In the Matter of:

WILLIE J. HARRIS, JR.

V.

MISSOURI-AMERICAN WATER COMPANY

WC-2021-0129, VOL. IV

May 05, 2021



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1	BEFORE THE PUBLIC SERVICE COMMISSION
2	STATE OF MISSOURI
3	
4	TRANSCRIPT OF PROCEEDINGS
5	EVIDENTIARY HEARING VIA WEBEX
6	
7	Willie J. Harris, Jr.,)
8	Complainant,))
9	v.) File No. WC-2021-0129)
10	Missouri-American Water) Company,)
11	Respondent.)
12	MAY 5, 2021
13	JEFFERSON CITY, MISSOURI
14	VOLUME 4
15	
16	JANA JACOBS, Presiding Regulatory Law Judge
17	MAIDA J. COLEMAN, Commissioner
18	THILDII O. GOLDINI, GOMMIDDIONG
19	
20	
21	
22	
23	REPORTED BY:
24	Beverly Jean Bentch, CCR No. 640
25	Tiger Court Reporting

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20	
21	ALSO PRESENT:
22	Willie J. Harris, Jr.
23	
24	
25	

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PROCEEDINGS

2.5

JUDGE JACOBS: We are now going on the record in this hearing. This is in Case No. WC-2021-0129. The time is 8:21 a.m. Today is May 5, 2021. This concerns Mr. Willie Harris, Jr.'s complaint before the Public Service Commission in regard to Missouri-American Water Company.

This hearing got underway yesterday, May 4, and we were unable to hear from all witnesses before we had to close the hearing. So before we closed the hearing yesterday, we all agreed that the hearing would resume this morning at 8:15 a.m. and the connection information was provided to all parties by email. I have now confirmed that that information did go out and it was sent to Mr. Harris at the same email address where he was receiving information yesterday during our hearing.

Unfortunately it appears that Mr. Harris is not yet connected to the call or to the conference. I have attempted to reach Mr. Harris this morning by phone. I called him at the phone number that is listed on his complaint and I left a message there. I've also forwarded to him again the email message that was sent to him yesterday, and I copied that to all the parties providing the connection information. So I do not know

if there's a technical problem that is preventing a 1 2 connection this morning or if Mr. Harris has decided not to appear for some reason. I haven't received a reply 3 to the email and I haven't received a phone call. 5 we're going to do is proceed to hear from witnesses this 6 morning. 7 We will be on the record this morning until 8 10:00 a.m. when we need to wrap things up so that our 9 court reporter can go to another proceeding and so that 10 the Commission can conduct its agenda at 10:15 this 11 morning. Let's see. I believe now I've officially 12 oriented everybody to where we are in this process. And so because we don't have Mr. Harris with us and this 13 hearing is underway, Staff was the next party up to 14 15 present their evidence to the Commission. 16 So what we'll do is proceed with Staff's 17 witnesses. And we have confirmed that Ms. Bernsen is 18 available. She's on video and we can hear her. So Ms. 19 Bretz, can I swear in your witness and then pass her 20 over to you? 21 MS. BRETZ: Sure. Can we do one preliminary 22 housekeeping thing before that? 23 JUDGE JACOBS: Sure. MS. BRETZ: Staff has a number of exhibits. 24 We've submitted them for the Commission. So I'm 2.5

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wondering when would be the best time to introduce those
 1
 2
     just as Mr. Harris introduced his exhibits yesterday?
                                                            Ι
     can go through them. These are exhibits that Ms.
 3
 4
    Bernsen and Mr. Roos used in preparation of their
 5
               I can through the exhibits with Ms. Bernsen
 6
     right now or how would you like to do that?
 7
               JUDGE JACOBS: Yeah. I think I just assumed
 8
     that you would decide when you wanted to offer them and
     I wouldn't direct that process for you. So if you want
 9
     to offer them right now, I'm fine with that. I really
10
11
    directed the process more with Mr. Harris because he's
12
    pro se. So if you're ready to offer those and you think
13
     that's appropriate, you can do that or you can do it
    after we've heard from your witnesses, whatever you
14
15
     think is appropriate.
16
               MS. BRETZ: I'll do that right away and then
17
    we'll get exhibit numbers and then if Ms. Bernsen needs
18
     to refer to them during her testimony it will maybe make
19
     things simpler.
20
               JUDGE JACOBS: Thank you. That probably will
21
    help quite a bit.
22
               MS. BRETZ: Okay. Ms. Bernsen, please state
23
    your name for the record and spell it.
24
               THE WITNESS: My name is Deborah Bernsen,
2.5
    D-e-b-o-r-a-h --
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JUDGE JACOBS: I'm sorry. I think we have
 1
     some late arrivals. So I'm sorry. I'm going to
 2
 3
     interrupt you, Ms. Bernsen, and I apologize.
 4
               MR. HARRIS: Hello.
 5
               JUDGE JACOBS: Hello. Has Mr. Harris joined
     the call?
 6
 7
               MR. HARRIS: Yeah. I'm having some problems
 8
    getting on.
               JUDGE JACOBS: Okay. So it sounds like you
 9
    have a phone connection here this morning so you can
10
11
    hear everything.
12
               MR. HARRIS: Yeah, I do.
13
               JUDGE JACOBS: Can we proceed in that manner,
14
     sir, so that we can get going?
15
               MR. HARRIS: Yes. My wife is still trying to
16
    get on.
17
               JUDGE JACOBS: So she was trying to get on
18
    video and you are using the phone?
19
               MR. HARRIS: Yes.
20
               JUDGE JACOBS: So because you weren't here, I
    did give you a phone call and then I also sent that
21
22
    email message to you to try to make sure you could
23
    connect with us. Okay?
24
               MR. HARRIS: Okay.
25
               JUDGE JACOBS: Now you've arrived and I
```

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1 believe that you were going to offer testimony from your 2 wife; is that right? 3 MR. HARRIS: Yes. 4 JUDGE JACOBS: But you're having some 5 technical problems? 6 MR. HARRIS: Yeah. This computer is an older 7 one. It's very slow. 8 JUDGE JACOBS: So would it be possible for 9 your wife to give her testimony today by phone instead? 10 MR. HARRIS: Yeah, she can. 11 JUDGE JACOBS: Okay. So we did have some 12 testimony yesterday by phone. It seemed to work just 13 fine. 14 MR. HARRIS: Okay. Well, you want to talk to 15 her now? JUDGE JACOBS: So did you want to -- Are you 16 17 guys going to share a phone for this process or are you 18 just going to hand the phone over to her? 19 MR. HARRIS: Okay. Could you kindly give her 20 some instructions on this? Maybe she can get it in 21 again. 22 JUDGE JACOBS: Is she trying to connect by the 23 computer, sir? 24 MR. HARRIS: Yes. 2.5 JUDGE JACOBS: Okay. I think this is what

we're going to do. Once again apologies to everyone who showed up here this morning on time ready to go. We are going to take a 10-minute recess while I help the Harris' get connected to the call. So we will get back on here at 8:37. We're off the record right now. Thank you so much for your patience. Mr. Harris and Mrs. Harris, please stay with me.

MR. HARRIS: Okay.

2.5

(Off the record.)

JUDGE JACOBS: Good morning, everyone. Back on the record in WC-2021-0129. We have been able to connect Ms. Harris to our call here this morning. We also have Mr. Harris on the phone. Looks like I have all the attorneys that I need to get going. So we can proceed.

Where we left off yesterday was Mr. Harris was going to offer his witness, his wife, Ms. Bonita Harris, and Ms. Harris is with us right now. So unless anybody else has any preliminaries to bring up before we get going with Ms. Harris' testimony, we can go ahead and hear from Ms. Harris. Did anyone have anything they wanted to bring up before we get going today? I'm not seeing anyone who needs to say anything. We will go ahead with Ms. Harris' testimony. The way we've done it with Mr. Harris' witnesses is I've essentially given

them a chance to make a statement and ask them questions 1 2 about whatever it is that they wanted to present today. That's how I'll proceed with Ms. Harris this morning. 3 First of all, Ms. Harris, I need to swear you 5 in as a witness. So could you raise your right hand for 6 us, please? 7 (Witness sworn.) 8 JUDGE JACOBS: Okay. Thank you very much. 9 BONITA HARRIS, being sworn, testified as follows: 10 OUESTIONS BY JUDGE JACOBS: 11 Could you state your name for the record and 12 spell it? 13 It's Bonita. It's B-o-n-i-t-a Harris, Α. H-a-r-r-i-s. 14 15 Okay. So I'm going to go ahead and open the 16 floor to you to let you make whatever statement it was 17 that you wanted to make this morning and then I'll ask 18 some follow up questions. Okay? Was there something 19 that you wanted to let the Commission know after having 20 listened to all that testimony yesterday or something 21 else that you think the Commission needs to know about 22 the case? 23 I would like to say something about this 24 picture or something that you sent us about the house. 25 Wouldn't that be -- now, I know they was saying -- I

know Mr. Roos, he got this off of --

2.5

- Q. So I actually don't want to address that right now, because, in fact, you will have a chance to do that again when Mr. Roos is a witness. So if you have questions for Mr. Roos about that, then that is when you can ask him questions then. So really what we need to hear from you is whatever information that you have about this case.
- A. Well, I moved there in '05 February. And my son, Antonio Bell, he built the closet for me that I wanted downstairs in the basement because we just -- I had so much stuff.
- Q. And that's the closet where we saw pictures of the water meter?
- A. Yes. And only way you can get into it you got to be in the basement in the closet and then you can get to it, because it's got a hole that's cut in it so you can get to the water meter. And my son, as far as being leaks or anything, we haven't had no leaks in the house, because I have him check certain stuff too sometimes.

 My daughter checks it, whoever, my son-in-law. And they check the house for us all the time. And if I think I got a problem or something, I send one of them out there. Or they'll call me if there's a problem. Other than that, we haven't seen a whole lot of water or

nothing.

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2.5

- Q. I'm going to ask you a few questions and I know that a lot of questions have been asked about your family and your family relationships. I think that can seem kind of invasive. The only reason we're asking those questions is just because they've come up in the timeline of the case in people's testimony. Okay?
- All right. So Mr. Harris and you are married.
 When were you married, ma'am?
- 10 A. 2015.
 - Q. Okay.
- 12 A. I think it was April 29, 2015.
- Q. Okay. And when did you first live in the
 Garham Drive house full time? I think you just told us
 it was February of 2005; is that right?
 - A. Uh-huh, February 5, 2005.
- Q. Okay. And you've told us that you wanted a closet to be built in that house because you had a lot of stuff?
- 20 A. Right.
- Q. Okay. Shortly thereafter you and Mr. Harris moved to Arkansas; is that right?
- A. I think it was June or July. It was June or July when we moved here in Arkansas.
 - O. Of 2005?

1	A. Uh-huh.
2	Q. Okay. Do you ever visit the Garham Drive
3	house by yourself without Mr. Harris?
4	A. Most of the time we always go together. We
5	usually drive two cars or we drive one car.
6	Q. Okay. So do you ever go by yourself or no?
7	A. I can't remember any time I've been by myself.
8	Q. Are there certain times of year when you
9	typically visit St. Louis?
10	A. Most of the time it would be in December, the
11	first part of December, because I'd be just getting out
12	of classes, college classes.
13	Q. So when you moved to Arkansas, were you Are
14	you retired at this time, ma'am?
15	A. Yes, I'm retired.
16	Q. When did you retire?
17	A. When was it? Somewhere between '06 and '05,
18	somewhere between there.
19	Q. Were you retired when you moved to Arkansas or
20	did you have a job in Arkansas?
21	A. No, I didn't have a job in Arkansas and I had
22	worked at Siemens in Texas. When I left, I moved to St.
23	Louis and then after that about a month or two I told

them I wasn't coming back. I told them I was going to

24

25

retire and so I did.

- Q. You haven't been employed since you moved to Arkansas and you moved to Arkansas in 2005?
 - A. Uh-huh. I was not employed in Arkansas at all.
 - Q. So where do you typically spend Thanksgiving?
 - A. Most of the time here in Arkansas because I was going to college for the last since 2016 and we go home right after I get out in December. Most of the time it's around the 8th or 10th of December.
 - Q. Okay. So I noticed that when the Company has indicated that they did some meter work at the Garham Drive house was November of 2009. That was quite a long time ago. But it also appears that it was around Thanksgiving. So did you ever spend your Thanksgivings in St. Louis after you moved to Arkansas?
 - A. We didn't. We maybe spent one, but I'm not for sure because, like I said, I was in school and I was down here. We just moved in the house and I was trying to get everything done down here.
 - Q. I thought you said that you started going to college in 2016. When did you start going to college?
 - A. 2016.

- Q. Okay. Because I'm asking about 2009.
- A. 2009. I don't even think we went back home in 25 2009, because we was busy trying to get things fixed

I know my husband was having some stuff done 1 down here. 2 to the house. The house in Arkansas or St. Louis? 3 Ο. The house in Arkansas. Α. 5 Okay. Do you know any of the people in the 6 neighborhood in the Garham Drive area? 7 Α. Yes, uh-huh. I know at least several. 8 Ο. Have you talked to them about this situation 9 with your high water bills in trying to figure out what 10 happened at your house? The only one I kind of talked to was my 11 12 neighbor across the street. What is her last name? It's Cynthia and Toyce. I talked to them. The lady 13 14 named Angela, she works all the time. So I didn't get a 15 chance to talk to her. The lady down the street, Joann, 16 I didn't get to work to her because she works all the 17 time too. 18 Did you talk to any of your neighbors about Ο. 19 your concerns about high water bills at your house? 20 The only one I spoke with was Cynthia and 21 Toyce and asked them if they seen anything. We kind of 22 mentioned that we were having a problem with this water.

- Q. Are those neighbors neighbors that are right next to your property on Garham Drive?
 - A. No, they're across the street.

23

24

25

1	Q. Are you involved I'm sorry. Go ahead.
2	A. Mostly everybody over there works except maybe
3	two or three couples that's old and retired.
4	Q. Are you involved in paying for the expenses
5	for the Garham house? By that I mean do you get the
6	bills and look at them and make payments?
7	A. I make payments if he wants me to write the
8	checks out like that. I write the checks out.
9	Q. Did you notice any change in your other
10	utilities around the same time as the high water bills?
11	A. No.
12	JUDGE JACOBS: Okay. So those are all the
13	questions that I had for you, Ms. Harris.
14	THE WITNESS: Huh-uh.
15	JUDGE JACOBS: Was there anything else that
16	you wanted to say before I ask the attorneys for the
17	Staff of the Commission and the Company if they have any
18	questions for you?
19	THE WITNESS: No.
20	JUDGE JACOBS: Okay. So any cross-examination
21	from Staff?
22	MS. BRETZ: Nothing. Thank you.
23	JUDGE JACOBS: Any cross-examination from the
24	Company?
25	MS. HERNANDEZ: No questions. Thank you.

JUDGE JACOBS: Thank you. If I have any 1 2 questions from Commissioners, the floor is open for those to come in now. I do not have any additional 3 4 questions for you, Ms. Harris. I appreciate your being 5 available this morning and figuring out the WebEx 6 challenges and giving your testimony this morning. 7 Okay? 8 THE WITNESS: Thank you so much. 9 JUDGE JACOBS: Thank you very much. Okay. So 10 Ms. Harris, you're now excused, and we can proceed to 11 Staff. And before the Harris' were able to get 12 connected this morning we were on the record and we were 13 talking to Ms. Bretz about how she wanted to proceed, 14 and I think we were getting ready to take Ms. Bernsen's 15 testimony. So I will hand it over to Staff counsel. 16 Let me know --17 MS. HARRIS: Baby, you want to come in here? 18 JUDGE JACOBS: Ms. Harris, I'm going to ask 19 you to mute your line. I'm going to mute you right now. 20 MS. HERNANDEZ: Judge, I may have missed this 21 but I don't know if Ms. Bernsen was sworn in or not. 22 JUDGE JACOBS: She was not. I was just 23 getting ready to do that. We will make sure that 24 happens, and I appreciate everyone keeping me on track 2.5 today.

```
MS. HERNANDEZ: I thought I might have missed
 1
 2
     it.
 3
               JUDGE JACOBS: That's okay. Please help me.
 4
     Okay. So Ms. Bretz, were you ready to proceed at this
     time with Ms. Bernsen's testimony?
 5
 6
               MS. BRETZ: Yes, yes, I am. Thank you.
 7
               JUDGE JACOBS: Okay. So then we will get Ms.
     Bernsen sworn in. All right. Ms. Bernsen, would you
 8
 9
     please state your name for the record and then I will
10
     swear you in?
11
               THE WITNESS: Yes. My name is Deborah
12
     Bernsen, D-e-b-o-r-a-h B-e-r-n-s-e-n.
13
               JUDGE JACOBS: Thank you very much. Would you
     raise your right hand, please, ma'am?
14
15
               (Witness sworn.)
16
               JUDGE JACOBS: Thank you very much. You may
17
    now proceed.
     DEBORAH BERNSEN, being sworn, testified as follows:
18
19
     DIRECT EXAMINATION BY MS. BRETZ:
20
          O.
               Good morning, again, Ms. Bernsen.
21
          Α.
               Good morning.
22
               Who employs you and what's your job title?
          Q.
23
          Α.
               I work for the Missouri Public Service
24
     Commission, and I am a Senior Research Data Analyst in
2.5
     the Customer Experience Department.
```

1	Q. Are you the same Deborah Bernsen that
2	contributed to Staff's Report?
3	A. Yes, I am.
4	Q. Okay. Do you have any changes to your report?
5	A. No, I do not.
6	Q. Is your report true and correct, to the best
7	of your knowledge?
8	A. Yes, it is.
9	MS. BRETZ: Judge, we would offer Staff's
10	report which is pages 1 through 21 of our submitted
11	exhibits. We'll offer that as Exhibit 101.
12	JUDGE JACOBS: Thank you very much. Is there
13	any objection to Staff's offer of the report of Staff?
14	MS. HERNANDEZ: No objections.
15	JUDGE JACOBS: Okay. Hearing no objections,
16	Exhibit 101 will be admitted into the record.
17	(STAFF'S EXHIBIT 101 WAS RECEIVED INTO
18	EVIDENCE AND MADE A PART OF THIS RECORD.)
19	MS. BRETZ: As we just described earlier, I'll
20	go through the other exhibits except for Mr. Roos'
21	exhibit and ask for them to be introduced now.
22	BY MS. BRETZ:
23	Q. So the next exhibit is pages 25 through 30
24	that we submitted, Missouri-American Response to DR 1
25	selected pages Could you please explain what those

are, Ms. Bernsen?

2.5

- A. Yes. I'm flipping to it to make sure it's absolutely a good definition here for you. Okay. Data Request 1 had to do with billings and payment histories that we requested from Missouri-American and received in this data request response.
 - Q. And what dates are these billings?
- A. The billings that we included here were 10/8/20 and 8/6/19.
- MS. BRETZ: Okay. Thank you. Judge, I would offer these exhibits as Exhibit 103.
- JUDGE JACOBS: Okay. So we have 101 -- We have 100, 101 and now we're going to 103 because you're trying to keep the order with your spreadsheets; is that right?

16 MS. BRETZ: Yes.

JUDGE JACOBS: Okay. All right. So these are documents, Mr. Harris, that were mailed to you by the Staff of the Commission in a packet that was delivered to your house and Ms. Bretz is now offering these statements into the record. Is there any objection from any party to these exhibits being admitted to the record? This is the responses to Data Request #1.

MS. HERNANDEZ: No objection.

JUDGE JACOBS: Hearing no objection, those

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exhibits will be admitted. That was admitted as 103.
 1
 2
               MS. BRETZ: Thank you.
               (STAFF'S EXHIBIT 103 WAS RECEIVED INTO
 3
     EVIDENCE AND MADE A PART OF THIS RECORD.)
 4
 5
     BY MS. BRETZ:
 6
          Ο.
               So the next two pages -- And again, the page
 7
     numbers are at the bottom of the filing in black. So
 8
     the next one is pages 31 and 32 which are
 9
     Missouri-American responses to DR #3. Could you briefly
10
     explain what these are, Ms. Bernsen?
11
               Yes. DR #3 was requesting account notes that
12
     were put in by the various representatives that spoke to
13
     Mr. Harris. And so that's what those represent are some
     specific pages 6-7 and some account notes.
14
15
               MS. BRETZ: Okay. I would offer these as
     Exhibit 104.
16
17
               JUDGE JACOBS: Is there any objection to
18
     Exhibit 104, which are customer service notations from
19
     the Company provided in Staff's investigation?
20
               MS. HERNANDEZ: No objection.
21
               JUDGE JACOBS: Hearing no objection, Exhibit
22
     104 will be admitted.
23
               (STAFF'S EXHIBIT 104 WAS RECEIVED INTO
     EVIDENCE AND MADE A PART OF THIS RECORD.)
24
     BY MS. BRETZ:
25
```

And then the next one is page 33, which is 1 Q. 2 Missouri-American's response to DR 5. Could you explain what that is, Ms. Bernsen? 3 That was a request that Staff made for some water meter numbers when they were installed and 5 what the serial numbers were. 6 7 MS. BRETZ: Judge, we would ask this be 8 introduced as Exhibit 105. JUDGE JACOBS: So the offered exhibit is a 9 10 single page that constitutes a response to a request 11 from Staff to the Company in regard to installation of a 12 water meter? 13 MS. BRETZ: Yes. 14 JUDGE JACOBS: Any objection to that document 15 being admitted into the record as Exhibit 105? 16 MS. HERNANDEZ: No objection. 17 JUDGE JACOBS: Hearing no objections, Exhibit 105 will be admitted. 18 19 (STAFF'S EXHIBIT 105 WAS RECEIVED INTO EVIDENCE AND MADE A PART OF THIS RECORD.) 20 BY MS. BRETZ: 21 22 The next is three pages. It's pages 34 Ο. 23 through 36, Missouri-American response to DR 6. Could 24 you please explain what that is, Ms. Bernsen? 2.5 Α. The response to the -- The request was for

meter readings starting with 2015, dates of those 1 2 readings and the reasons for the reading, the type and then what the meter actually read and it was three 3 4 pages. 5 What are the second and third pages? Ο. 6 The second and third pages -- The Company uses 7 a meter reading reason and a meter reading type to 8 indicate how it was obtained and the reason why it was 9 obtained at that time. And these are code sheets that 10 help to interpret what those numbers are on the actual 11 response. 12 MS. BRETZ: Thank you. Judge, we would offer this as Exhibit 106. 13 14 JUDGE JACOBS: Okay. So Exhibit 106, the 15 proposed exhibit constitutes what I would call a meter 16 reading log and then the two keys that go with it that 17 provide the reason code and the type code for that log. 18 Any objection to those documents being admitted into the 19 record as Exhibit 106? 20 MS. HERNANDEZ: No objection. 21 JUDGE JACOBS: Hearing no objections, that 22 exhibit will be admitted. 23 (STAFF'S EXHIBIT 106 WAS RECEIVED INTO

EVIDENCE AND MADE A PART OF THIS RECORD.)

24

25

BY MS. BRETZ:

The next is page 37. It's Missouri-American 1 O. 2 response to DR #7. Could you briefly explain that, Ms. Bernsen? 3 4 This is again a one-page response, and Α. Yes. 5 what the request was for asked a question were Mr. 6 Harris' meter readings were they actual or ever 7 estimated. This was a response to that data request. 8 Q. Okay. Thank you. And then the next is page 9 38 --MS. BRETZ: Oh, I'm sorry. I would ask that 10 11 that be introduced as Staff Exhibit 107. 12 JUDGE JACOBS: Is there any objection to 13 admission of this document which is a response to a request for information from Staff to the Company? 14 15 MS. HERNANDEZ: No objection. 16 JUDGE JACOBS: Thank you so much. Hearing no objection, 107 will be admitted. 17 18 (STAFF'S EXHIBIT 107 WAS RECEIVED INTO 19 EVIDENCE AND MADE A PART OF THIS RECORD.) 20 BY MS. BRETZ: 21 The next is page 38 which is Missouri-American 22 response to DR 10. Could you explain that too, Ms. 23 Bernsen? 24 DR 10 asks for the Company to describe its 25 investigation of high usage.

MS. BRETZ: Judge, we would ask it be 1 2 introduced as Staff Exhibit 108. JUDGE JACOBS: Okay. I have a guestion about 3 4 this. Ms. Bernsen, can you tell me where these 5 documents talk about high usage and what's being offered 6 here? 7 THE WITNESS: Judge, let me go back to the 8 original data request that it should have. 9 JUDGE JACOBS: So the reason I'm asking is 10 because I see a request for information and then I see 11 attached to it the documents apparently concerning a 12 November 30, 2009 event. So I'm trying to confirm that what is being offered here is what was intended. 13 14 THE WITNESS: Yes, Judge. Good catch. 15 appears that the actual response sheet did not get included in here as it should have. In some cases the 16 17 Company responded on a separate sheet. And in other 18 cases the Company responded with the actual request on 19 I do have a copy of what the actual response is there. 20 on it. This is DR 10. We can find a way to get this into the record somehow. It should have been included 21 22 in here and I don't see it. 23 MS. BRETZ: Judge, I apologize. That's my 24 fault in preparing the exhibits. I printed off the 25 wrong sheet.

1	JUDGE JACOBS: I don't think there's anything
2	to offer here at this point. So could we put a pin in
3	this and give you an opportunity to figure out what was
4	supposed to be attached and then it could be shared with
5	the parties and we can take it up at that point.
6	MS. BRETZ: Sure, that would be great. Maybe
7	at a break I can print it out.
8	JUDGE JACOBS: We'll let you sort that out at
9	a break. Do you want to go ahead and move on to your
10	next one?
11	MS. BRETZ: Okay. So otherwise we would mark
12	that as Exhibit 108. We'll skip over that for now.
13	Let me get back to the exhibit list here.
14	BY MS. BRETZ:
15	Q. So our next is sheet 39. Could you please
16	explain what that is, Ms. Bernsen?
17	A. Yes. This is a work order for installation of
18	a new meter at the Harris' residence in St. Louis.
19	MS. BRETZ: Judge, we would ask that be
20	entered as Exhibit 109.
21	JUDGE JACOBS: Okay. Is there any objection
22	to what has been offered as Exhibit 109?
23	MS. HERNANDEZ: No objection.
24	MS. BRETZ: And then the last is Sheet 40.
25	JUDGE JACORS: One moment

1	MS. BRETZ: I'm sorry.
2	JUDGE JACOBS: Mr. Harris, Exhibit 109 has
3	been offered. It looked like you were not present at
4	that point. Once again, any objection to Exhibit 109,
5	which is a work order for a meter installation in
6	November 2009?
7	MR. HARRIS: Yes, I have an objection.
8	JUDGE JACOBS: What's your objection, sir?
9	MR. HARRIS: My objection is that was the
10	individual that was supposed to have done that work
11	order, is he present?
12	JUDGE JACOBS: So we will have an opportunity
13	to ask some more questions about the Company's
14	allegation that a meter was installed in 2009. But you
15	are essentially raising a question about the credibility
16	of the document itself.
17	MR. HARRIS: Yes, that's correct.
18	JUDGE JACOBS: Ms. Bernsen, would you please
19	explain to us how the Staff came to acquire this
20	document?
21	THE WITNESS: Yes, Judge. This is the
22	Staff put a request in. It was DR 13 specifically to
23	please provide a copy of the work order or any other
24	type of record that documents the installation of a new
25	meter on $11/30/2009$ at the customer's service address.

It goes on to ask for include information on the type 1 2 and manufacturer, also provide any account notes or correspondence that may document MAWC's arrangement --3 I'll start with the beginning of the sentence. 4 5 Also please provide any account notes or correspondence 6 that may document MAWC's arrangements for meeting with 7 the customer or any other authorized party to gain 8 access at the address. 9 JUDGE JACOBS: Ms. Bernsen, I'm sorry. you're reading from has not actually been included in 10 11 Staff's exhibits; is that right? 12 THE WITNESS: No, that would have actually --That's actually the request and I think we tried to 13 include the documents themselves. So I don't know if 14 15 that's in the record. 16 MS. BRETZ: Maybe I can help a little bit. 17 JUDGE JACOBS: Actually there's something else I'm driving at here that I don't want to let go of. 18 19 think that this document that's been offered by Staff 20 here actually appears elsewhere in documents that have 21 been offered by the Company; isn't that correct? MS. HERNANDEZ: That's correct. It should be 22 23 included in the affidavit of Ms. Figueroa. JUDGE JACOBS: Okay. And so I think a witness 24 for the Company would be better positioned to answer 2.5

questions about the authenticity of the document and how 1 2 it was generated. So it may make sense to just let the Company offer this document into evidence because that 3 4 witness can explain how these documents are generated. 5 MR. HARRIS: Judge, on that document it is 6 initiated by Willie Harris. 7 JUDGE JACOBS: Mr. Harris, you will have an 8 opportunity to talk about this document. So I posed an 9 issue here that I would like the parties to address 10 because we may not be dealing with this at this point. 11 MR. HARRIS: Okay. 12 JUDGE JACOBS: Ms. Bretz, there may be some 13 reason why you insist that this needs to be in your exhibits at this time. 14 15 MS. BRETZ: No, I think your plan is good. Staff has no objection to that. Of course, this is a 16 17 normal business record of Missouri-American. 18 something they routinely prepare during the course of 19 their business. 20 JUDGE JACOBS: But of course, we would prefer 21 to hear that testimony from a Company witness about 22 their process for generating records, right? 23 MS. BRETZ: Yes, that sounds reasonable. 24 have no objection. 2.5 JUDGE JACOBS: Okay. So are you withdrawing

your offer of Exhibit 109 or should we phrase that 1 2 another way? MS. BRETZ: We'll withdraw it and Ms. Figueroa 3 will introduce it later. 4 5 JUDGE JACOBS: Okay. I apologize for that 6 interruption. I think you had one more document you 7 wanted to offer. So you can go ahead, please. 8 MS. BRETZ: Sure. BY MS. BRETZ: 9 10 So the last one is page number 40. It's 11 Missouri-American's response to DR #14. Could you 12 briefly explain that, Ms. Bernsen? 13 Yes. In this case we had asked the Company 14 for a copy of the completed work order from October 18, 15 2019 when the Company met with Mr. Harris at his Garham address and this is the service notes that were 16 17 responded. 18 MS. BRETZ: Thanks. Judge, we offer this as Staff Exhibit 109. 19 20 JUDGE JACOBS: So could we call this one 110 21 just to keep things straight because 109 was withdrawn 22 and it will be complicated to explain that? 23 MS. BRETZ: Sure. JUDGE JACOBS: This will be offered as 110 24 Is there any objection to this document being 25 then.

1	included in the record?
2	MS. HERNANDEZ: No objection.
3	JUDGE JACOBS: Thank you very much. Exhibit
4	110 has been admitted to the record.
5	(STAFF'S EXHIBIT 110 WAS RECEIVED INTO
6	EVIDENCE AND MADE A PART OF THIS RECORD.)
7	MS. BRETZ: That's all that we have for
8	exhibits to come in through Ms. Bernsen. I tender Ms.
9	Bernsen for cross-examination.
10	JUDGE JACOBS: Okay. Thank you very much. So
11	is there any cross-examination from the Company for Ms.
12	Bernsen?
13	MS. HERNANDEZ: No questions. Thank you.
14	JUDGE JACOBS: And Mr. Harris, did you have
15	any questions that you wanted to ask Ms. Bernsen, and I
16	want to make sure that you understand her role. So I'm
17	going to help you with that a little bit. Ms. Bernsen
18	works for the Staff of the Commission, and part of her
19	job is working on complaints that people submit. So she
20	may be able to tell you more about that, but that is her
21	role. Okay. Do you have any questions for Ms. Bernsen?
22	MR. HARRIS: Not at this time. Could I
23	question her later?
24	JUDGE JACOBS: If you come up with some
25	questions based on additional questions that are asked

of her, then you would have an opportunity to do that. 1 2 Okay? 3 MR. HARRIS: Okay. JUDGE JACOBS: I'm going to remind you, sir, I 4 5 need you to keep your line muted for us today if you're 6 not speaking. Thank you. 7 JUDGE JACOBS: Okay. So the floor is open to 8 questions from the Commission. I know that we have 9 Commissioner Coleman with us here this morning. I 10 invite her to speak up and ask questions at any point if 11 she would like to do so. I'm not aware if there are any other Commissioners with us. If you'd like to be 12 13 recognized and you want to go ahead and speak up, please do that. I may have had to mute your line because I did 14 15 have a noisy line or two. If you're on a call-in line, 16 you might have to press #6 in order to speak up. I do 17 have some questions for Ms. Bernsen today. 18 OUESTIONS BY JUDGE JACOBS: 19 First of all, Ms. Bernsen, what does sewer 20 district billing tell us about Mr. Harris' water usage? 21 Do you know anything about that? 22 I really do not know much about the sewer 23 district and how they bill. I did put a request in for 24 some information from the Company just to confirm that

they do provide Metropolitan Sewer District with a

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Customer's water usage at various times during the year.

And on that basis, then the Company determines how they will bill the customer for their wastewater usage. I know at one point Mr. Harris and I had had a conversation and he then sent in a copy of his sewer bill, MSD bill, to illustrate what he had been paying.

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- Q. Okay. Based on your experience, what are the different kinds of possible causes of a very high and unusual water bill? Are you able to summarize what the range of possible causes could be?
- A. I have some experience in this area, but I'm certainly not a water engineer. And Mr. Roos who will be up later may have certainly much more technical knowledge in that area about what can cause things.

 Obviously I have over the years seen various situations. I have even experienced one where I had a high water bill and, you know, anything from leaving a tap on, to a toilet running, people actually having a leak, finding a leak in sometimes a yard. I know there are lots of different things that could occur. In this case, frankly, I cannot determine why the bill was so high.
- Q. Right. And I really am not -- It would be wonderful if someone was able to give us some testimony about exactly what is happening in this case. I think everyone would be really pleased if we could hear that

testimony. I just wanted to get an idea of what the different possible causes are. You identified leaks, a tap running. What about problems with meters? Is that a possible source of a problem?

- A. Meters can be a source. In my over 30 years here at the Commission, I have witnessed meter tests, actually even water meter tests at test sites. I have, you know, I have never seen a meter fail a test. That seems to be very infrequent. I've had no experience with that. So I don't think -- It's a good idea to test just to verify that, but I have personally not witnessed any tests that came out that way.
- Q. So I think I interrupted you. Did you say you don't think it's a good idea to test or you do think it's a good idea to test?
- A. I think it's a good idea to test. I've been involved in some other complaints. I was also a customer services person in the past that took complaints for the Commission. I think it's a good idea. It sometimes can give some assurance to a customer and to the Company what is going on. It checks one thing off the box. I think it's a good idea to test. I wish that, you know, the Company had tested the meter or that Mr. Harris had asked to have that done.
 - Q. Can you describe the steps of Staff's

investigation in this case?

- A. Staff, you know, our method of investigation, I think we try to go through it in the front part of our report and basically we were assigned to a case. We review all the documents filed. We submit -- We contact the customer who files a complaint. We then file what are called data requests to get information from the parties, and in some cases in the past before the pandemic we may have even visited a site.
- Q. Right. I'm asking you about your investigation in this particular case. So this might be a good opportunity for you to explain Staff, in fact, did not visit the Garham Drive house?
 - A. Yes, Judge, we did not.
- Q. And could you just explain the reasons for that?
- A. Well, normally our engineer, water and sewer person would have done that, but there's been -- we're not doing as much of that during the time of the pandemic when it was at its height. It would have required someone meeting someone there, either Mr. Harris or a representative. And I just, you know, those things, kind of things just were not happening as much unless it was an emergency.
 - Q. Okay. Are you able to explain to us why the

review of the meter reads goes back to 2015 and doesn't go back any farther than that?

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- A. I asked in the request to go back to 2015, because I wanted to have enough years to look at trends in the usage. And I believe that based upon what we saw we could kind of get an idea of what Mr. Harris' usage was at the residence. So we felt like that was an adequate amount of billings to look at and readings.
- Q. So I wanted to determine there whether there was some kind of hard limit on the Company's records that it still has that prevented you from asking for more or if that was just a judgment call about what would be adequate. It sounds like it was a judgment call about what would be adequate?
- A. I believe so. I believe that really drove what we asked for. We felt like five years was -- We frequently ask for three years. In this case I went back a little farther. If we hadn't seen enough of a trend there, we would have asked for more.
- Q. Okay. So your intention there was to try to get an idea of what ordinary use at that property looks like? Typically you use three years for that. In this case you went even longer?
- A. That's right. And I think this is in conjunction with Mr. Roos who's our water and sewer

engineer. We both looked at the usage factors.

- Q. So if I want to find out more information about what a Staff member who is actually visiting a location would look at, should I direct those questions to Mr. Roos?
- A. Yes, please. He would be the expert in that area.
- Q. Okay. So in this case the Company after the initial episode of very high water use ultimately credited back the majority of those charges to the customer. Is that process of review of high water bills and potentially crediting some of that charge back, is that required by the Commission's tariff -- or I'm sorry. Is that required by the Commission approved tariff for this Company?
- A. No, Judge. This is what's called a courtesy adjustment and these are not required under any of the Company's tariffs or Commission rules.
- Q. Okay. That was going to be my next question whether Commission rule required that process at all?
 - A. No, Judge, it does not.
- Q. Are you aware of Commission rules that require the Company to do anything in particular when a customer suddenly has a really high water usage?
 - A. The closest thing that comes to that is one of

the rules in Chapter 13 for upward or downward
adjustments, but it does not and it sets out some
guidelines. But in this case a meter was running. It
was offering an actual read. It doesn't really fit
that.

- Q. So is that a situation where there are estimates made that then have to be trued up after a period of time?
- A. Yes, Judge, or it sometimes is applied when a meter stops and the Company would find a meter that had stopped reading anything for a period of time. That might be an adjustment then that would show up on the customer's bill.
- Q. All right. Okay. So Ms. Figueroa's affidavit that has been filed in this case, paragraph 13, and Ms. Figueroa is the witness that's going to be offered by the Company, cites a number of meter studies.
 - A. Can I have a minute to get to it?
- Q. Yes, I will wait for you to find that. The Company filed the affidavit in this case?
 - A. Right.

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- Q. On April 26?
- A. Yes, I have that in front of me.
- Q. Okay. So are these meter studies the sort of thing that you would consult when you're investigating a

complaint from a customer?

- A. Again, this is Mr. Roos' area on meter replacements and the studies that are done. He would be best to address this. I can read it. He's really the expert in that area.
- Q. Okay. Thank you. So there were some photographs that are included in Staff's report in this case and that report is now an exhibit. I think it was -- It's now Exhibit 101. I thought those photos were included. Yes, they are part of Staff's Report and they were attached to it. So are you familiar with the -- I'm addressing the two meter photos.
- A. That's right. It's attachment 2 actually in the report.
 - 0. Okay.
 - A. Attachment 2.
 - Q. Okay. I'm wondering what form did Staff receive those photos in? Did you receive a paper copy, an actual photocopy? Did you receive a digital image file? I'm just wondering what Staff had to look at.
 - A. I believe those were received by a filing in the case and so they were a digital photo.
 - Q. I don't recall any digital photos being filed in this case.
 - A. I thought they were attached to one of

Mr. Harris' letters.

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- Q. Mr. Harris I believe mailed in his materials to the Commission.
 - A. That can be true. But when I saw them, I saw them on EFIS.
 - Q. Okay. So that does answer my question though. If you saw them on EFIS, you weren't able to look at any of the information that's generated in a digital file when a digital photo is taken?
 - A. That's right.
- Q. So you weren't able to look at a digital file of the image and figure out what date it was taken, for instance?
 - A. That's true.
 - Q. You haven't been able to do that for any of the pictures in this case?
 - A. No, Judge.
- Q. Okay. Did Staff's investigation gather any information about the touchpad on the Garham Drive house?
 - A. I did not personally. I would address that to Mr. Roos to see if he has any more specifics on it.
 - Q. Okay. At one point I believe Mr. Harris had indicated he thought the touchpad had been removed from his house and then perhaps he thought that it hadn't. I

just wanted to clarify whether Staff is aware of whether the touchpad was removed from the house by the Company?

- A. I think Staff has also discussed that and I think again ask Mr. Roos about it. Our understanding was that it had been taken out.
- Q. So Staff's understanding was that it may have been removed?
 - A. That is correct.

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- Q. I will discuss it with Mr. Roos and, of course, ask the Company as well. Okay. I wanted to look at some of the documents. I believe that this is DR 6 is probably the easiest way for you to find it. It's now on the record as Exhibit 106.
- There's a noisy line somewhere. I'm going to try to figure out who it is.
- All right. So when you are able to find that, would you let me know, Ms. Bernsen?
 - A. Yes, Judge, I have it.
- Q. Okay. So this is what I've been thinking of as the meter reading log. It shows a device number, dates of meter reads, then a reason code and a type code and what the meter read is; is that correct?
 - A. Yes.
- Q. And then attached to it are a couple of what I've been thinking of as keys so they give you a number

that corresponds to either the reason code for the meter read or the type code. Would you agree with that?

A. That's correct.

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- Q. Okay. So this can be kind of confusing when you look at these, because they use, you know, one, two, three, four, five, six, seven, eight, nine, ten for reason codes and they use numerals for the type codes. So it's very easy to get confused about which is which I've noticed. So for the reasons in this case it looks like there are four codes that are relevant. What are the four reason codes that we see on the log from May 2019 through October 2020?
- A. Judge, I can try to tell you what my understanding is. Again, if you have further details, Mr. Roos has done all the work on the usage and the meter reading issues.
- Q. I can defer these questions to Mr. Roos if you think he's the best witness on that. That's fine. I appreciate that information.
- A. I feel badly. I can tell you but you might have follow ups and I may not be able to answer them.
- Q. That's perfectly appropriate. Thank you.

 Okay. I noticed in Staff's Report there's a sentence that says, and I hope I highlighted it so I can direct you to it.

1 A. Okay.

- Q. It says MAWC performed two additional meter readings after the shutoff. One reading on October 7, 2020 and the second reading on October 28, 2020. I'm going to try to find that in the report.
- A. I believe it's at the bottom. Starts in the bottom of page 6.
- Q. That's right. Yes, thank you. I just found it. Bottom of page 6 for everybody of Staff's Report.
- A. It was the sentence MAWC performed two additional meter readings after the shut-off, one reading on October 7, 2020 and the second reading on October 28, 2020.
- Q. Okay. So my question about this is are we able to tell from the meter log whether anyone went to the property on those days and actually used a touchpad to do a meter reading?
- A. Give me a second, Judge, to look -- flip back to.
- Q. I think DR 6 again is what's going to help with this.
- A. Right. That's what I'm going back to here.

 And my understanding from what was provided in DR 6 was that the Company had gone out to take a reading. This is when -- give me a second to get straight here on

- this. Because the water was shut off on September 29, 2020, and a reading was taken at that time as would normally occur at a disconnection. So if you are looking at DR 6 again, you're seeing that number 13 reason meter reading on disconnection.
 - O. Yes.

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- A. Okay. And then -- So then there was another reading taken on the 7th and then the additional reading taken on the 28th.
- Q. Right. And I think my question is based on the type codes for the 7th and the 28th. So type four and type three, do you know if they indicate someone went to the house and took a meter reading?
- A. Let me double check here. I believe that they did according to this. They would have gone and taken a reading on the one, but I believe one of these was at that one bill that showed an estimate the Company did not go back out.
 - O. So that would be October 28?
- 20 A. Right.
 - Q. Would that be a meter reading?
- A. Well, that's when it periodically would have been read normally.
- Q. Okay. The type code for three is what type is that?

A. Automatic estimation.

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- Q. So that doesn't sound like a meter reading?
- A. The 28th was estimated because it was -- they had just read it and the service had been off. So there was an assumption made that there would be no further usage on it. But because they didn't actually show up there to take a reading, it needed to show as an estimate.
- Q. Right. The reason I'm asking about this is because Staff's Report says neither reading showed water use, which makes sense after water has been shut off.

 We'd probably be surprised if there was water use after water was shut off.
 - A. Can you direct me to what you're reading?
- Q. Bottom of page 6 is the sentence we just discussed and then the conclusion neither reading showed water use. So figure out if I understand how this log works trying to figure out if these were actual meter readings especially given Mr. Harris' concern which is unclear about whether a touchpad was removed.
- A. Judge, I found you at the bottom of the page here. Let me -- okay. So neither reading showed water use which meant that after it had been disconnected there was no further usage on it. Are you going back to the reasons or the type?

1	Q. I was looking at the type codes for October 7
2	and October 28. So I think you've already told us with
3	October 28 that was an estimation. So then October 7
4	would be the other meter reading that's referenced by
5	the report and that type code is a different type code.
6	It's type four; isn't that right?
7	A. Yes. That type is type four and that is
8	defined as meter reading interpolated.
9	Q. Right. And I had to get the dictionary out to
10	try to figure out what that might mean. Do you know
11	what that means?
12	A. I think it simply means it's extended, and I
13	don't know what the Company's definition of interpolated
14	and estimated, I don't know what those differences are.
15	Q. Okay. I'm going to ask Ms. Figueroa about
16	this. Maybe she can explain it to us.
17	A. That would be good.
18	Q. Okay. Are you aware of any that the
19	Company provided information to Staff of any meter tests
20	at the Garham Drive meter?
21	A. I'm not aware they provided any information
22	about a meter test to us, no.
23	Q. I believe that Staff's exhibits include a
24	request for a meter testing information, right?

A. Again, check with Mr. Roos, but I'm pretty

sure he put a request in for that. 1 2 JUDGE JACOBS: So I think DR 5 would have included that request. Can you look at -- I don't think 3 4 we actually got the language of the request to DR 5; is 5 that right, Ms. Bretz? That isn't part of the exhibit? 6 It's just what was produced. 7 MS. BRETZ: Yes, that's correct. At a break, 8 I can submit that to everybody though. 9 JUDGE JACOBS: I think if Mr. Roos tells us that meter tests were asked for I think that will cover 10 11 that issue. 12 MS. BRETZ: Okav. THE WITNESS: Judge, that is what we asked for 13 14 in that DR 5. So that is correct. 15 JUDGE JACOBS: Okay. Thank you. BY JUDGE JACOBS: 16 17 And I just have -- I'm looking at my notes. 18 just have a couple more questions for you. Thank you 19 for your patience with me. I was wondering, I wasn't 20 able to tell from reviewing the documents, according to 21 Staff's investigation, what was the date of Mr. Harris' 22 first contact with the Company in regard to that water 23 bill in August 2019? 24 Let me flip through here, please. There were

so many dates. I have a correspondence file and it

should be marked in this and the account notes. 1 2 believe that the Company -- the first thing that occurred was that the Company sent the letter to Mr. 3 Harris indicating that it knew that there was -- it was 4 5 a high bill and encouraged him to look for any signs of 6 water leakage, et cetera, and then Mr. Harris I think 7 they sent several letters and then I'm looking at the 8 account notes here. 9 First contact that Mr. Harris had with the Company, that would be a phone call and I have 10 11 transcripts of some of these phone contacts. I believe 12 according to this it would have been on 12/19. 13 MS. BRETZ: Judge --14 JUDGE JACOBS: I wasn't able to hear that. 15 So Ms. Bernsen, you can feel free to take a minute and just look for the information. 16 17 MS. BRETZ: Judge. 18 JUDGE JACOBS: Ms. Bretz, yes. 19 MS. BRETZ: A clarification. Is your question 20 when Missouri-American first tried to contact Mr. Harris or when Mr. Harris and Missouri-American were 21 22 successfully able to get to talk with each other? 23 JUDGE JACOBS: I'm trying to find out when Mr. Harris first contacted Missouri-American. According to 24 2.5 his testimony, he called the Company.

1	MS.	BRETZ:	Okay.
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THE WITNESS: Give me a second. I believe that was March. I'm checking to make sure. See Mr. Harris' all about the change out of the meter. I see a call on 9/20/2019 that Mr. Harris called about the extremely high bill and there's some language in here about what he and the representative talked about.

BY JUDGE JACOBS:

- Q. Those customer service notes have not been included in an exhibit; is that right?
- A. Not the entire amount of them because they're rather voluminous, but that is at least the first one that I have here received in response to a request for all the correspondence and the notes.
- Q. So I was hoping to find the earliest date of a contact from Mr. Harris about this high bill.
- A. Judge, the other place I can check is the correspondence that Mr. Harris had with the Company and the Company had with him.
 - Q. Do you mean written correspondence there?
 - A. Written, uh-huh.
 - Q. Okay. All right.
- A. And I can look at that if you want me to take a minute now to do that.
 - O. I think we've received a lot of the written

correspondence. I'm going to follow up on this issue with the Company's witness.

A. Okay.

- Q. Does Staff use a rule of thumb or a baseline average for the average amount of water a person might use in a day when they're evaluating how extreme a water bill might appear to be?
- A. I can't answer that. I think again that's a Mr. Roos question.
- Q. Okay. And did Mr. Roos prepare the calculation that's included in Staff's Report that discusses how much water can be used if a hose is left running?
 - A. Yes, Judge, he did.
- Q. Okay. Okay. Did Mr. Harris ever ask Staff to visit the house or otherwise investigate his premises as part of its investigation?
 - A. No, he did not. Not to my knowledge.

JUDGE JACOBS: All right. I don't have any additional questions. Once again, the floor is always open for questions from Commissioners. If you are a Commissioner who connected by phone, you might have to press *6 to be able to speak up and have us hear you.

We can now proceed to recross. So if there are any questions for Ms. Bernsen from the Company, we

1	could do that now.				
2	MS. HERNANDEZ: Yes, Judge.				
3	CROSS-EXAMINATION BY MS. HERNANDEZ:				
4	Q. Ms. Bernsen, the Judge asked you a question				
5	about testing the meter and you made a statement about				
6	how the Company would have tested the meter. Do you				
7	recall that?				
8	A. Yes.				
9	Q. Would you agree with me that Mr. Harris would				
10	need to allow the Company access to his home to be able				
11	to test the meter?				
12	A. Yes, absolutely.				
13	Q. Okay. And you were asked some further				
14	questions about or you had made a statement about meter				

A. Yes.

experience. Do you recall --

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Q. -- the statement that you made? Would you agree with me that if a meter were to malfunction it would typically read slower than in the customer's -- to the customer's advantage?

tests and you had not seen a meter fail in your

A. You know, that would just be my personal experience. I think Mr. Roos is much better at being able to give you a good answer based upon a much broader experience base.

1	Q. Okay. And do you have an opinion as to			
2	whether a meter can self correct and I guess what I mean			
3	by that is after if a meter were to malfunction and			
4	read high, is it likely that a meter would self correct			
5	and go back to reading normal without any type of			
6	maintenance done on that meter?			
7	A. Again, my knowledge of meters and what they			
8	can do is fairly simplistic. I think Mr. Roos is			
9	better, certainly more qualified to answer that.			
10	MS. HERNANDEZ: Okay. Thank you. Nothing			
11	further.			
12	JUDGE JACOBS: Thank you very much, Ms.			
13	Hernandez. Do we have any questions for Ms. Bernsen			
14	from Mr. Harris?			
15	MR. HARRIS: Yeah.			
16	JUDGE JACOBS: We can hear you, sir. You can			
17	go ahead if you have any questions for the witness.			
18	CROSS-EXAMINATION BY MR. HARRIS:			
19	Q. Yeah, Ms. Bernsen, so you're really not			
20	familiar with the first time that I contacted the water			
21	company because of the inability to really coordinate my			
22	phone with my actual account?			
23	A. Mr. Harris, I have asked the Company for some			
24	account notes which would show like a transcript of each			

time you had an interaction with the customer, with that

particular customer, and I didn't -- I did see on one, and I can probably go to it fairly quickly, the notes are very short and one said the customer rep had like added a phone number for you and had asked if they could change your mailing address for the bill and you had told them not to.

That's the only thing -- only account note that I found that had to do with, you know, the telephone number and where to send the bill to and there was like a red flag it said -- if I can find it very quickly.

JUDGE JACOBS: So Ms. Bernsen, if you would just take a minute and find that notation and provide the date for it, please.

THE WITNESS: Sure. Okay. I do have it tabbed. This is in response to Data Request 3 where I asked the Company for account notes. This was on 7/23/2018 and it was at 10:40 in the morning. What is written on it is the correspondence of red flag letter for address change has been created and goes on to say that Mr. Harris did not want to use the phone to do the processing of his bill because they were going to charge him for it.

JUDGE JACOBS: Okay. So you're providing testimony about Mr. -- a contact that Mr. Harris had

with the Company before the high water bill in August 2 2019?

THE WITNESS: Right. And that's what I believe Mr. Harris asked me about.

2.5

JUDGE JACOBS: Okay. So my question for you is whether after the billing date in August 2019 you have customer service notes indicating that Mr. Harris was having trouble connecting on his account because they had the wrong phone number for him which I thought was where you were headed initially with your response. And if such a thing doesn't exist, then you can just tell us that it doesn't exist.

THE WITNESS: I'm not sure whose question I'm answering. Let me first, as far as Mr. Harris talked about is a change in address or telephone number, I see then another note after the first 7/23/2018 this is noted on 12/19/2018 where, and I paraphrase this, calling to see what address to send bill to. Did not see and record any changes but thinks he added an email at that time. These were all showing his 314 telephone number.

JUDGE JACOBS: Okay. So we have just a few minutes before we have to break. So the question that I was asking was whether your customer service notes that you received from the Company indicated a contact from

Mr. Harris after the August 2019 billing date, which I 1 2 believed was August 1 of 2019, that indicated problems with the Company's records on his phone number. So I 3 don't know if you'll be able to get that information 5 very quickly, but that is the pending question. 6 THE WITNESS: Judge, I can continue to look, 7 but I did check that the other day after it came up. I 8 saw, as it related, I saw -- in one case I saw two 9 telephone numbers noted, but it didn't explain why they were both noted on it. I assume at that point Mr. 10 11 Harris had let me add, make sure you've got the right 12 number here. It doesn't say that. 13 Account notes tend to be very brief phrases. 14 And frankly, different representatives go into more 15 detail than others do. 16 JUDGE JACOBS: Okay. Mr. Harris, did you have 17 any other questions for Ms. Bernsen? 18 MR. HARRIS: Yeah. 19 BY MR. HARRIS: 20 Did you get a call -- Also, do you have 21 anything about Channel 2 calling about my account? 22 Sir, I wouldn't -- I certainly didn't see Α. 23 anything like that in any of the notes or documents I received. 24 2.5 JUDGE JACOBS: That's the answer to the

1	question I think is that you didn't see anything. Did				
2	you have any other questions, Mr. Harris?				
3	MR. HARRIS: Yeah.				
4	BY MR. HARRIS:				
5	Q. Did you have any account of me calling the				
6	dispute department about the account which is in Alton,				
7	Missouri?				
8	A. Sir, the account notes that I get that I asked				
9	for and that I got, they would come from representatives				
10	that would have taken phone calls from you at the				
11	Company and that's one of their call centers is in				
12	Alton, Missouri.				
13	MR. HARRIS: I think we need that information.				
14	JUDGE JACOBS: Mr. Harris, did you have any				
15	other questions?				
16	MR. HARRIS: No.				
17	JUDGE JACOBS: Okay. Thank you very much.				
18	All right. We only have a couple minutes before our				
19	court reporter absolutely has to go. So unfortunately I				
20	think what we'll have to do is give Ms. Bretz an				
21	opportunity to do any recross with Ms. Bernsen when we				
22	resume the hearing at one o'clock this afternoon.				
23	So that is the plan that this hearing will				
24	resume today at 1:00 p.m. sharp. You can go ahead and				
25	maintain your connection. Mr. Harris, if that works for				

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1
     you. Just make sure you've muted your line and cut your
 2
     video so you don't broadcast to everyone for the entire
 3
     lunch hour. So unless anyone has anything else to add
     before we go off the record, I'm not seeing anything.
 4
     So we will now go off the record in this case. We will
 5
     reconvene at 1:00 p.m. Thank you very much.
 6
 7
               (Off the record.)
 8
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CERTIFI	CATE (ЭF	REPORTER

I, Beverly Jean Bentch, RPR, CCR No. 640, Certified Court Reporter with the firm of Tiger Court Reporting, LLC, within the State of Missouri, do hereby certify that I was personally present at the proceedings had in the above-entitled cause at the time and place set forth in the caption sheet thereof; that I then and there took down in Stenotype the proceedings had; and that the foregoing is a full, true and correct transcript of such Stenotype notes so made at such time and place.

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