

PRE-HEARING CONFERENCE

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Pre-Hearing Conference
January 11, 2016
Jefferson City, Missouri

Volume 1

RHONDA MARTIN,)	
Complainant,)	
vs.)	File No. WC-2016-0079
MISSOURI-AMERICAN WATER)	
COMPANY,)	
Respondent.)	

DANIEL R. E. JORDAN, Presiding,
SENIOR REGULATORY LAW JUDGE

REPORTED BY:

Pamela S. Gentry, CCR NO. 426
TIGER COURT REPORTING, LLC

PRE-HEARING CONFERENCE

APPEARANCES:

FOR THE COMPLAINANT:

MS. RHONDA MARTIN (Pro Se) (via telephone)

FOR MISSOURI-AMERICAN WATER COMPANY:

MR. DEAN L. COOPER

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and

MR. TIMOTHY W. LUFT (via telephone)

Missouri-American Water Company

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St. Louis, Missouri 63141

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FOR THE STAFF OF THE PUBLIC SERVICE COMMISSION:

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PRE-HEARING CONFERENCE

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APPEARANCES: (cont'd.)

FOR THE CHIEF STAFF COUNSEL OF THE PUBLIC SERVICE
COMMISSION:

MR. KEVIN A. THOMPSON

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ALSO PRESENT:

Ms. Gay Fred
Mr. Dan Hyatt (via telephone)

PRE-HEARING CONFERENCE

P R O C E E D I N G S

JUDGE JORDAN: The Commission is calling the case in File No. WC-2016-0079. This is the small formal complaint of Rhonda Martin versus Missouri - American Water Company. We're here for a pre-hearing conference.

My name is Daniel Jordan. I'm a Regulatory Law Judge assigned to this action, and we will begin with entries of appearance, and I'll ask counsel and Ms. Martin to introduce any -- anyone who is not counsel with them, also.

Let's start with the complainant, Ms. Martin?

MS. MARTIN: Yeah.

JUDGE JORDAN: I'm going to turn you up here a little bit.

And you're -- that's Ms. Martin, Ms. Rhonda Martin, the complainant?

MS. MARTIN: Yeah.

JUDGE JORDAN: And you have someone accompanying you as well?

MS. MARTIN: Yeah.

JUDGE JORDAN: And will you introduce him?

MS. MARTIN: His name is Dan Hyatt. He

PRE-HEARING CONFERENCE

1 is my landlord.

2 JUDGE JORDAN: The landlord, did you say?

3 MS. MARTIN: Yes.

4 JUDGE JORDAN: Yes. You're kind of
5 fading in and out again, so I'm going to turn you up a
6 little bit here.

7 MS. MARTIN: Okay.

8 JUDGE JORDAN: All right.

9 And, now, Missouri-American Water
10 Company.

11 MR. LUFT: This is Tim Luft, Missouri -
12 American Water Company, 1127 Craig Road, St. Louis
13 Missouri, 63141. I am the attorney for the company.

14 MR. COOPER: This is Dean Cooper from the
15 law firm of Brydon, Swearingen & England appearing for
16 the Missouri-American Water Company. The Court
17 Reporter has the address.

18 MR. JOHNSON: This is Mark Johnson on
19 behalf of Staff.

20 MR. THOMPSON: P.O. Box 360, Jefferson
21 City, Missouri, 65102, and accompanying us is Ms. Gay
22 Fred who is the head of the Staff Consumer Services
23 Unit.

24 JUDGE JORDAN: Thank you.

25 And Chief Staff Counsel; is that correct?

PRE-HEARING CONFERENCE

1 MR. THOMPSON: Chief Staff Counsel,
2 that's correct.

3 JUDGE JORDAN: Anyone here from the
4 Office of Public Counsel?

5 (No response.)

6 JUDGE JORDAN: Not hearing anyone -- not
7 seeing anyone in the room and not hearing anyone on the
8 line, the Office of Public Counsel is a party to this
9 action by regulation but has elected to make no
10 appearance so far it seems.

11 Well, here's what we're going to do
12 today. We're going to have this pre-hearing conference
13 in part on the record. We have a Court Reporter
14 recording this portion. We can discuss procedure, we
15 can discuss substantive issues if the parties want, and
16 we can certainly explore the possibilities for
17 settlement.

18 After we've done that, we will go off the
19 record, and I will leave the room, and the reason we --
20 we do that and make this -- this space and time
21 available is so that the parties can discuss issues
22 that may be sensitive that they maybe don't want the
23 Regulatory Law Judge to hear, so they can speak frankly
24 and candidly without prejudicing their case. And, I'll
25 also remind the parties that mediation is also possible

PRE-HEARING CONFERENCE

1 if they have -- if they would like to have some help
2 working things out.

3 We have this line open for one hour, and
4 when the parties are through with this, I'll ask Staff
5 to turn off the phone and let me know. I'll be in my
6 office all day, as far as I know.

7 There is one thing I want to mention -- a
8 couple things I want to mention in case this case does
9 go to hearing, and that is it will be a formal
10 evidentiary hearing. It's a lot like a Circuit Court
11 action without a jury. I'm going to make sure that
12 everyone is aware of the statute which governs
13 admissible evidence that is in the Revised Statutes of
14 Missouri, Section 536.070. That's 536.070.

15 And, when the time comes, if it does come
16 for an evidentiary hearing, please remember that I'm
17 just an administrative lawyer, I'm not an engineer, I'm
18 not an accountant, so make sure that you present your
19 case in words of one syllable, if -- if we come to a
20 hearing.

21 Questions so far?

22 MS. MARTIN: I'm -- not at this time.

23 JUDGE JORDAN: Thank you, Ms. Martin.

24 Anything from the utility?

25 MR. COOPER: No, your Honor.

PRE-HEARING CONFERENCE

1 JUDGE JORDAN: And from Staff?

2 MR. THOMPSON: No, Judge. I guess, if
3 there's a hearing, it will be held in St. Louis.

4 JUDGE JORDAN: According to regulation on
5 small formal complaints, yes.

6 MR. THOMPSON: Okay. Thank you.

7 JUDGE JORDAN: Anything else that I can
8 do for the parties while I'm here and we are on the
9 record?

10 MS. MARTIN: No. Thank you.

11 JUDGE JORDAN: Okay.

12 Well, with that, then, I will adjourn
13 this on-the-record portion of the pre-hearing
14 conference, and we will go off the record.

15 Thank you. Thank you, everyone.

16 (Off the record.)

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PRE-HEARING CONFERENCE

C E R T I F I C A T E

I, Pamela S. Gentry, Certified Shorthand Reporter with the firm of Tiger Court Reporting, LLC, 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.


Pamela S. Gentry, CCR 426



PRE-HEARING CONFERENCE

A	2:19	guess 8:2	law 1:19 4:8
above-entitled	Development	H	5:15 6:23
9:6	2:20	head 5:22	lawyer 7:17
accompanying	discuss 6:14,15	hear 6:23	leave 6:19
4:21 5:21	6:21	hearing 6:6,7	Let's 4:12
accountant 7:18	E	7:9,10,16,20	line 6:8 7:3
action 4:8 6:9	E 4:1,1 9:1,1	8:3	little 4:16 5:6
7:11	East 2:7	held 8:3	LLC 1:25 9:4
address 5:17	Economic 2:19	help 7:1	lot 7:10
adjourn 8:12	elected 6:9	Honor 7:25	Louis 2:15 5:12
administrative	engineer 7:17	hour 7:3	8:3
7:17	England 2:6	Hyatt 3:11 4:25	Luft 2:12 5:11
admissible 7:13	5:15	I	5:11
American 4:5	entries 4:9	introduce 4:10	M
5:12	evidence 7:13	4:23	Madison 2:22
appearance 4:9	evidentiary 7:10	issues 6:15,21	3:6
6:10	7:16	J	Mark 2:18 5:18
APPEARAN...	explore 6:16	January 1:7	Martin 1:12 2:3
2:1 3:1	F	Jefferson 1:8 2:9	4:4,10,13,14
appearing 5:15	F 9:1	2:23 3:7 5:20	4:17,18,19,22
assigned 4:8	fading 5:5	Johnson 2:18	4:25 5:3,7 7:22
attorney 5:13	far 6:10 7:6,21	5:18,18	7:23 8:10
available 6:21	File 1:14 4:3	Jordan 1:19 4:2	mediation 6:25
aware 7:12	firm 5:15 9:4	4:7,15,20,23	mention 7:7,8
B	foregoing 9:9	5:2,4,8,24 6:3	Missouri 1:1,8
behalf 5:19	formal 4:4 7:9	6:6 7:23 8:1,4	2:9,15,19,23
bit 4:16 5:6	8:5	8:7,11	3:4,7 5:13,21
Box 2:8,22 3:6	forth 9:7	Judge 1:19 4:2,8	7:14
5:20	frankly 6:23	4:15,20,23 5:2	Missouri- 4:4
Brydon 2:6 5:15	Fred 3:10 5:22	5:4,8,24 6:3,6	5:11
Building 2:21	full 9:9	6:23 7:23 8:1,2	Missouri-Ame...
3:5	G	8:4,7,11	1:15 2:4,13 5:9
C	G 4:1	jury 7:11	5:16
C 4:1 9:1,1	Gay 3:10 5:21	K	N
calling 4:2	Gentry 1:24 9:3	KEVIN 3:3	N 4:1
candidly 6:24	9:15	kind 5:4	name 4:7,25
Capitol 2:7	go 6:18 7:9 8:14	know 7:5,6	notes 9:10
caption 9:7	going 4:15 5:5	L	O
case 4:3 6:24 7:8	6:11,12 7:11	L 2:5	O 4:1
7:8,19	Governor 2:21	landlord 5:1,2	office 2:21 3:5
cause 9:6	3:5		6:4,8 7:6
CCR 1:24 9:15	governs 7:12		Okay 5:7 8:6,11

PRE-HEARING CONFERENCE

on-the-record 8:13 open 7:3	8:9,14,16 recording 6:14 regulation 6:9 8:4 Regulatory 1:19 4:8 6:23 remember 7:16 remind 6:25 REPORTED 1:23 Reporter 5:17 6:13 9:4 Reporting 1:25 9:4 Respondent 1:17 response 6:5 Revised 7:13 Rhonda 1:12 2:3 4:4,18 right 5:8 Road 2:14 5:12 room 6:7,19	7:4 8:1 start 4:12 State 1:1 2:19 3:4 statute 7:12 Statutes 7:13 Stenotype 9:8 9:10 Street 2:22 3:6 substantive 6:15 Suite 2:21 3:5 sure 7:11,18 Swearengen 2:6 5:15 syllable 7:19	Volume 1:10 vs 1:14	5 536.070 7:14,14 573.635.7166 2:10 573.751.6514 3:8 573.751.7431 2:24
P P 4:1 P.C 2:6 P.O 2:8,22 3:6 5:20 Pamela 1:24 9:3 9:15 part 6:13 parties 6:15,21 6:25 7:4 8:8 party 6:8 personally 9:5 phone 7:5 place 9:7,11 please 7:16 portion 6:14 8:13 possibilities 6:16 possible 6:25 pre-hearing 1:6 4:5 6:12 8:13 prejudicing 6:24 present 3:9 7:18 9:5 Presiding 1:19 Pro 2:3 procedure 6:14 proceedings 1:4 9:6,8 Public 1:2 2:17 2:20 3:2,4 6:4 6:8	S S 1:24 4:1 9:3,15 Se 2:3 Section 7:14 seeing 6:7 SENIOR 1:19 sensitive 6:22 Service 1:2 2:17 2:20 3:2,4 Services 5:22 set 9:7 settlement 6:17 sheet 9:7 Shorthand 9:3 small 4:3 8:5 space 6:20 speak 6:23 St 2:15 5:12 8:3 Staff 2:17 3:2 5:19,22,25 6:1	T T 9:1,1 telephone 2:3,12 3:11 Thank 5:24 7:23 8:6,10,15,15 thereof 9:7 thing 7:7 things 7:2,8 THOMPSON 3:3 5:20 6:1 8:2,6 Tiger 1:25 9:4 Tim 5:11 time 6:20 7:15 7:22 9:6,10 TIMOTHY 2:12 today 6:12 transcript 1:4 9:10 true 9:9 turn 4:15 5:5 7:5	W W 2:12 want 6:15,22 7:7 7:8 Water 1:15 2:4 2:13 4:5 5:9,12 5:16 WC-2016-0079 1:14 4:3 we're 4:5 6:11 6:12 we've 6:18 words 7:19 working 7:2	6 63141 2:15 5:13 65102 5:21 65102-0360 2:23 3:7 65102-0456 2:9
Q Questions 7:21			X	7
R R 4:1 9:1 R.E 1:19 reason 6:19 record 6:13,19			Y Yeah 4:14,19,22	8 800 2:21 3:5
			Z	
			0	
			1 1 1:10 11 1:7 1127 2:14 5:12	
			2 200 2:22 3:6 2016 1:7	
			3 312 2:7 314.996.2279 2:16 360 2:22 3:6 5:20	
			4 426 1:24 9:15 456 2:8	
		U Unit 5:23 utility 7:24		
		V versus 4:4		