

*Exhibit No.:*

*Issue(s):* *Compliance, Engineering  
and Logistical concern;  
Expired Lease for  
Land Application*

*Witness:* *Daronn A. Williams*

*Sponsoring Party:* *MoPSC Staff*

*Type of Exhibit:* *Surrebuttal Testimony*

*Case No.:* *SA-2021-0017*

*Date Testimony Prepared:* *March 16, 2021*

**MISSOURI PUBLIC SERVICE COMMISSION**

**INDUSTRY ANALYSIS DIVISION**

**WATER & SEWER DEPARTMENT**

**SURREBUTTAL TESTIMONY**

**OF**

**DARONN A. WILLIAMS**

**MISSOURI-AMERICAN WATER COMPANY**

**CASE NO. SA-2021-0017**

*Jefferson City, Missouri  
March 2021*



Surrebuttal Testimony of  
Daronn A. Williams

1 Q. Have you previously filed testimony before the Commission?

2 A. No.

3 Q. Are you the same Daronn A. Williams that contributed to Staff's Memorandum  
4 attached to Staff's November 18, 2020, recommendation to approve Missouri-American Water  
5 Company's ("Company" or "MAWC") application for a Certificate of Convenience and  
6 Necessity ("CCN")?

7 A. Yes. The November 18, 2020 memorandum is included as part of  
8 Schedule JAB-d2 of the direct testimony of Staff witness James A. Busch.

9 Q. What is the purpose of your surrebuttal testimony?

10 A. The purpose of my surrebuttal testimony is to respond to Mr. Dennis E. Stith's  
11 rebuttal testimony regarding his concerns of MAWC not addressing design flow, storage  
12 capacity, land application capacity, and the expired irrigation lease with the farmer near Cell 2.

13 Q. On page 6, beginning on line 13 of his rebuttal testimony, Mr. Stith stated,  
14 "MAWC has failed to address critical concerns about the adequacy of the design flow and  
15 storage capacity of the Hallsville sewer system, and adequacy of available land application  
16 capacity..." Do you have a response to this statement?

17 A. Yes. While MAWC may not have provided specific possible long-term  
18 solutions in its Application, it is aware of the capacity and compliance issues. Staff discussed  
19 the Hallsville compliance issues and possible long-term solutions for the Hallsville system with  
20 MAWC during its September 2, 2020, site inspection. MAWC provided Staff with some  
21 possible solutions in MAWC's response to Staff Data Request (DR) No. 0012. A copy  
22 of MAWC's response to DR No. 0012 is attached as Confidential Schedule DAW-s1 to this  
23 testimony. Furthermore, on March 5, 2021, MAWC provided Staff a fifth possible

Surrebuttal Testimony of  
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1 long-term solution via e-mail. Specifics of all five confidential possible solutions are  
2 explained in Confidential Schedule DAW-s2. All of the possible solutions are contingent upon  
3 DNR's approval.

4 An overview, reasoning, and estimate of all five possible long-term solutions proposed  
5 by MAWC are as follows:

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1           The ability to modify the existing permit to allow a discharge is uncertain  
2 because of DNR regulations. This change would require an Antidegradation Review. In order  
3 for MAWC to receive a permit allowing the Hallsville system to be a discharging system, it  
4 would need to demonstrate that a discharging system is needed, before a discharge is allowed,  
5 per 10 CSR 20-6.010.

6           If MAWC is granted a CCN, it will analyze real time data from the system  
7 (i.e. actual effluent parameters, flows, etc.) and finalize a long-term solution. This is a common  
8 practice and aligns with Staff expectations. It is my opinion that this is an acceptable approach  
9 if MAWC is awarded the CCN.

10           All of these proposals are viable, long-term solutions for the Hallsville system.  
11 If MAWC follows its past performance history, then it is my position that MAWC will provide  
12 safe and reliable service to the citizens of Hallsville like it has done for thousands of Missouri  
13 water and sewer customers.

14           Q.     On page 9, lines 8-10 of Mr. Stith's rebuttal testimony, he states that  
15 "MAWC has not indicated a renewal occurred or that it or the City has been or will be able to  
16 lease different land application fields." How do you respond?

17           A.     It is my understanding that Mr. Stith is referring to the expired lease with the  
18 farmer near Cell 2 for land application fields. The lease terms with this particular farmer are  
19 renegotiated every year. The other land application lease held by the City with the farmer near  
20 cells 1 and 3 is for a 10-year period, ending September 15, 2023. MAWC is not yet in a position  
21 to enter any agreements as it relates to owning and operating this system. In order to make the  
22 best possible decision, MAWC, or any owner, would need to operate the system to determine  
23 the exact issues that are occurring and then be able to craft the most efficient decision.

Surrebuttal Testimony of  
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1 Upon ownership, MAWC will continue to utilize the existing irrigation system until a formal  
2 long-term solution is developed.

3 That being said, MAWC informed Staff on March 12, 2021, via e-mail, that the  
4 City has negotiated a pending new agreement with the Cell 1 farmer likely beginning sometime  
5 during the week of March 15, 2021, and ending on November 31, 2021. Per the City's report  
6 to MAWC, this is the typical timeframe to irrigate. Per conversations with MAWC, if it is  
7 granted this CCN, it will continue to work with both farmers until a permanent solution is  
8 determined.

9 Q. Does this conclude your surrebuttal testimony?

10 A. Yes.



**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF MISSOURI**

In the Matter of Missouri-American Water    )  
Company's Application for a Certificate of    )  
Convenience and Necessity Authorizing it    )  
to Install, Own, Acquire, Construct,        )  
Operate, Control, Manage and Maintain a    )  
Sewer System in and around the City of     )  
Hallsville, Missouri                            )

Case No. SA-2021-0017

**AFFIDAVIT OF DARONN A. WILLIAMS**

STATE OF MISSOURI        )  
                                  )        ss.  
COUNTY OF COLE         )

**COME NOW DARONN A. WILLIAMS** and on his oath declares that he is of sound mind and lawful age; that he contributed to the foregoing *Surrebuttal Testimony of Daronn A. Williams*; and that the same is true and correct according to his best knowledge and belief, under penalty of perjury.

Further the Affiants sayeth not.

/s/ Daronn A. Williams  
**DARONN A. WILLIAMS**

**SCHEDULE DAW-s1**

**HAS BEEN DEEMED**

**CONFIDENTIAL**

**IN ITS ENTIRETY**

**SCHEDULE DAW-s2**

**HAS BEEN DEEMED**

**CONFIDENTIAL**

**IN ITS ENTIRETY**