be recorded by a court reporter and
17 must be given under oath. All of the Commissioners
18 will have the opportunity to read all of the
19 witnesses' remarks.

20 And additionally, I will brief the
21 Commissioners on what was said here tonight. The
22 Commissioners do value your comments and input. Would
23 any of the Commissioners like to make an opening
24 remark? I hear none. Then I will begin by asking
25 any Counsel that are present to enter their appearance

1 for the record.

2 MS. VANGERPEN: Hello, this is Lindsay
3 VanGerpen on behalf of the Office of the Public
4 Counsel.

5 JUDGE SEYER: Thank you.

6 MS. BRETZ: And I'm Karen Bretz,
7 B-R-E-T-Z, for staff of the Missouri Public Service
8 Commission.

9 JUDGE SEYER: Thank you. We will --
10 we'll -- excuse me, the way we will proceed is anyone
11 who would like to make a comment will be placed under
12 oath. And I will ask you to state and spell your
13 name. And then you can offer your comments to the
14 Commission. Note that the Commissioners won't be able
15 to answer any of your questions today because they
16 have to remain impartial until all of the evidence is
17 presented at evidentiary hearing. The Commission has
18 not made any decisions in this case. The Commission
19 is interested in your comments and will use them to
20 help make their decision.

21 If you have any questions or comments
22 after the hearing, you can use the same email address
23 that you used to register for this hearing, which is
24 watersewercomments@psc.mo.gov for the staff, and
25 mopco@opc.mo.gov for the Office of Public Counsel. So

1 is there anyone present tonight who would like to make
2 comments on the record for the Commission? All right.
3 If there is none --

4 MR. NAEGER: Okay. I had to unmute.
5 Sorry, I thought --

6 JUDGE SEYER: Okay.

7 MR. NAEGER: -- I was being heard.
8 Your Honor -- Your Honor, Patrick Naeger here.

9 JUDGE SEYER: All right. Mr. Naeger,
10 could you spell your last name, please?

11 MR. NAEGER: N-A-E-G-E-R.

12 JUDGE SEYER: All right. Go ahead, Mr.
13 Naeger. Oh, excuse me. Let me place you under oath
14 first.

15 MR. NAEGER: Okay.

16 JUDGE SEYER: Thank you.

17 WHEREUPON,

18 PATRICK NAEGER,
19 called as a witness, and having been first duly sworn
20 to tell the truth, the whole truth, and nothing but
21 the truth, was examined and testified as follows:

22 JUDGE SEYER: All right. What would
23 you like to tell the Commissioners?

24 MR. NAEGER: Yes, Your Honor. Good
25 evening, and good evening, Commissioners. And I know

1 Commissioner Coleman. I know you were here back in
2 2019. And I appreciate you being on the panel again,
3 and -- and your presence at -- at this hearing this
4 evening. I -- I simply want to reiterate, you know,
5 from back in 2019, my wife and I own Parkwood Village
6 Mobile Home Park.

7 And it's a -- a 48 -- or about a
8 40-acre parcel that is located within the S.K. & M.
9 Water and Sewer Company service area. We -- we have
10 the great distinct honor of having about 50 families
11 in our -- in our mobile home park. And the -- the
12 rate increase that -- that they received back in 2019
13 was -- was pretty impactful.

14 But I -- I also know Rodney and Susan
15 LaRose. I -- I think they're good people. I -- I
16 think when they purchased S.K. & M., they -- they bit
17 off a lot more than they can chew, because there was a
18 lot of capital improvements that needed to be made.
19 And -- and so I -- I understood why they -- they came
20 before the PSC in -- in -- at that time.

21 And although they had asked for a
22 \$300,000 increase, the increase that they were given
23 was about -- about 200,000. And -- and I think that's
24 for -- and I don't know the particulars -- about 300
25 water customers and -- and substantially less than

1 that sewer customers. So as you can imagine, the --
2 the rate increase was -- was quite shocking to all
3 those in the service area.

4 And - and probably most have adjusted
5 to it. But still today, they're significantly higher
6 than -- than most utilities around us. And I would
7 simply ask one -- then I received a letter. And I'll
8 probably make a written comment as well. But I
9 received a letter just last week from Mr. and Mrs.
10 Larose.

11 And -- and I -- I was struck by how the
12 letter sounded. Because then I -- and I can read for
13 the Commission as well. And -- and hopefully, this
14 letter is part of the record also. But it states in
15 here during the -- the rate case of 2019, the
16 Commission presented and encouraged the company to
17 become the first in the state to take part in a
18 special fund known as Environmental Improvement
19 Contingency Fund.

20 This fund is in place for small water
21 and sewer utilities to build up reserves for
22 improvements to the system necessitated by
23 environmental regulations. I would -- I would hope
24 that there's some record of how those funds have been
25 invested. And I would also hope that the Commission

1 takes into consideration the -- the amount of
2 investment or lack thereof from the previous rate
3 increase to improve the -- the capital infrastructure.

4 Also in the letter, they -- they let us
5 know that they initiated a rate case with the Missouri
6 Public Service Commission. And that, I quote, "We are
7 all aware of the stress and concern that came with the
8 emergency rate case in 2019 and want to assure you
9 going for a rate case at this time was not something
10 we wanted to do."

11 So I guess -- you know, and --and the
12 other question -- and it was -- I think it was
13 answered in the previous question and answer period
14 that -- that they are not required to go for a rate
15 increase. And so I'm -- I'm kind of puzzled at -- at
16 this statement, because the statement clearly implies
17 that they are required to do this.

18 And although this increase isn't nearly
19 as significant as the -- the previous increase in
20 2019, I -- I would just ask that whatever the -- the
21 fund -- the EICF plan -- and -- and it -- I -- I
22 haven't studied this significantly enough, but I know
23 that it -- it's in statute, and it's covered under the
24 rules and regulations. And IT requires investment of
25 a certain percentage.

1 And I just hope that -- that all of
2 that is taken into consideration as to what
3 investments have been made. And if clearly a
4 substantial amount of investment has been made and
5 there's still a need, then I -- I think you can take
6 that into consideration as well. But I would say that
7 in the -- in the time since -- I mean, I -- I know
8 there's a lot of improvements that were needed back in
9 2019 in my park. And Mr. LaRose referred to water
10 leakage and -- and many of those have yet to be
11 repaired or reconstructed.

12 And I know now goods and services
13 are -- are much more expensive. And -- and that's
14 happened in the last year or so. But -- but anyway, I
15 just want to share that information. And -- and at
16 the end of the day, I'm -- I'm really just trying to
17 look out for the tenants that -- that make -- that
18 call my mobile home park their home. And try to keep
19 the rates affordable. 'Cause it does -- it does
20 hinder my ability to attract tenants if the rates go
21 too high. That's all I have, Your Honor.

22 JUDGE SEYER: Okay. Thank you --

23 MR. NAEGER: And --

24 JUDGE SEYER: -- Mr. Naeger. Are there
25 any questions from the attorneys? Any questions from

1 the Commissioners?

2 MR. HOLSMAN: No questions, Judge.

3 Thank you.

4 JUDGE SEYER: All right. Thank you.

5 All right. Thank you for your testimony, Mr. Naeger.

6 And you can stay on, or go back on mute, or you can

7 drop off. Thank you.

8 MR. NAEGER: All right, Your Honor.

9 Thank you. Appreciate it. Bye-bye.

10 JUDGE SEYER: All right. Is there
11 anyone else who would like to provide testimony today?

12 All right. Then I would just like to thank all who

13 participated today. And if you have any additional

14 comments, or if there is -- if you know of someone who

15 could not be present and would like to comment, you

16 can make those written comments by contacting the same

17 email address used to register for the hearing,

18 watersewercomments@psc.mo.gov for the staff. Or for

19 the Office of Public Counsel, mopco@opc.mo.gov. Or by

20 going to the Public Service Commission's webpage.

21 Anything further on behalf of the Commissioners? All

22 right. Then hearing is now adjourned. And we are off

23 the record.

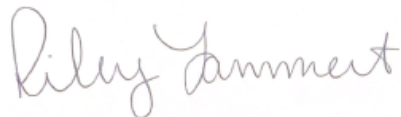
24 (Whereupon, the meeting concluded at

25 6:55 p.m.)

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CERTIFICATE OF DEPOSITION OFFICER

I, RILEY LAMMERT, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or outcome of this action.



RILEY LAMMERT

Notary Public in and for the
State of Missouri

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CERTIFICATE OF TRANSCRIBER

I, DENISE CROSS MOORE, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



DENISE CROSS MOORE

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