FILED January 13, 2011 Data Center Missouri Public Service Commission

Exhibit No.: Issue: Time Reporting Witness: Nila S. Hagemeyer Sponsoring Party: MoPSC Staff Type of Exhibit: Rebuttal Testimony File No.: SR-2010-0320 Date Testimony Prepared: December 21, 2010

# MISSOURI PUBLIC SERVICE COMMISSION

# UTILITY SERVICES DIVISION

## **REBUTTAL TESTIMONY**

#### OF

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## NILA S. HAGEMEYER

#### TIMBER CREEK SEWER COMPANY

## FILE NO. SR-2010-0320

Exhibit No	12
Date 1-5-11 Repo	tervy
File No. <u>SR-2010-</u>	0320

Jefferson City, Missouri December 2010

1		<b>REBUTTAL TESTIMONY</b>
2		OF
3		NILA S. HAGEMEYER
4		TIMBER CREEK SEWER COMPANY
5		FILE NO. SR-2010-0320
6	Q.	Please state your name and business address.
7	А.	Nila S. Hagemeyer, P.O. Box 360, Jefferson City, Missouri 65102.
8	Q.	Are you the same Nila S. Hagemeyer who filed Direct Testimony in this case?
9	А.	Yes.
10	PURPOSE OF TESTIMONY	
11	Q.	What is the purpose of your Rebuttal Testimony?
12	А.	The purpose of my Rebuttal Testimony is to address the Direct Testimony of
13	Timber Creek Sewer Company's (Timber Creek or Company) General Manager, Derek Sherry,	
14	regarding the issue of maintaining time sheets.	
15	TIME REP	ORTING
16	Q.	What is the Company's position for not maintaining time sheets?
17	А.	At page 9, lines 20-22, of Mr. Sherry's Direct Testimony, he states
18	"Timber Creek has historically paid all staff on a salary basis as exempt employees – not eligible	
19	for overtime and, consequently, has not required time records." At page 10, lines 2-13	
20	Mr. Sherry cites the following reasons for not maintaining time records: liability exposure	
21	regarding pot	tential claims under the Fair Labor Standards Act, the increased time and effort

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# Rebuttal Testimony of Nila S. Hagemeyer

required by the Company's four employees in keeping time records, and the overtime worked by
 employees after hours or on weekends for which they are not currently being compensated.

Q. Does the Company's employees' status as exempt or non-exempt change Staff's
recommendation with regard to establishing and maintaining a time reporting mechanism for
each employee?

- A. No. Regardless of employees' exempt or non-exempt classification, Staff
  recommends that all employees maintain time records.
- 8 Q. Does Staff intend for the Company to establish an elaborate time reporting system
  9 that would require the Company's employees extensive time and effort to develop and maintain?

A. No. In my Direct Testimony, page 5, lines 8-9, I stated that time reporting is not
intended to be burdensome. Recording appropriate descriptions of work performed, broken into
specific time increments, should not take more than a few minutes each day per employee. A
simple, inexpensive notebook or spreadsheet could be used for recording purposes. The
Company would then have documentation on the specific activities and actual number of hours
worked by its employees.

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Q. Is Mr. Sherry requesting additional revenue to pay for overtime?

A. Yes. On page 10, lines 14-19 of his Direct Testimony, Mr. Sherry is requesting
\$10,033 to pay overtime for two positions – the Plant and Collection System Operator and the
Office Manager, along with increased workers' compensation and general liability insurance.
Staff witness Bret G. Prenger will be addressing this issue in his Rebuttal Testimony.

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Q.

Has Staff included an amount for overtime in its calculations?

# Rebuttal Testimony of Nila S. Hagemeyer

Q.

A. Yes. It is my understanding that Staff witness Bret G. Prenger has included a
 level of overtime in the amount of \$7,000 in total payroll costs included in this case based on
 estimates provided by the Company for 2009.

Does this conclude your Rebuttal Testimony?

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A. Yes, it does.

#### **BEFORE THE PUBLIC SERVICE COMMISSION**

#### **OF THE STATE OF MISSOURI**

In the Matter of the Application of ) Timber Creek Sewer Company Request for a ) Rate Increase. )

Case No. SR-2010-0320

#### AFFIDAVIT OF NILA S. HAGEMEYER

STATE OF MISSOURI ) SS. COUNTY OF COLE

Nila S. Hagemeyer, of lawful age, on her oath states: that she has participated in the preparation of the foregoing Rebuttal Testimony in question and answer form, consisting of 3 pages to be presented in the above case; that the answers in the foregoing Rebuttal Testimony were given by her; that she has knowledge of the matters set forth in such answers; and that such matters are true and correct to the best of her knowledge and belief.

Nila S. Hagemeyer Nila S. Hagemeyer

Subscribed and sworn to before me this \_\_\_\_\_\_ day of December\_, 2010.

D. SUZIE MANKIN Notary Public - Notary Seal State of Missouri **Commissioned for Cole County** My Commission Expires: December 08, 2012 Commission Number: 08412071

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