

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS
Local Public Hearing
August 25, 2011
Troy, Missouri
Volume 1

In The Matter Of Lincoln)
County Sewer & Water, LLC For) File No. WA-2012-0018
A Certificate of Convenience)
And Necessity Authorizing It)
To Own, Operate, Maintain,)
Control And Manage Water)
Systems In Lincoln County,)
Missouri)

In The Matter Of Lincoln)
County Sewer & Water, LLC For) File No. SA-2012-0019
A Certificate of Convenience)
And Necessity Authorizing It)
To Own, Operate, Maintain,)
Control And Manage Water)
Systems In Lincoln County,)
Missouri)

KENNARD JONES, Presiding
SENIOR REGULATORY LAW JUDGE

JEFF DAVIS
COMMISSIONER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES

For Lincoln County Sewer and Water:

MR. DEAN L. COOPER
Brydon, Swearingen & England
312 East Capitol Avenue
P.O. Box 456
Jefferson City, Missouri 65102
573.635.7166
573.635.3847 Fax
dcooper@brydonlaw.com

MR. JAMES D. BURLISON
McIlroy and Millan
103A Community Bank Plaza
Troy, Missouri 63379
636.462.4505
636.528.1457 Fax
jim_burlison@mcilroyandmillan.com

For Office of the Public Counsel:

MS. CHRISTINA BAKER
Senior Public Counsel
200 Madison Street
P.O. Box 2230
Jefferson City, Missouri 65101
573.751.5565
573.751.5562 Fax
christina.baker@ded.mo.gov

For the Staff of the Missouri Public Commission:

MS. RACHEL LEWIS
Deputy Counsel
P.O. Box 360
Jefferson City, Missouri 65102
573.526.6715
573.751.9285 Fax
rachel.lewis@psc.mo.gov

COURT REPORTER:

SUZANNE ZES
Midwest Litigation Services
711 North Eleventh Street
St. Louis, MO 63101
314.644.2191

1 P R O C E E D I N G S

2 JUDGE JONES: Okay. My name is Kennard
3 Jones, I am the regulatory law judge presiding over
4 this hearing. There is a Harold Stearley, who is the
5 Judge assigned to the matter and I am substituting for
6 him tonight. To my left is Commissioner Jeff Davis,
7 Public Service Commission. Commissioner Davis, would
8 you like to make any statements?

9 COMMISSIONER DAVIS: Sure. Good evening.
10 My name is Jeff Davis, I am one of the five
11 Commissioners that could not appear tonight. I used
12 to live in this area. I used to live in St. Charles,
13 outside of O'Fallon out off of Highway K. So, used to
14 live here for a few years, so I am familiar with the
15 area. I know this is a very passionate issue for many
16 of you, we appreciate that you came here tonight and
17 we don't necessarily have all the answers but we are
18 looking for answers and we are looking for
19 suggestions. You know, we certainly want to do what
20 we can to make sure that you have safe and adequate
21 service and rates that you could actually afford. So,
22 anyway, I look forward to hearing from all of you and
23 we appreciate your time. We understand your time is
24 valuable and so, we appreciate you participating in
25 the process. Thank you.

1 JUDGE JONES: Okay. And this is a matter of
2 Lincoln County Sewer and Water, LLC, for a certificate
3 of convenience and necessity authorizing the company
4 to own, operate, maintain, control and manage water
5 and sewer systems here in Lincoln County. Case Nos.
6 WA-20120018 and SA-20120019 and I believe those cases
7 have been consolidated. At this time we will have
8 entries of appearances beginning with Lincoln County
9 Sewer and Water.

10 MR. COOPER: Your Honor, Dean Cooper, P.O.
11 Box 456, Jefferson City, Missouri 65102, appearing on
12 behalf of Lincoln County Sewer and Water, LLC.

13 JUDGE JONES: Thank you, Mr. Cooper. And
14 Staff of the Commission?

15 MR. COOPER: Your Honor, we also have Mr.
16 Burlison.

17 MR. BURLISON: Good evening, Your Honor.
18 James D. Burlison, McIlroy and Millan, 103A Community
19 Bank Plaza, Troy, Missouri 63379, appearing on behalf
20 of applicant.

21 JUDGE JONES: Thank you, sir. And from the
22 Staff of the Commission?

23 MS. LEWIS: Rachel Lewis, attorney for the
24 Staff of the Public Service Commission, Post Office
25 Box 360, Jefferson City, Missouri 65102.

1 JUDGE JONES: From the Office of Public
2 Counsel?

3 MS. BAKER: Thank you. Christina Baker,
4 P.O. Box 2230, Jefferson City, Missouri 65102,
5 appearing on behalf of the Office of Public Counsel
6 and the customers.

7 JUDGE JONES: Thank you. And I don't see
8 anyone but are there any other attorneys here that
9 would like to enter an appearance on behalf of the
10 parties in this case? (no response) All right.
11 Well, at this time we are going to take on the record
12 statements from those of you who have signed up. And
13 what I'll do is call your name as it appears on this
14 list that I have here, I will ask you to step up to
15 the podium, raise your right hand, I will swear you in
16 and then you can go ahead and proceed with your
17 statement. After your done with your statement I
18 would like you to remain just for a moment, in other
19 words, when you're finished just don't turn and run
20 away. Myself or Commissioner Davis may have a
21 question for you to clarify your statement. I will
22 remind you that you are not at this time able to ask
23 questions of either of us. That is what the previous
24 session was for. Now, if you come up with questions
25 during this portion, it might be best for you to wait

1 until after it is done and ask some of the staff that
2 may remain or contact the Public Service Commission or
3 the office of public counsel for your questions through
4 email or mail or telephone. Does anyone have -- well,
5 I guess I just said you can't ask any questions, does
6 anybody have any questions about the process here
7 tonight? Is there anyone that doesn't understand how
8 this is going to work? (no response) After I go
9 through those that have signed up, I will give anyone
10 else an opportunity to speak if you would like to, so
11 if you haven't signed up don't fret, you will have an
12 opportunity to speak. So let's get started. First --
13 now when you come up to the mic, will you please spell
14 your name for the court reporter also. First we have
15 Jesse Green.

16 MR. GREEN: Good evening.

17 JUDGE JONES: Good evening.

18 MR. GREEN: My name is Jesse Green,
19 J-E-S-S-E, G-R-E-E-N. I reside at 261 Bennington
20 Drive, Lincoln Estates.

21 JUDGE JONES: Can you raise your right hand,
22 sir?

23 MR. GREEN: Yes, sir.

24 JUDGE JONES: Do you solemnly affirm that
25 the testimony you are about to give is the truth?

1 MR. GREEN: Under God I do.

2 JUDGE JONES: Thank you. You may proceed.

3 MR. GREEN: What I have here is a letter
4 that I prepared on the 22nd of August. This letter
5 was circulated within the Bennington side of the
6 Bennington Estates side. I apologize to the people
7 here on the Benjamin side. I have had a back injury,
8 a copy of this letter was delivered to a Benjamin
9 address. It with not disseminated, I won't go any
10 further there. With the following -- if I may read
11 this?

12 JUDGE JONES: Sure you may.

13 MR. GREEN: Pubic Service Commission, State
14 of Missouri, this is dated August 22nd, 2001, this
15 will be given to you. Request of the Lincoln County
16 Sewer and Water, LLC for certificate of convenience in
17 the necessity of authorization. Commission and Your
18 Honor, we the following residents/owners of property
19 within the Bennington Estates subdivision in Lincoln
20 County, Missouri, request that the Commission approve
21 the request of the LLC for certificate of convenience
22 and necessity to authorize the LLC to own, operate,
23 maintain, control and manage the water and sewer
24 system within the Bennington Estates -- Bennington
25 Estates subdivision. Mr. Dennis Kallash has

1 maintained our water and sewer system in an
2 outstanding and professional manner. Any issues have
3 been addressed in a timely and satisfactory manner.
4 It is the understanding of the here-in signed
5 residents, that if the request from the LLC is
6 approved, water meters will be installed in each
7 property without delay. The cost of installation will
8 be the complete responsibility of the LLC. And I
9 might add that was previously Bennington Water and
10 Sewer. This will ensure that each property is billed
11 for the individual water usage. Your approval on this
12 issue will be greatly appreciated by those of who the
13 system serves. Respectfully, I have signed it first,
14 naturally and I believe there is a total of 23
15 signatures of people who own residences within
16 Bennington. We made an effort to get to every house
17 on the Bennington side. Like I said, I apologize to
18 those on the Benjamin side. I believe I have one more
19 here, if you excuse me. That is all I have.

20 JUDGE JONES: Okay. Any questions
21 Commissioner Davis?

22 COMMISSIONER DAVIS: So, you live in
23 Bennington and you support the application for the
24 LLC, for them to be a regulated utility?

25 MR. GREEN: Myself and those who have signed

1 this letter, there is approximately 23 signatures
2 here.

3 COMMISSIONER DAVIS: Okay. And you
4 understand they will be entitled to make a profit?

5 MR. GREEN: Most certainly.

6 COMMISSIONER DAVIS: Okay. And when they
7 invest money in meters, that they -- in all
8 likelihood, would be entitled to recover that
9 investment with a, you know, return?

10 MR. GREEN: That's negative. We have a
11 letter, I apologize for not bringing it, we got a
12 letter from Mr. Burlison recently, if this was
13 approved that water meters would be installed in
14 Bennington, at no cost to any individual owners. It
15 would be taken care by the Bennington Water and Sewer
16 system, which will now become the LLC.

17 COMMISSIONER DAVIS: Okay. So you have a
18 letter stating that they will --

19 MR. GREEN: Will not charge.

20 COMMISSIONER DAVIS: -- will not charge,
21 will not charge for the meters or the installation?

22 MR. GREEN: That is correct. And they will
23 also repair any ground that is disturbed.

24 COMMISSIONER DAVIS: Okay.

25 MR. GREEN: I have a letter to that affect,

1 I apologize I didn't bring it.

2 COMMISSIONER DAVIS: Okay and that's fine.

3 If you would, would it be possible if -- Mr. Merciel,

4 if you could get with this gentlemen and get a copy.

5 I'm sure Mr. Merciel and Ms. Baker would both be

6 interested in getting a copy of that letter.

7 MR. GREEN: Sure.

8 COMMISSIONER DAVIS: Thank you, sir.

9 MR. GREEN: Thank you.

10 JUDGE JONES: Now before you hand this to

11 me, let me tell you this, it may be best for you to

12 turn it over to the Office of Public Counsel and let

13 that be put into the public comment section on our

14 website. Because the testimony you gave -- that is

15 the letter you just read, right?

16 MR. GREEN: Yes, sir.

17 JUDGE JONES: It's in the record now. So it

18 will be redundant for it to be marked as evidence.

19 MR. GREEN: All right, sir.

20 JUDGE JONES: You understand what I mean?

21 MR. GREEN: Yes, sir, I do.

22 MS. BAKER: I would suggest, if I might, it

23 goes in as an exhibit, if you don't mind.

24 JUDGE JONES: In addition to the testimony

25 that we just took that was read from the letter?

1 MS. BAKER: Because there were signatures on
2 there.

3 JUDGE JONES: Okay. We will mark it as
4 Exhibit 1.

5 MR. GREEN: Should I give it to you?

6 JUDGE JONES: Yes.

7 MR. GREEN: I believe that is both of them,
8 if you will just check it real quickly on the second
9 page here. Those are live signatures, there are no
10 photocopies. We just didn't get that far.

11 JUDGE JONES: So the only difference between
12 these two letters are the signatures?

13 MR. GREEN: Yes, sir. There are different
14 signatures on this letter. What had happened, two of
15 us were circulating the letter.

16 JUDGE JONES: Okay. I understand.

17 MR. GREEN: And we had to make copies, it
18 was just to expedite it.

19 JUDGE JONES: The attorneys that are
20 present, would any of you like to view this exhibit?

21 MR. GREEN: I got copies.

22 JUDGE JONES: You mind passing those copies
23 out?

24 MR. GREEN: Sure.

25 JUDGE JONES: Is there any objection to -- I

1 have marked the one letter with signatures on it as
2 Exhibit 1A and the second one with other signatures on
3 it as Exhibit 1B. Is there any objections to Exhibits
4 1A and 1B?

5 (Exhibit 1A and 1B were marked for
6 identification by the court reporter.)

7 MS. LEWIS: None from Staff, Your Honor.

8 MR. COOPER: None.

9 JUDGE JONES: Hearing no objections,
10 Exhibits 1A and 1B are admitted into the record.

11 UNIDENTIFIED SPEAKER: Can anyone object or
12 just the attorneys, just wondering.

13 JUDGE JONES: No. Next we will here from
14 Mike Oakley, are you present? Can use raise your
15 right hand please? Do you solemnly affirm that the
16 testimony you are about to give is the truth?

17 MR. OAKLEY: I do.

18 JUDGE JONES: Thank you, sir. Can you
19 please state your name for the court reporter?

20 MR. OAKLEY: Mike Oakley, O-A-K-L-E-Y.

21 JUDGE JONES: You may proceed.

22 MR. OAKLEY: I don't know if I'm allowed to
23 comment about what was done earlier but I would just
24 ask that any list like that be looked at as far as
25 homeowners, not have multiple signatures from one

1 home.

2 COMMISSIONER DAVIS: Yes.

3 JUDGE JONES: That's a good point.

4 MR. OAKLEY: My only concern -- I am not
5 concerned about having a meter in my home. I'm not
6 even overly concerned with Dennis running it.

7 MS. BAKER: We can't hear you.

8 MR. OAKLEY: I am not overly concerned with
9 having a meter in my home, I am fine with that, I to
10 pay for water I use. I feel like it would be
11 regulated better, if it is changed, I agree with that.
12 My concerns are, since we have moved in we have been
13 told that the well is only adequate for household use,
14 my question is what is household use? To me, normal
15 household use also includes my ability to use water
16 outdoors, wash my car, water my yard when it's needed,
17 I expect that to be regulated to an extent during
18 heavy droughts, I expect that completely. But on a
19 normal basis I expect to be able to do these things
20 and pay for my water. From the numbers we have been
21 told by Dennis, what this well will provide, it will
22 not provide water for us to water our yards ever. Not
23 temporarily during a drought, ever. I was not told
24 that when I bought my house but I have been told that
25 since then and I don't think that is right. If this

1 well will adequately supply water to all our residents
2 and we can water our yards at least without drought,
3 than I am all for it.

4 JUDGE JONES: Any questions Commissioner
5 Davis?

6 COMMISSIONER DAVIS: And sir, you live in
7 Bennington?

8 MR. OAKLEY: Yes, I do, 208 Bennington
9 Drive.

10 COMMISSIONER DAVIS: Okay.

11 MR. OAKLEY: We have been told on numerous
12 occasions the well will not provide water for that,
13 under no circumstances.

14 COMMISSIONER DAVIS: Okay. So, you would
15 want us to look into the capacity?

16 MR. OAKLEY: Absolutely.

17 COMMISSIONER DAVIS: Okay.

18 MR. OAKLEY: We have been told there have
19 been problems in the past due to water supply with
20 some people watering, we don't even have a lot full
21 yet.

22 COMMISSIONER DAVIS: That was going to be my
23 next question, you still have lots that are --

24 MR. OAKLEY: There are empty lots. There is
25 going to be an additional draw on the well than there

1 is now and we have had problems already.

2 COMMISSIONER DAVIS: Do you know who owns
3 the lots?

4 MR. OAKLEY: A variety of people, there are
5 several people that own lots, a couple of
6 homebuilders, Dennis owns a few himself.

7 COMMISSIONER DAVIS: Okay. Mr. Merciel,
8 when Staff makes a recommendation, can you address the
9 capacity issue?

10 MR. MERCIEL: Yes, sir, we will.

11 COMMISSIONER DAVIS: Thank you. All right.
12 I don't have any further questions, is there anything
13 else you want to add?

14 MR. OAKLEY: I mean, there was a statement
15 that Dennis has provided things on a big basis, on a
16 stand-up kind of guy, I have never gotten that. I
17 have been there for seven and a half years, he rules
18 by intimidation. You get letters from lawyers, he
19 doesn't come by and talk to you, he doesn't come by
20 and greet you, he comes out and threatens. I don't
21 like his style and I hope there is something that can
22 be done about this.

23 COMMISSIONER DAVIS: Okay. What were the
24 nature of the letters, do you know?

25 MR. OAKLEY: Just due to the watering

1 mostly. But he has got an attitude that he can change
2 -- rules at will, he has total control and he does.
3 There is nothing as a subdivision we can do about it
4 because he continues to own a couple of lots and we
5 don't like to be ruled.

6 COMMISSIONER DAVIS: Okay. Thank you.

7 JUDGE JONES: Okay. Next we have Tom
8 Krewson. Mr. Krewson, are you present? Can you raise
9 your right hand? Do you solemnly affirm that the
10 testimony you are about to the give is the truth?

11 MR. KREWSON: I do.

12 JUDGE JONES: Thank you, sir.

13 MR. KREWSON: My name is Tom Krewson,
14 K-R-E-W-S-O-N. I live at 185 Rockport Drive. I have
15 some evidence or exhibits or whatever you want to call
16 it, to provide, if I can bring those forward.

17 JUDGE JONES: Do you have copies?

18 MR. KREWSON: I do. To refrain from beating
19 the dead horse that we have been beating for the last
20 hour and half, I'll skip through the first two items.
21 We do have some concerns about the rates that we could
22 be charged. Currently, we pay about \$55 a month. We
23 understand that the Commission or whoever, will be
24 looking at the rates, whatever that is. I did provide
25 in that packet a list of some rates based upon the

1 average consumption of 4,800 gallons, which is the
2 average rate that was given to me by St. Charles
3 County, Wright City, for water and sewer, \$41
4 approximately, Troy, 45. Foristell and Lake St.
5 Louis, about 58 bucks. So again, we have been talking
6 about this the last hour and a half, I am not going to
7 talk about it any more. Our second area of concern
8 and by the way I have got permission that I am
9 representing several homeowners within in Rockport.

10 Our second area concern is with meter
11 installation. And for those of you who previously
12 expressed your concern, well, according to the
13 conveyance and restrictions in the Rockport covenant,
14 Section 24.3, clearly states that homeowners are
15 responsible for the cost of meters. The majority, if
16 not all, the residents within Rockport already have
17 meter fits, covers and yokes, which were installed by
18 the homebuilder. Lincoln County Sewer and Water has
19 not disclosed the cost of installation for meters. As
20 homeowners we feel as though we should have the right
21 to perform our own due diligence to ensure we are
22 getting the best quality product with the best price.
23 A letter dated June 21st, 2009, which is in your
24 packet, from Dennis Kallash states that cost would be
25 \$353. A letter dated this year from his attorney said

1 the cost would up to \$400. Included in the packet is
2 a bid from Boehmer Brothers stating the cost of a 1
3 inch meter is approximately 124 after tax. Now I
4 wasn't able to provide a written bid to provide for
5 the Commission tonight but I was able to obtain a
6 verbal quote from both Murphy and Quinn Drilling (ph)
7 that a 1 inch meter installed, depending on the number
8 of houses and the meter, would be between \$200 and
9 \$250, which is significantly less expensive than the
10 two quotes that Mr. Kallash has previously provided.

11 Our third area of concern is in regards to
12 consumer pricing and information protection.
13 According to the application that Lincoln County Sewer
14 and Water has provided the Public Service Commission,
15 they have defined their place of business as 360 East
16 Cherry Street. 360 East Cherry Street just so happens
17 to be the Office of Fitch and Associates. So we have
18 two questions we would like to pose to Lincoln County
19 Sewer and Water to ensure that our information is
20 being protected. Number one, has Lincoln County Sewer
21 and Water defined and or admitted an information
22 security policy that safeguards personally
23 identifiable non-public information to prevent the
24 unauthorized access, disclosure, and release of such
25 information. And two, what is your action plan to

1 respond to an information protection event. Just to
2 give you an example, not to make any accusations but
3 we are mailing physical checks to that location. We
4 want to make sure that our checking account
5 information, as well as our personal information, is
6 not being compromised, sold to third parties for
7 marketing or fraudulent activities.

8 Fourth area of concern is from the perspective of
9 business resiliency. On July 3rd of this year a
10 severe storm adversely impacted the water system
11 causing water to pour from the water tower for several
12 days. We would like to know what is Lincoln Sewer and
13 Water's business continuity plan to ensure there is
14 immediate response to emergency situations as required
15 by the rules of the Department of Economic
16 Development. How many licensed associates does
17 Lincoln County Sewer and Water employ and what will
18 the normal hours of operation be?

19 Last area of concern is with the transfer assets.
20 Covenants and Restriction, Section 1 of Rockport,
21 states that the owner/developer reserves the right to
22 sell the water system, however, there is no mention of
23 reserving the right to sell the sanitary system. The
24 covenants and restrictions state that the
25 owner/developer of shall dedicate the sanitary system

1 to the homeowners' association. Furthermore, Section
2 27h1 states that a portion of our annual assessment
3 goes towards the well lot and house maintenance,
4 houses in which Lincoln Sewer and Water would control.
5 Numerous requests have been made to Dennis Kallash for
6 copies of the HOH finance reports and those requests
7 have gone unfilled, even though he is required to do
8 so by the Missouri revised statute, Section 355846.
9 We are concerned that the money we are using is not
10 appropriately being used for those assets. That is
11 all I have.

12 JUDGE JONES: Have you any questions,
13 Commissioner Davis?

14 COMMISSIONER DAVIS: All right. Could you
15 briefly kind of summarize your points again, make sure
16 I got them all.

17 MR. KREWSON: So we have concerns with the
18 water, sewer rate, we want it to be fair. Meter
19 installation, we have been given two quotes by Mr.
20 Kallash, \$353 and \$400. We performed our own due
21 diligence, we found that, we obtained our own bids and
22 the price of a meter --

23 COMMISSIONER DAVIS: Okay, I got that.
24 Okay. Meter installation cost, okay. What was next?

25 MR. KREWSON: Consumer privacy and

1 information protection.

2 COMMISSIONER DAVIS: Got it.

3 MR. KREWSON: You want me to elaborate on
4 that?

5 COMMISSIONER DAVIS: No, I got that.

6 MR. KREWSON: And the last piece is business
7 continuity or business resiliency. And then the last
8 piece --

9 COMMISSIONER DAVIS: Major -- basically, how
10 you handle a major event.

11 MR. KREWSON: Correct. Like for example,
12 let's say that the owner is on a safari trip to Africa
13 and he only has one key to the water tower --

14 COMMISSIONER DAVIS: Right.

15 MR. KREWSON: What happens if he is out of
16 pocket, who can be able to respond?

17 COMMISSIONER DAVIS: Got it.

18 MR. KREWSON: And then the last piece and I
19 can read it to you again or I can just give you the
20 sheet?

21 COMMISSIONER DAVIS: The whole issue about
22 the sewer.

23 MR. KREWSON: Right. So in the bylaws of
24 Rockport, it states that we shall dedicate the
25 sanitary system to the homeowners' association. It

1 does not state that he reserves the right to sell it.
2 Section 27h1 states that a portion of our annual
3 assessment goes toward well lot and house maintenance,
4 those would be the assets that Lincoln County Sewer
5 and Water would control.

6 COMMISSIONER DAVIS: Okay. All right. I am
7 going to go back to the rate question first.

8 MR. KREWSON: Sure.

9 COMMISSIONER DAVIS: And I don't know -- we
10 have not gotten into the whole rate making thing but
11 you understand that when you look at the City of Troy,
12 even Public Water District No. 2, as well as Lake St.
13 Louis, it is very possible that those -- Wright City,
14 those cities may have economies of scale that your
15 subdivision doesn't have.

16 MR. KREWSON: I am aware of that term, yes.

17 COMMISSIONER DAVIS: And so when you're
18 trying to provide water service to, you know, a 150
19 customers, if you want a full-time employee, you know,
20 when you figure out what that person's salary and
21 benefits are, it can get expensive real quick. Plus
22 when you figure out we have to test the water parts
23 per million and I just want to make sure you're aware
24 of that.

25 MR. KREWSON: I understand and again, I

1 don't want to discuss the same thing we have been
2 talking about for the last hour and a half.

3 COMMISSIONER DAVIS: Right.

4 MR. KREWSON: According to their
5 application, they want to raise the flat rate from \$55
6 to \$85 a month. They also state that they proposed to
7 do a base charge combined with a volumetric rate that
8 they failed to indicate, if it was on their
9 application.

10 COMMISSIONER DAVIS: Got you.

11 MR. KREWSON: So I am again, just expressing
12 that, you know.

13 COMMISSIONER DAVIS: All right. Moving on,
14 you have a meter already there at your house?

15 MR. KREWSON: I have a meter pick, yoke and
16 a cap.

17 COMMISSIONER DAVIS: So you have got
18 everything but the meter?

19 MR. KREWSON: Correct.

20 COMMISSIONER DAVIS: Okay. The privacy
21 point I got. I mean, it is -- it is my understanding
22 that they will have to make sufficient, that the Staff
23 will make as part of their recommendation, that they
24 will look about the whole business plan and look at
25 not only are they a sophisticated operator but how do

1 they handle major events, operation, things of that
2 nature. They will have to prove that they are
3 qualified to operate the system, so. Sir, I don't
4 have any more questions but thank you, this is very
5 informative.

6 MR. KREWSON: Thank you very much.

7 MS. LEWIS: Your Honor, I have some
8 clarifying questions for the record.

9 JUDGE JONES: Go right ahead.

10 MS. LEWIS: You have indicated that the
11 address was the same office, I think you said Fitch
12 and Associates?

13 MR. KREWSON: 360 East Cherry Street, which
14 is the office of Fitch and Associates.

15 MS. LEWIS: What is Fitch and Associates?

16 MR. KREWSON: That would be another company
17 that Dennis Kallash owns.

18 MS. LEWIS: Thank you.

19 JUDGE JONES: Any other questions in
20 response to Staff's questions? Okay, seeing none, you
21 may be seated. Thank you, sir.

22 MS. BAKER: Your Honor, did you want to mark
23 the exhibit?

24 JUDGE JONES: It has been marked as Exhibit
25 2, are there any objections to it to being admitted to

1 the record?

2 (Exhibit 2 was marked for identification by
3 the court reporter.)

4 MS. LEWIS: No.

5 JUDGE JONES: Exhibit 2 will be admitted to
6 the record. Thank you, Ms. Baker. I see a hand up, I
7 suppose that means you want to give testimony.

8 MR. GREEN: Your Honor, if I could, I would
9 like to approach. I obtained copies of the letter
10 that you requested about the meters.

11 JUDGE JONES: Sure, come right up.

12 MR. GREEN: The installation.

13 JUDGE JONES: Yeah, you can come up.

14 MR. GREEN: All right. Thank you. I
15 believe one is here.

16 JUDGE JONES: I will take one. Do you just
17 have the two?

18 MR. GREEN: Yes, sir.

19 JUDGE JONES: I am going to put this one on
20 the record.

21 MR. GREEN: That's fine.

22 JUDGE JONES: I'm going to mark this as
23 Exhibit 1C. I will give you all a moment to look it
24 over. Have all of the parties had an opportunity to
25 look at Exhibit 1C?

1 (Exhibit 1C was marked for identification by
2 the court reporter.)

3 MS. LEWIS: Yes, sir.

4 JUDGE JONES: Are there any objections to
5 its admission into the record?

6 MR. COOPER: No.

7 MS. LEWIS: No.

8 JUDGE JONES: Exhibit 1C is admitted into
9 the record. Okay. We have completed the list here,
10 is there anyone else who would like to come up and
11 make a statement and testify?

12 MS. MAAS: Good evening.

13 JUDGE JONES: Good evening. Raise your
14 right hand please. Do you solemnly affirm that the
15 testimony you are about to give is the truth?

16 MS. MAAS: Yes.

17 JUDGE JONES: Thank you. Could you please
18 state your name and spell it for the court reporter?

19 MS. MAAS: Sure. It is Jennifer Maas,
20 J-E-N-N-I-F-E-R, M-A-A-S.

21 JUDGE JONES: You may proceed.

22 MS. MAAS: I live at 153 Rockport Drive and
23 I just want to bring up a couple of points that have
24 not been mentioned for Rockport. We mentioned in the
25 question and answer session the quality of the water.

1 I actually have scars on my fingers from the quality
2 of water. We have had to install a water filter and
3 softener within our system, in order to bring us clean
4 water, in order for my hands to heal. I have got
5 scars from the damage that the water has done to me.
6 Our pipes our completely eroded and probably within
7 the next couple of years we will have to replace the
8 pipes in our house. We have issues with brown water,
9 we have issues with crystallization within the pipes.
10 Just for an example, our toilets, we have to clean
11 every other day just because of the brown that forms
12 within our water. With our water filter in our system
13 and our softener, it has been a lot better. We have
14 been able to manage, me and my husband and our kids
15 have been able to drink the water. We don't have to
16 buy bottle water any more. Other things, within
17 Rockport we are divided into two sections. The first
18 section is where the majority of us do live. Those
19 lots are not owned by Dennis Kallash, they're owned by
20 Larry Evans (ph). There is a hundred lots in there,
21 approximately maybe 50 of them actually have homes on
22 them, the other lots are Dennis Kallash's stage two.
23 There are a few builders that own lots in there. With
24 our group, within Rockport, we did receive a letter
25 stating our install will be \$400 and it will be due in

1 August. I did submit a letter to the Commission, Jim
2 received a copy of the letter that I had sent in and I
3 just wanted to bring that up that it would be pretty
4 impactful for a lot of us because there is no way we
5 could come up with \$400 in less than two weeks. I did
6 try to call the lawyer's office when we received the
7 letter and I never received a copy, return phone call,
8 the lawyer was on vacation but the secretary was
9 overwhelmed by calls all that day. And then finally,
10 the gentlemen just mentioned there was storm damage on
11 July 3rd, the section that I am sitting in that has
12 quite a few Rockport residents in there, we did not
13 know that occurred. We were never informed, didn't
14 know it occurred, did know there was some change in
15 our pressure but we have change in the pressure
16 depending on if it rains a lot or not, so that was
17 never told to us.

18 JUDGE JONES: Commissioner Davis, questions?

19 COMMISSIONER DAVIS: Okay. So, your problem
20 is -- primarily it's one of water quality?

21 MS. MAAS: Water quality and having to come
22 up with the money.

23 COMMISSIONER DAVIS: The \$400?

24 MS. MAAS: Yes.

25 COMMISSIONER DAVIS: And what is your

1 understanding of what the payment would be now?

2 MS. MAAS: According to the letter that was
3 sent, we were required to pay approximately \$400 in
4 August. It was sent to us in the end of July, so it
5 gave us probably about two weeks into August, when we
6 received the letter.

7 COMMISSIONER DAVIS: Okay. And Mr. Merciel
8 has copy of that letter?

9 MS. MAAS: Yes.

10 COMMISSIONER DAVIS: Ma'am, I don't have any
11 other questions at this time. We will take a look at
12 the water quality issue as well.

13 MS. MAAS: Thank you.

14 JUDGE JONES: Any questions from the
15 parties?

16 MS. LEWIS: I have a clarifying question,
17 Your Honor. You mentioned that you had an issue with
18 the quality of water, how often does that occur, you
19 said the brown water, how often does that occur?

20 MS. MAAS: Every time I turn on the sink.
21 We had to install a water softener probably about two
22 to three months ago. We have been in the house since
23 2007, every time we use the hot water filter or the
24 hot water heater is full of brown goo, every time you
25 turn on the bathtub to fill up for our children, it is

1 brown, you have to let it run for at least five
2 minutes to let it clear out. Our toilets went brown
3 within probably two days of just brown water. Our
4 clothes smell, we did the washer and move it directly
5 from washer to dryer and they still smell, the odor
6 has to be the water.

7 MS. LEWIS: Okay. Thank you.

8 JUDGE JONES: Any questions from any of the
9 other parties? See none, you may be excused. Thank
10 you Ms. Maas. Is there anyone else that would like to
11 testify? I saw this hand to my left first. Can you
12 raise your right hand? Do you solemnly affirm that
13 the testimony you are about to give is the truth?

14 MR.JONES: Yes.

15 JUDGE JONES: Can you please state and spell
16 your name for the court reporter, please?

17 MR.JONES: My name is Bruce, B-R-U-C-E,
18 Jones, J-O-N-E-S.

19 JUDGE JONES: You may proceed, Mr. Jones.

20 MR.JONES: I live at 124 Bennington Court
21 and just as the gentlemen mentioned earlier, one of my
22 concerns is in our covenants it appears that there
23 might be an issue with the sewage treatment plant and
24 who is the owner. I just want to make sure that if we
25 are paying -- I have been in there since 2006 and we

1 have been paying \$55 a month for the use of water and
2 sewer, if Dennis Kallash owns both, I want to make
3 sure that if at some point in time down the road if he
4 decides to sell the water system, that the sewage
5 treatment does not get stuck with the homeowners. And
6 according to the conveyance, the way I read it, the
7 homeowner association is who owns the sewage treatment
8 plant.

9 JUDGE JONES: Well, it sounds like you have
10 a question more than a statement.

11 MR.JONES: I guess I want to go on record
12 and make sure that is looked into.

13 COMMISSIONER DAVIS: Okay.

14 JUDGE JONES: Were you here prior to the on
15 the record portion?

16 MR.JONES: Yes.

17 JUDGE JONES: Did you address that issue?

18 MR.JONES: I asked the question about the
19 ownership and it wasn't answered as far as who
20 actually owns it now.

21 JUDGE JONES: So you weren't able to get an
22 answer to your question?

23 MR.JONES: No.

24 JUDGE JONES: Commissioner Davis, do you
25 have any anything?

1 COMMISSIONER DAVIS: I guess I think I would
2 just want to hear from the PSC Staff and from the
3 Office of Public Counsel as to, you know, we are not a
4 court of equity, we can't decide ownership of
5 something, so.

6 MR.JONES: I just want to make sure that it
7 is something that is addressed.

8 COMMISSIONER DAVIS: I guess there is the
9 question should we approve an application if there is
10 a dispute of ownership over the sewer system?

11 MR.JONES: Well, that is part of it. If the
12 homeowners have been paying into a water and sewer
13 system, assuming that that takes care of both of it,
14 part of that fee is going to maintain the sewer system
15 and if all of sudden now he is taking over the water
16 system and not the sewer system because the
17 homeowners' association still owns it, technically we
18 have been paying in money, we have been paying money
19 into a sewer system, that the money is no longer there
20 because it goes with the water company. I just want
21 to make sure that everything is taken into
22 consideration.

23 COMMISSIONER DAVIS: Got it. Thank you,
24 sir.

25 JUDGE JONES: Thank you. And I saw another

1 hand on my right side, someone else want to testify?
2 Did they change their mind? Could you raise your
3 right hand please? Do you solemnly affirm that the
4 testimony you are about to give is the truth?

5 MR. DANIELS: Yes.

6 JUDGE JONES: Thank you. Could you please
7 state and spell your name for the court reporter?

8 MR. DANIELS: My name is Nathan Daniels,
9 N-A-T-H-A-N, D-A-N-I-E-L-S.

10 JUDGE JONES: Thank you.

11 MR. DANIELS: I just wanted to state -- and
12 I live at 283 Bennington Drive and my main concern
13 here is not how much water I can use, I got two little
14 kids at home I want to make sure it is there for them
15 to use. I think a regulation, if the water is going
16 to be regulated, I think this would be beneficial to
17 all of us. I just want to let you know that I think
18 it is going to be good because I want to make sure
19 when they need a bath or they got to go to the
20 bathroom, they can do it.

21 COMMISSIONER DAVIS: Has that been a problem
22 in the past?

23 MR. DANIELS: No.

24 COMMISSIONER DAVIS: Okay. So you have
25 always been able -- your household has always been

1 able to get water?

2 MR. DANIELS: Yes.

3 JUDGE JONES: Okay.

4 MR. DANIELS: That is why I hope with the
5 rate, people are talking about what they can and can't
6 do, I am not worried about what -- you know, I just
7 want to make sure the necessities are taken care of
8 before we worry about the other things we can do.
9 That is why I am hoping with -- if this is going to be
10 regulated, which apparently now, no problem, I just
11 hope it just continues to be not an issue.

12 COMMISSIONER DAVIS: Okay.

13 JUDGE JONES: Thank you, sir. Is there
14 anyone else that would like to testify? Yes, ma'am.
15 Do you solemnly affirm that the testimony you are
16 about to give is the truth?

17 MS. ARNDT: I do.

18 JUDGE JONES: Thank you. Could you please
19 spell your name for the court reporter?

20 MS. ARNDT: Lisa Arndt, L-I-S-A, A-R-N-D-T,
21 59 Benjamin Drive, Bennington. I just want to address
22 Jesse Green's statement during his letter submission.
23 I was the one that received the letter from him for
24 the Benjamin Drive side and approximately 24 hours
25 after it had already been written and distributed to

1 the other side. Jesse is somewhat of a spokesperson
2 for that side. My husband Mike Arndt and I, along
3 with Brian Bain are the ones for the other side. I
4 reviewed the letter, passed it on to Brian and we both
5 came to an agreement that we felt the content of that
6 letter needed a slight revision, not all of the
7 information we felt was truthful. I presented that to
8 Jesse and he said the letter would remain as is and I
9 made a decision on behalf of the people that we
10 represented at that point, that that letter would not
11 be distributed any further. We did not feel it was
12 proven to support the information in it. I just
13 wanted to get that clarified. I also want to mention
14 the condition of our system as well. I don't think it
15 happens as near as often as it does in Rockport but we
16 do have to contact, on a periodic basis, to have a
17 system flush due to odor or brownness occurring more
18 rapidly than it should, usually numerous times, it's
19 not set up on a routine schedule. Also as far as the
20 rate review, I appreciate that being detailed out
21 through discussion and I think that is great, I think
22 it will be very prudently done. I just assume in the
23 complaint, charges, document of the nonprofit issues
24 that came across towards going to a public company,
25 someone mentioned in there and there is also review

1 along with determining what an acceptable rate is, if
2 we have already over paid somewhat as far as another
3 increase coming. Then other gentlemen mentioned the
4 quality of water is a concern. I think there should
5 always be clearly distributed water test reports and
6 not everybody is a water test expert, to give a little
7 detail summary and explanation of what the report is
8 actually saying. And highlighting immediate concerns
9 like a high fluoride that might, you know, be
10 detrimental to a younger child. And that is it.

11 JUDGE JONES: Any questions, Commissioner
12 Davis?

13 COMMISSIONER DAVIS: You said earlier you
14 were concerned about the statements and the petition
15 that were being circulated.

16 MS. ARNDT: Yes, uh-huh.

17 COMMISSIONER DAVIS: Was your concern that
18 the meters were going to be installed?

19 MS. ARNDT: No, I should clarify that. My
20 concern is the two sentences about the outstanding
21 professionalism of Mr. Dennis Kallash. The two
22 sentences above that paragraph I had stricken from the
23 note.

24 COMMISSIONER DAVIS: Okay.

25 MS. ARNDT: We just state we are in approval

1 of the water meters and if that's what they want to
2 say, state the facts and move on.

3 COMMISSIONER DAVIS: Okay. So let me ask
4 you this, is it your impression that those meters are
5 going to be installed for free?

6 MS. ARNDT: Yes, at no charge to us. That
7 is exactly what the letter said that was issued to us
8 in August.

9 COMMISSIONER DAVIS: No charge ever?

10 MS. ARNDT: No charge for the installation.

11 COMMISSIONER DAVIS: No charge --

12 MS. ARNDT: I would have to reread the
13 letter myself.

14 COMMISSIONER DAVIS: No charge for the
15 installation, what about the meter itself?

16 MS. ARNDT: I would have to reread what the
17 letter said.

18 COMMISSIONER DAVIS: Okay. I don't have any
19 more questions.

20 MS. ARNDT: Okay.

21 COMMISSIONER DAVIS: But we are going to
22 inquire of counsel here in a minute and we are going
23 to see if we can get some answers here.

24 JUDGE JONES: Is there anyone else -- I see
25 a hand here in the back, Mr. Green?

1 MR. GREEN: I was wondering if I could
2 respond to Ms. Arndt.

3 JUDGE JONES: Sure, come up and speak at the
4 podium. I will remind you that you remain under oath.

5 MR. GREEN: Yes, sir. The Mr. Commissioner,
6 and Your Honor, the reason I would not change the
7 wording within the letter is because many people had
8 already signed the letter and I felt it would be very
9 inappropriate to alter the letter when it had already
10 been signed by other people. That was my reasoning.

11 JUDGE JONES: Okay. Thank you. Is there
12 anyone else that would like to testify?

13 MR. OAKLEY: I just have some notes from
14 when I spoke earlier.

15 JUDGE JONES: Come up to the podium.

16 MR. OAKLEY: I was able to get a copy. I am
17 Mike Oakley. I have a letter that was given to us by
18 Dennis, that lists -- just so everyone understands why
19 watering yards in Bennington cannot be permitted,
20 enclosed is the following information, the well was
21 designed to only supply drinking water and household
22 water.

23 JUDGE JONES: Okay, sure, you want to submit
24 that into evidence?

25 MR. OAKLEY: I have a letter that I filed

1 with the Attorney General shortly after that complaint
2 and another letter that a neighbor did the same.

3 JUDGE JONES: So you have three exhibits?

4 MR. OAKLEY: Yes. This is where he speaks
5 about the usage, talks about coming on our land and
6 turning off our water.

7 JUDGE JONES: Is this all one exhibit?

8 MR. OAKLEY: That's a complaint, yes, that
9 is one.

10 JUDGE JONES: Is this the only copy you
11 have?

12 MR. OAKLEY: Yes, I have one of my own. I
13 had the -- the policeman was able to make a copy and I
14 didn't want to ask him to make too many.

15 COMMISSIONER DAVIS: Any questions?

16 JUDGE JONES: That's fine. Just a minute
17 here. Okay, so these are two consumer complaints that
18 you had?

19 MR. OAKLEY: Yes, separate ones.

20 COMMISSIONER DAVIS: I don't have any more
21 questions, sir. I think we are going to have to go
22 back and digest this.

23 MR. OAKLEY: Okay.

24 JUDGE JONES: Mr. Oakley, could you -- could
25 you pass that over to counsel here?

1 MR. OAKLEY: Sure.

2 JUDGE JONES: Then the rest of you can pass
3 it to each other. Thank you.

4 MS. LEWIS: Are those marked as 3A, B and C?

5 JUDGE JONES: Yes, they are marked as
6 Exhibits 3A, 3B, and 3C. You don't have to stand
7 there, they will pass it to each other.

8 (Exhibit 3A, 3B and 3C were marked for
9 identification by the court reporter.)

10 MR. OAKLEY: Oh, okay.

11 JUDGE JONES: Yes, thank you. Parties have
12 had an opportunity to look at Exhibits 3A, 3B and 3C,
13 are there any objections to their admission into the
14 record?

15 MS. LEWIS: No.

16 JUDGE JONES: Hearing no's, Exhibit's 3A,
17 3B, and 3C are admitted into the record. Is there
18 anyone else who would like to -- we have a hand here.
19 Can you raise your right hand? Do you solemnly affirm
20 that the testimony you are about to give is the truth?

21 MR. SNIDER: I do.

22 JUDGE JONES: Thank you. Will you please
23 state and spell your name for the court reporter?

24 MR. SNIDER: My name is Duke Snider, D-U-K-E
25 S-N-I-D-E-R. I live at 188 Rockport Drive. I would

1 like to state for the record that I do agree with Tom
2 Krewson's statements and I can actually confirm a
3 previous statement of -- one person had mentioned
4 there was a yellowing of toilets and water fixtures.
5 I do experience that yellowing occurs about every
6 three days on my toilets and water fixtures and they
7 have to be cleaned constantly. I was just wondering
8 and wanted it documented, is there any suggestions or
9 anything we can do to stop that? I think it is
10 actually gotten worse. I have owned the home for
11 about three years and I would say the first or second
12 year it got worse.

13 JUDGE JONES: If you're asking me, I have
14 got no idea. I guess you can't use the same water to
15 clean.

16 MR. SNIDER: Yeah, maybe that's the problem.

17 JUDGE JONES: But that is a question, in all
18 seriousness, if you want to stick around afterwards
19 and talk to experts about that, you may be able to get
20 some answers to that. Is that all you have?

21 MR. SNIDER: Yes.

22 JUDGE JONES: Commissioner Davis?

23 COMMISSIONER DAVIS: I don't have any
24 further questions.

25 JUDGE JONES: Thank you, Mr. Snider. You

1 may be seated. Is there anyone else that would like
2 to testify? Okay, no hands, Commissioner Davis, I
3 believe you want to address some issues.

4 COMMISSIONER DAVIS: All right. Mr. Cooper,
5 who is the person, I am looking at this letter here
6 from James Burlison?

7 MR. COOPER: Mr. Burlison entered his
8 appearance earlier.

9 JUDGE JONES: Yeah, okay. So Mr. Burlison,
10 can I inquire of you?

11 MR. BURLISON: Yes.

12 COMMISSIONER DAVIS: This is a letter from
13 you dated July 22nd, 2011, do you have a copy of it?

14 MR. BURLISON: I believe that I do.

15 COMMISSIONER DAVIS: Okay.

16 MS. LEWIS: Sorry, we have a copy.

17 MR. BURLISON: Thank you. Yes, sir.

18 COMMISSIONER DAVIS: Okay. I am going to
19 skip down to paragraph three, it states that -- this
20 is a facsimile of a letter to Mr. Terry J. and
21 Jacqueline Hawkins dated July 22nd, 2011; is that
22 correct?

23 MR. BURLISON: Yes, it is.

24 COMMISSIONER DAVIS: And did you prepare
25 such letters as this?

1 MR. BURLISON: I did.

2 COMMISSIONER DAVIS: Okay. And so is that a
3 signature and is this an accurate representation of
4 the letter?

5 MR. BURLISON: It is an accurate
6 representation of the letter that went to Terry J. and
7 Jacqueline Hawkins.

8 COMMISSIONER DAVIS: Okay. All right.
9 Paragraph three says Bennington Water Incorporated
10 will be responsible for the installation of the meters
11 and for the restoration of the ground. There will be
12 no cost associated with the installation of the meters
13 to you, as Bennington Water Incorporated will be
14 responsible, the intention is for all meters to be
15 installed by the end of August, weather permitted.
16 Now, it is my impression, that some of these people
17 here in the audience, may be thinking that that means
18 the meters are going to be installed completely free
19 of charge and they're never going to have to pay
20 anything for it, that is not really correct, is it?

21 MR. BURLISON: Well, Commissioner, the
22 premise for this paragraph was subsequent to a meeting
23 that Mr. Kallash and I had with the Public Service
24 Commission where there was a discussion as to whether
25 or not meters need to be installed prior to the rate

1 making process --

2 COMMISSIONER DAVIS: Correct.

3 MR. BURLISON: -- and the certification
4 process. And it was indicated to Staff, that there
5 was money that was sitting in an account for
6 Bennington Water, which could be utilized for the
7 installation of the meters.

8 COMMISSIONER DAVIS: Okay.

9 MR. BURLISON: And that was the basis for
10 the statement that the moneys that were held by
11 Bennington Water, which was income to the system over
12 the years --

13 COMMISSIONER DAVIS: Okay.

14 MR. BURLISON: -- would be utilized for the
15 installation of those meters. There was no further
16 discussion or probably thought put into whether or not
17 that would be included into the rate making
18 mechanisms.

19 Commissioner, I will tell you that I practice law
20 here in Troy, Lincoln County, Pike County, Missouri,
21 Mr. Kallash has retained Mr. Copper to work as counsel
22 for Lincoln County Sewer and Water and my activities
23 on behalf of Mr. Kallash was before we -- before Mr.
24 Kallash retained Mr. Cooper and his firm. But again,
25 this was a discussion that was held -- this letter

1 came as a result of a discussion with Commission
2 Staff.

3 COMMISSIONER DAVIS: Okay. So Mr. Burlison,
4 how much money approximately, is sitting out there in
5 this account?

6 MR. BURLISON: I don't have that figure, I
7 know that if --

8 JUDGE JONES: Okay. Everybody please quiet
9 down.

10 MR. BURLISON: I know that it was sufficient
11 for purposes of installing meters.

12 COMMISSIONER DAVIS: Okay. So, Mr. Cooper,
13 have you had any discussions with your client about
14 whether or not these meters would be included in the
15 company's rate base?

16 MR. COOPER: Certainly I believe it's
17 possible that they can be ultimately included in the
18 rate base. Now, I would also say that my experience
19 is, what I believe should be included in the rate
20 base, is not always what ultimately ends up in the
21 rate base after the process works its way through.

22 COMMISSIONER DAVIS: Okay. And so, for the
23 lay people out there that may not understand what
24 putting these meters into rates would mean, I am going
25 to give you a hypothetical question, Mr. Cooper, can

1 you tell me if this is a good analogy. For instance,
2 let's say that the cost of the equipment itself and
3 installing the equipment is \$10,000 and then, you, on
4 behalf of Bennington would come to the PSC and say
5 here are our invoices, you know, we have invested
6 \$10,000 in this plan, we would like to earn a 10
7 percent return on that investment and it would be
8 appreciated out over 30 years or whenever the expected
9 life of the meters is; is that a fair -- is that a
10 fair analogy?

11 MR. COOPER: That is a fair analogy of how
12 utility investment works in the rate making process.

13 COMMISSIONER DAVIS: Okay. All right. So,
14 then if someone out there would have gotten this
15 letter and were to be thinking that, you know, these
16 meters weren't going to cost them anything, that may
17 or may not be correct depending on the outcome of what
18 happens in the PSC; is that a fair statement?

19 MR. COOPER: I think it's a fair statement
20 but there could be an indirect cost, not an out-front
21 cost but similar to any other investment and utility
22 plan, it might find its way into our rate making
23 process.

24 COMMISSIONER DAVIS: Okay. I don't have any
25 further questions of Mr. Cooper. Judge, do you want

1 to see if anyone else has any more comments, one more
2 time? That is why we are all here.

3 JUDGE JONES: Well, I see two people with
4 comments, the guy on the end and I got a feeling if
5 you want to ask a question, you are going to have to
6 hold it but if you have a statement, you are more than
7 welcome to come up.

8 COMMISSIONER DAVIS: Come on down.

9 MR. HAWKINS: You were just --

10 JUDGE JONES: Before you start talking, can
11 you raise your right hand? Do you solemnly affirm
12 that the testimony you are about to give is the truth?

13 MR. HAWKINS: Yes, sir.

14 JUDGE JONES: And can you please state your
15 name and spell it for the court reporter, please?

16 MR. HAWKINS: Terry Hawkins, T-E-R-R-Y,
17 H-A-W-K-I-N-S.

18 JUDGE JONES: Thank you, sir. You may
19 proceed.

20 MR. HAWKINS: Thank you. I am the one this
21 particular letter is discussing, was sent to and I
22 just want to comment that the paragraphs you are
23 referring to, the paragraph where Bennington Water
24 will be responsible for the installation of these
25 meters and the restoration of the ground, there will

1 be no cost associated with the installation of the
2 meters to you, as Bennington Water, Inc. will be
3 responsible. Now, I am just a lay person but I
4 understand it to mean, it's not going to cost me
5 anything, now or ever. That is the way I read the
6 letter. So, I mean, hypothetical on how it might be
7 perceived. So I'm just telling you how I perceived
8 the letter.

9 COMMISSIONER DAVIS: All right.

10 JUDGE JONES: Thank you, sir.

11 COMMISSIONER DAVIS: Mr. Hawkins, can I ask
12 -- do you understand why I was trying to ask him those
13 questions and to flesh that out?

14 MR. HAWKINS: Yes, I do. The other thing
15 that came to mind, brought up a hypothetical about how
16 much they cost and let's just say it was \$10,000, if
17 that money is sitting in a fund, it's money that was
18 put into the fund by the residents.

19 COMMISSIONER DAVIS: Right.

20 MR. HAWKINS: So, it's not, I mean, is that
21 technically his investment, I know that's a question
22 but it's kind of --

23 COMMISSIONER DAVIS: When it was a
24 not-for-profit. Thank you.

25 JUDGE JONES: Thank you. Okay, Mr. Green,

1 well, Mr. Green, I am going to come back to you.

2 There is a gentlemen here in the front that hasn't
3 testified. You may step forward.

4 MR. BAIN: My name is Brian Bain, B-R-I-A-N,
5 B-A-I-N. I was called --

6 JUDGE JONES: Can you raise your right hand,
7 sir?

8 MR. BAIN: Oh, I'm sorry.

9 JUDGE JONES: Do you solemnly affirm that
10 the testimony you are about to give is the truth?

11 MR. BAIN: I do.

12 JUDGE JONES: Thank you. You may proceed.

13 MR. BAIN: I was called one evening and
14 asked if I had problem with everything that was going
15 on with this. And when I asked the gentlemen, Mr.
16 Kallash, what it was going to cost and where the money
17 was going to come from, I was told that it was coming
18 out of our -- what we pay for the water and sewer.
19 That's why there was no cost, so we were basically
20 paying for it anyway but that is what I was told
21 earlier. So I just want to make sure that was on
22 record, that told me there would be no cost to us and
23 it was coming out of what we pay monthly for water and
24 sewer.

25 JUDGE JONES: Thank you, sir.

1 MS. LEWIS: I have a question.

2 JUDGE JONES: Go ahead, Ms. Lewis.

3 MS. LEWIS: What is your address?

4 MR. BAIN: 21 Benjamin Drive, I'm sorry.

5 JUDGE JONES: You may be seated. Okay,
6 Mr. Green, step forward and when you sit down this
7 time, why don't you just stay in the front row. Just
8 kidding, come on up. I was just saying when you go
9 back this time just sit in the front row, so you can
10 be right here.

11 MR. GREEN: The only statement I have to
12 make, Your Honor, is that when I approached people
13 about this letter, I placed my personal honor and
14 integrity based on the letter about the installation
15 of meters. And I resent the fact that now, it is
16 being wishy washed around. The letter clearly states
17 -- I know a little bit about the law, very little, I
18 spent 35 years as a police officer, but the letter
19 states it will be done. I don't appreciate my
20 integrity being left out there to be attacked.

21 JUDGE JONES: Let me ask you this, it sounds
22 like what you're saying, is that you represented to
23 other people that they won't have to pay for the
24 installation of the meters.

25 MR. GREEN: Yes, sir, based on the letter.

1 JUDGE JONES: And when you represented that
2 to them, did you also tell them that your
3 representation was a reflection of the letter?

4 MR. GREEN: Yes, sir.

5 JUDGE JONES: Then I don't think your
6 integrity is in question. It's the letter. You're
7 just parodying what the letter said to other people.

8 MR. GREEN: We all received the letter, I
9 believe everyone understood no cost, that means, no
10 cost today, tomorrow or to my grandchildren or my
11 great grandchildren.

12 JUDGE JONES: Well, do you think that if
13 there is a cost, that's a reflection of your
14 integrity?

15 MR. GREEN: I believe it is a reflection
16 that I represented that there would be no cost and now
17 there will be possibly. I resent that. I am entitled
18 to my opinion, Your Honor.

19 COMMISSIONER DAVIS: Mr. Green, I just -- I
20 want you to understand I am just trying to get to the
21 bottom of this, sir. That is all I am trying to do.
22 Is to figure out, you know, if they are saying for
23 free, that it really means free.

24 MR. GREEN: That was my understanding, sir.

25 COMMISSIONER DAVIS: Thank you.

1 MR. GREEN: Thank you.

2 JUDGE JONES: Is there anyone who would like
3 to testify? (no response) Okay. I don't see anyone
4 else, with that, that concludes this portion of our
5 hearing and we will go off the record. Thank you all
6 for coming out.

7 (Hearing concluded at 8:11 p.m.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1	INDEX			
2	WITNESS		PAGE	
3	Mr. Jesse Green		6, 38, 50	
4	Mr. Mike Oakley		12, 38	
5	Mr. Tom Krewson		16	
6	Ms. Jennifer Maas		26	
7	Mr. Bruce Jones		30	
8	Mr. Nathan Daniels		33	
9	Ms. Lisa Arndt		34	
10	Mr. Duke Snider		40	
11	Mr. Terry Hawkins		42	
12	Mr. Brian Bain		49	
13				
14	EXHIBITS			
15	EXHIBIT	DESCRIPTION	MARKED	REC'D
16	1A	Signed Signature Sheet	12	12
17	1B	Signed Signature Sheet	12	12
18	1C	Letter from Mr. Burlison	26	26
19	2	Packet by Mr. Krewson	25	25
20	3A	Letter and 2006 Report	40	40
21	3B	Consumer Complaint	40	40
22	3C	Consumer Complaint	40	40
23				
24				
25				

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER

I, Suzanne M. Zes, Certified Court Reporter,
within and for the State of Missouri, do hereby
certify that the witness whose testimony appears in
the foregoing deposition was duly sworn by me; the
testimony of said witness was taken by me to the best
of my ability and thereafter reduced to typewriting
under my direction; that I am neither counsel for,
related to, nor employed by any of the parties to the
action in which this deposition was taken, and further
that I am not a relative or employee of any attorney
or counsel employed by the parties thereto, nor
financially or otherwise interested in the outcome of
the action.

Certified Court Reporter

PUBLIC SERVICE COMMISSION 8/25/2011

<p style="text-align: center;">A</p> <p>ability 13:15 54:8 able 5:22 13:19 18:4 18:5 21:16 27:14 27:15 31:21 33:25 34:1 38:16 39:13 41:19 about 6:6,25 12:16 12:23 13:5 15:22 16:3,10,21,22 17:5,6,7 21:21 23:2,24 25:10 26:15 29:5,21 30:13 31:18 33:4 34:5,6,8,16 36:14 36:20 37:15 39:5 39:5 40:20 41:5 41:11,19 45:13 47:12 48:15 49:10 50:13,14,17 above 36:22 Absolutely 14:16 acceptable 36:1 access 18:24 according 17:12 18:13 23:4 29:2 31:6 account 19:4 44:5 45:5 accurate 43:3,5 accusations 19:2 across 35:24 action 18:25 54:11 54:15 activities 19:7 44:22 actually 3:21 27:1 27:21 31:20 36:8 41:2,10 add 8:9 15:13 addition 10:24 additional 14:25 address 7:9 15:8 24:11 31:17 34:21 42:3 50:3 addressed 8:3 32:7 adequate 3:20 13:13 adequately 14:1 admission 26:5 40:13 admitted 12:10 18:21 24:25 25:5 26:8 40:17 adversely 19:10 affect 9:25 affirm 6:24 12:15 16:9 26:14 30:12 33:3 34:15 40:19</p>	<p>47:11 49:9 afford 3:21 Africa 21:12 after 5:17 6:1,8 18:3 34:25 39:1 45:21 afterwards 41:18 again 17:5 20:15 21:19 22:25 23:11 44:24 ago 29:22 agree 13:11 41:1 agreement 35:5 ahead 5:16 24:9 50:2 allowed 12:22 along 35:2 36:1 already 15:1 17:16 23:14 34:25 36:2 38:8,9 alter 38:9 always 33:25,25 36:5 45:20 analogy 46:1,10,11 annual 20:2 22:2 another 24:16 32:25 36:2 39:2 answer 26:25 31:22 answered 31:19 answers 3:17,18 37:23 41:20 anybody 6:6 anyone 5:8 6:4,7,9 12:11 26:10 30:10 34:14 37:24 38:12 40:18 42:1 47:1 52:2,3 anything 15:12 31:25 41:9 43:20 46:16 48:5 anyway 3:22 49:20 apologize 7:6 8:17 9:11 10:1 apparently 34:10 appear 3:11 appearance 5:9 42:8 appearances 2:1 4:8 appearing 4:11,19 5:5 appears 5:13 30:22 54:5 applicant 4:20 application 8:23 18:13 23:5,9 32:9 appreciate 3:16,23 3:24 35:20 50:19 appreciated 8:12 46:8 approach 25:9</p>	<p>approached 50:12 appropriately 20:10 approval 8:11 36:25 approve 7:20 32:9 approved 8:6 9:13 approximately 9:1 17:4 18:3 27:21 29:3 34:24 45:4 area 3:12,15 17:7 17:10 18:11 19:8 19:19 Arndt 34:17,20,20 35:2 36:16,19,25 37:6,10,12,16,20 38:2 53:9 around 41:18 50:16 asked 31:18 49:14 49:15 asking 41:13 assessment 20:2 22:3 assets 19:19 20:10 22:4 assigned 3:5 associated 43:12 48:1 associates 18:17 19:16 24:12,14,15 association 20:1 21:25 31:7 32:17 assume 35:22 assuming 32:13 attacked 50:20 attitude 16:1 attorney 4:23 17:25 39:1 54:12 attorneys 5:8 11:19 12:12 audience 43:17 August 1:3 7:4,14 28:1 29:4,5 37:8 43:15 authorization 7:17 authorize 7:22 authorizing 1:7,15 4:3 Avenue 2:3 average 17:1,2 aware 22:16,23 away 5:20 A-R-N-D-T 34:20</p> <p style="text-align: center;">B</p> <p>B 40:4 back 7:7 22:7 37:25 39:22 49:1 50:9 Bain 35:3 49:4,4,8 49:11,13 50:4</p>	<p>53:12 Baker 2:11 5:3,3 10:5,22 11:1 13:7 24:22 25:6 Bank 2:8 4:19 base 23:7 45:15,18 45:20,21 based 16:25 50:14 50:25 basically 21:9 49:19 basis 13:19 15:15 35:16 44:9 bath 33:19 bathroom 33:20 bathtub 29:25 beating 16:18,19 become 9:16 before 10:10 34:8 44:23,23 47:10 beginning 4:8 behalf 4:12,19 5:5,9 35:9 44:23 46:4 being 18:20 19:6 20:10 24:25 35:20 36:15 50:16,20 believe 4:6 8:14,18 11:7 25:15 42:3 42:14 45:16,19 51:9,15 beneficial 33:16 benefits 22:21 Benjamin 7:7,8 8:18 34:21,24 50:4 Bennington 6:19 7:5,6,19,24,24 8:9 8:16,17,23 9:14 9:15 14:7,8 30:20 33:12 34:21 38:19 43:9,13 44:6,11 46:4 47:23 48:2 best 5:25 10:11 17:22,22 54:7 better 13:11 27:13 between 11:11 18:8 bid 18:2,4 bids 20:21 big 15:15 billed 8:10 bit 50:17 Boehmer 18:2 both 10:5 11:7 18:6 31:2 32:13 35:4 bottle 27:16 bottom 51:21 bought 13:24 Box 2:4,13,17 4:11 4:25 5:4 Brian 35:3,4 49:4</p>	<p>53:12 briefly 20:15 bring 10:1 16:16 26:23 27:3 28:3 bringing 9:11 Brothers 18:2 brought 48:15 brown 27:8,11 29:19,24 30:1,2,3 brownness 35:17 Bruce 30:17 53:7 Brydon 2:3 bucks 17:5 builders 27:23 Burlison 2:7 4:16 4:17,18 9:12 42:6 42:7,9,11,14,17 42:23 43:1,5,21 44:3,9,14 45:3,6 45:10 53:18 business 18:15 19:9 19:13 21:6,7 23:24 buy 27:16 bylaws 21:23 B-A-I-N 49:5 B-R-I-A-N 49:4 B-R-U-C-E 30:17</p> <p style="text-align: center;">C</p> <p>C 3:1 40:4 call 5:13 16:15 28:6 28:7 called 49:5,13 calls 28:9 came 3:16 35:5,24 45:1 48:15 cap 23:16 capacity 14:15 15:9 Capitol 2:3 car 13:16 care 9:15 32:13 34:7 case 4:5 5:10 cases 4:6 causing 19:11 certainly 3:19 9:5 45:16 certificate 1:6,14 4:2 7:16,21 54:1 certification 44:3 Certified 54:3,18 certify 54:5 change 16:1 28:14 28:15 33:2 38:6 changed 13:11 charge 9:19,20,21 23:7 37:6,9,10,11 37:14 43:19</p>
--	--	---	--	---

PUBLIC SERVICE COMMISSION 8/25/2011

<p>charged 16:22 charges 35:23 Charles 3:12 17:2 check 11:8 checking 19:4 checks 19:3 Cherry 18:16,16 24:13 child 36:10 children 29:25 Christina 2:11 5:3 christina.baker@... 2:15 circulated 7:5 36:15 circulating 11:15 circumstances 14:13 cities 22:14 City 2:4,13,18 4:11 4:25 5:4 17:3 22:11,13 clarified 35:13 clarify 5:21 36:19 clarifying 24:8 29:16 clean 27:3,10 41:15 cleaned 41:7 clear 30:2 clearly 17:14 36:5 50:16 client 45:13 clothes 30:4 combined 23:7 come 5:24 6:13 15:19,19 25:11,13 26:10 28:5,21 38:3,15 46:4 47:7 47:8 49:1,17 50:8 comes 15:20 coming 36:3 39:5 49:17,23 52:6 comment 10:13 12:23 47:22 comments 47:1,4 Commission 1:1 2:16 3:7 4:14,22 4:24 6:2 7:13,17 7:20 16:23 18:5 18:14 28:1 43:24 45:1 Commissioner 1:25 3:6,7,9 5:20 8:21 8:22 9:3,6,17,20 9:24 10:2,8 13:2 14:4,6,10,14,17 14:22 15:2,7,11 15:23 16:6 20:13 20:14,23 21:2,5,9 21:14,17,21 22:6</p>	<p>22:9,17 23:3,10 23:13,17,20 28:18 28:19,23,25 29:7 29:10 31:13,24 32:1,8,23 33:21 33:24 34:12 36:11 36:13,17,24 37:3 37:9,11,14,18,21 38:5 39:15,20 41:22,23 42:2,4 42:12,15,18,24 43:2,8,21 44:2,8 44:13,19 45:3,12 45:22 46:13,24 47:8 48:9,11,19 48:23 51:19,25 Commissioners 3:11 Community 2:8 4:18 company 4:3 24:16 32:20 35:24 company's 45:15 complaint 35:23 39:1,8 53:21,22 complaints 39:17 complete 8:8 completed 26:9 completely 13:18 27:6 43:18 compromised 19:6 concern 13:4 17:7 17:10,12 18:11 19:8,19 33:12 36:4,17,20 concerned 13:5,6,8 20:9 36:14 concerns 13:12 16:21 20:17 30:22 36:8 concluded 52:7 concludes 52:4 condition 35:14 confirm 41:2 consideration 32:22 consolidated 4:7 constantly 41:7 consumer 18:12 20:25 39:17 53:21 53:22 consumption 17:1 contact 6:2 35:16 content 35:5 continues 16:4 34:11 continuity 19:13 21:7 control 1:8,17 4:4 7:23 16:2 20:4</p>	<p>22:5 convenience 1:6,14 4:3 7:16,21 conveyance 17:13 31:6 Cooper 2:2 4:10,10 4:13,15 12:8 26:6 42:4,7 44:24 45:12,16,25 46:11 46:19,25 copies 11:17,21,22 16:17 20:6 25:9 Copper 44:21 copy 7:8 10:4,6 28:2 28:7 29:8 38:16 39:10,13 42:13,16 correct 9:22 21:11 23:19 42:22 43:20 44:2 46:17 cost 8:7 9:14 17:15 17:19,24 18:1,2 20:24 43:12 46:2 46:16,20,21 48:1 48:4,16 49:16,19 49:22 51:9,10,13 51:16 counsel 2:11,12,17 5:2,5 6:3 10:12 32:3 37:22 39:25 44:21 54:9,13 County 1:6,9,13,18 2:2 4:2,5,8,12 7:15,20 17:3,18 18:13,18,20 19:17 22:4 44:20,20,22 couple 15:5 16:4 26:23 27:7 court 2:20 6:14 12:6 12:19 25:3 26:2 26:18 30:16,20 32:4 33:7 34:19 40:9,23 47:15 54:3,18 covenant 17:13 covenants 19:20,24 30:22 covers 17:17 crystallization 27:9 Currently 16:22 customers 5:6 22:19</p>	<p>3:10 5:20 8:21,22 9:3,6,17,20,24 10:2,8 13:2 14:5,6 14:10,14,17,22 15:2,7,11,23 16:6 20:13,14,23 21:2 21:5,9,14,17,21 22:6,9,17 23:3,10 23:13,17,20 28:18 28:19,23,25 29:7 29:10 31:13,24 32:1,8,23 33:21 33:24 34:12 36:12 36:13,17,24 37:3 37:9,11,14,18,21 39:15,20 41:22,23 42:2,4,12,15,18 42:24 43:2,8 44:2 44:8,13 45:3,12 45:22 46:13,24 47:8 48:9,11,19 48:23 51:19,25 day 27:11 28:9 days 19:12 30:3 41:6 dcooper@brydon... 2:6 dead 16:19 Dean 2:2 4:10 decide 32:4 decides 31:4 decision 35:9 dedicate 19:25 21:24 defined 18:15,21 delay 8:7 delivered 7:8 Dennis 7:25 13:6,21 15:6,15 17:24 20:5 24:17 27:19 27:22 31:2 36:21 38:18 Department 19:15 depending 18:7 28:16 46:17 deposition 54:6,11 Deputy 2:17 DESCRIPTION 53:15 designed 38:21 detail 36:7 detailed 35:20 determining 36:1 detrimental 36:10 Development 19:16 difference 11:11 different 11:13 digest 39:22 diligence 17:21</p>	<p>20:21 direction 54:9 directly 30:4 disclosed 17:19 disclosure 18:24 discuss 23:1 discussing 47:21 discussion 35:21 43:24 44:16,25 45:1 discussions 45:13 dispute 32:10 disseminated 7:9 distributed 34:25 35:11 36:5 District 22:12 disturbed 9:23 divided 27:17 document 35:23 documented 41:8 done 5:17 6:1 12:23 15:22 27:5 35:22 50:19 down 31:3 42:19 45:9 47:8 50:6 draw 14:25 Drilling 18:6 drink 27:15 drinking 38:21 Drive 6:20 14:9 16:14 26:22 33:12 34:21,24 40:25 50:4 drought 13:23 14:2 droughts 13:18 dryer 30:5 due 14:19 15:25 17:21 20:20 27:25 35:17 Duke 40:24 53:10 duly 54:6 during 5:25 13:17 13:23 34:22 D-A-N-I-E-L-S 33:9 D-U-K-E 40:24</p>
				<p>E</p>
				<p>E 3:1,1 each 8:6,10 40:3,7 earlier 12:23 30:21 36:13 38:14 42:8 49:21 earn 46:6 East 2:3 18:15,16 24:13 Economic 19:15 economies 22:14 effort 8:16</p>

PUBLIC SERVICE COMMISSION 8/25/2011

<p>either 5:23 elaborate 21:3 Eleventh 2:23 email 6:4 emergency 19:14 employ 19:17 employed 54:10,13 employee 22:19 54:12 empty 14:24 enclosed 38:20 end 29:4 43:15 47:4 ends 45:20 England 2:3 ensure 8:10 17:21 18:19 19:13 enter 5:9 entered 42:7 entitled 9:4,8 51:17 entries 4:8 equipment 46:2,3 equity 32:4 eroded 27:6 Estates 6:20 7:6,19 7:24,25 Evans 27:20 even 13:6 14:20 20:7 22:12 evening 3:9 4:17 6:16,17 26:12,13 49:13 event 19:1 21:10 events 24:1 ever 13:22,23 37:9 48:5 every 8:16 27:11 29:20,23,24 41:5 everybody 36:6 45:8 everyone 38:18 51:9 everything 23:18 32:21 49:14 evidence 10:18 16:15 38:24 exactly 37:7 example 19:2 21:11 27:10 excuse 8:19 excused 30:9 exhibit 10:23 11:4 11:20 12:2,3,5 24:23,24 25:2,5 25:23,25 26:1,8 39:7 40:8 53:15 exhibits 12:3,10 16:15 39:3 40:6 40:12 53:14 Exhibit's 40:16 expect 13:17,18,19</p>	<p>expected 46:8 expedite 11:18 expensive 18:9 22:21 experience 41:5 45:18 expert 36:6 experts 41:19 explanation 36:7 expressed 17:12 expressing 23:11 extent 13:17</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>facsimile 42:20 fact 50:15 facts 37:2 failed 23:8 fair 20:18 46:9,10 46:11,18,19 familiar 3:14 far 11:10 12:24 31:19 35:19 36:2 Fax 2:5,9,14,19 fee 32:14 feel 13:10 17:20 35:11 feeling 47:4 felt 35:5,7 38:8 few 3:14 15:6 27:23 28:12 figure 22:20,22 45:6 51:22 File 1:6,13 filed 38:25 fill 29:25 filter 27:2,12 29:23 finally 28:9 finance 20:6 financially 54:14 find 46:22 fine 10:2 13:9 25:21 39:16 fingers 27:1 finished 5:19 firm 44:24 first 6:12,14 8:13 16:20 22:7 27:17 30:11 41:11 Fitch 18:17 24:11 24:14,15 fits 17:17 five 3:10 30:1 fixtures 41:4,6 flat 23:5 flesh 48:13 fluoride 36:9 flush 35:17 following 7:10,18</p>	<p>38:20 foregoing 54:6 Foristell 17:4 forms 27:11 forward 3:22 16:16 49:3 50:6 found 20:21 Fourth 19:8 fraudulent 19:7 free 37:5 43:18 51:23,23 fret 6:11 from 3:22 4:21 5:1 5:12 8:5 9:12 10:25 12:7,13,25 13:20 15:18 16:18 17:24,25 18:2,6 19:8,11 23:5 27:1 27:5 29:14 30:5,8 32:2,2 34:23 36:22 38:13 42:6 42:12 49:17 53:18 front 49:2 50:7,9 full 14:20 29:24 full-time 22:19 fund 48:17,18 further 7:10 15:12 35:11 41:24 44:15 46:25 54:11 Furthermore 20:1</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>G 3:1 gallons 17:1 gave 10:14 29:5 General 39:1 gentlemen 10:4 28:10 30:21 36:3 49:2,15 getting 10:6 17:22 give 6:9,25 11:5 12:16 16:10 19:2 21:19 25:7,23 26:15 30:13 33:4 34:16 36:6 40:20 45:25 47:12 49:10 given 7:15 17:2 20:19 38:17 go 5:16 6:8 7:9 22:7 24:9 31:11 33:19 39:21 50:2,8 52:5 God 7:1 goes 10:23 20:3 22:3 32:20 going 5:11 6:8 14:22,25 17:6 22:7 25:19,22 32:14 33:15,18 34:9 35:24 36:18</p>	<p>37:5,21,22 39:21 42:18 43:18,19 45:24 46:16 47:5 48:4 49:1,14,16 49:17 gone 20:7 goo 29:24 good 3:9 4:17 6:16 6:17 13:3 26:12 26:13 33:18 46:1 gotten 15:16 22:10 41:10 46:14 grandchildren 51:10,11 great 35:21 51:11 greatly 8:12 Green 6:15,16,18 6:18,23 7:1,3,13 8:25 9:5,10,19,22 9:25 10:7,9,16,19 10:21 11:5,7,13 11:17,21,24 25:8 25:12,14,18,21 37:25 38:1,5 48:25 49:1 50:6 50:11,25 51:4,8 51:15,19,24 52:1 53:3 Green's 34:22 greet 15:20 ground 9:23 43:11 47:25 group 27:24 guess 6:5 31:11 32:1 32:8 41:14 guy 15:16 47:4 G-R-E-E-N 6:19</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>half 15:17 16:20 17:6 23:2 hand 5:15 6:21 10:10 12:15 16:9 25:6 26:14 30:11 30:12 33:1,3 37:25 40:18,19 47:11 49:6 handle 21:10 24:1 hands 27:4 42:2 happened 11:14 happens 18:16 21:15 35:15 46:18 Harold 3:4 having 13:5,9 28:21 Hawkins 42:21 43:7 47:9,13,16,16,20 48:11,14,20 53:11 heal 27:4 hear 13:7 32:2</p>	<p>hearing 1:3 3:4,22 12:9 40:16 52:5,7 heater 29:24 heavy 13:18 held 44:10,25 here-in 8:4 high 36:9 highlighting 36:8 Highway 3:13 him 3:6 34:23 39:14 48:12 himself 15:6 HOH 20:6 hold 47:6 home 13:1,5,9 33:14 41:10 homebuilder 17:18 homebuilders 15:6 homeowner 31:7 homeowners 12:25 17:9,14,20 20:1 21:25 31:5 32:12 32:17 homes 27:21 honor 4:10,15,17 7:18 12:7 24:7,22 25:8 29:17 38:6 50:12,13 51:18 hope 15:21 34:4,11 hoping 34:9 horse 16:19 hot 29:23,24 hour 16:20 17:6 23:2 hours 19:18 34:24 house 8:16 13:24 20:3 22:3 23:14 27:8 29:22 household 13:13,14 13:15 33:25 38:21 houses 18:8 20:4 hundred 27:20 husband 27:14 35:2 hypothetical 45:25 48:6,15 H-A-W-K-I-N-S 47:17</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>idea 41:14 identifiable 18:23 identification 12:6 25:2 26:1 40:9 immediate 19:14 36:8 impacted 19:10 impactful 28:4 impression 37:4 43:16</p>
--	--	--	---	--

PUBLIC SERVICE COMMISSION 8/25/2011

<p>inappropriate 38:9 Inc 48:2 inch 18:3,7 included 18:1 44:17 45:14,17,19 includes 13:15 income 44:11 Incorporated 43:9 43:13 increase 36:3 INDEX 53:1 indicate 23:8 indicated 24:10 44:4 indirect 46:20 individual 8:11 9:14 information 18:12 18:19,21,23,25 19:1,5,5 21:1 35:7 35:12 38:20 informative 24:5 informed 28:13 injury 7:7 inquire 37:22 42:10 install 27:2,25 29:21 installation 8:7 9:21 17:11,19 20:19,24 25:12 37:10,15 43:10,12 44:7,15 47:24 48:1 50:14 50:24 installed 8:6 9:13 17:17 18:7 36:18 37:5 43:15,18,25 installing 45:11 46:3 instance 46:1 integrity 50:14,20 51:6,14 intention 43:14 interested 10:6 54:14 intimidation 15:18 invest 9:7 invested 46:5 investment 9:9 46:7 46:12,21 48:21 invoices 46:5 issue 3:15 8:12 15:9 21:21 29:12,17 30:23 31:17 34:11 issued 37:7 issues 8:2 27:8,9 35:23 42:3 items 16:20</p> <hr/> <p style="text-align: center;">J</p> <p>J 42:20 43:6</p>	<p>Jacqueline 42:21 43:7 James 2:7 4:18 42:6 Jeff 1:24 3:6,10 Jefferson 2:4,13,18 4:11,25 5:4 Jennifer 26:19 53:6 Jesse 6:15,18 34:22 35:1,8 53:3 Jim 28:1 jim_burlison@m... 2:10 Jones 1:21 3:2,3 4:1 4:13,21 5:1,7 6:17 6:21,24 7:2,12 8:20 10:10,17,20 10:24 11:3,6,11 11:16,19,22,25 12:9,13,18,21 13:3 14:4 16:7,12 16:17 20:12 24:9 24:19,24 25:5,11 25:13,16,19,22 26:4,8,13,17,21 28:18 29:14 30:8 30:15,18,19,19 31:9,14,17,21,24 32:25 33:6,10 34:3,13,18 36:11 37:24 38:3,11,15 38:23 39:3,7,10 39:16,24 40:2,5 40:11,16,22 41:13 41:17,22,25 42:9 45:8 47:3,10,14 47:18 48:10,25 49:6,9,12,25 50:2 50:5,21 51:1,5,12 52:2 53:7 judge 1:22 3:2,3,5 4:1,13,21 5:1,7 6:17,21,24 7:2,12 8:20 10:10,17,20 10:24 11:3,6,11 11:16,19,22,25 12:9,13,18,21 13:3 14:4 16:7,12 16:17 20:12 24:9 24:19,24 25:5,11 25:13,16,19,22 26:4,8,13,17,21 28:18 29:14 30:8 30:15,19 31:9,14 31:17,21,24 32:25 33:6,10 34:3,13 34:18 36:11 37:24 38:3,11,15,23 39:3,7,10,16,24 40:2,5,11,16,22</p>	<p>41:13,17,22,25 42:9 45:8 46:25 47:3,10,14,18 48:10,25 49:6,9 49:12,25 50:2,5 50:21 51:1,5,12 52:2 July 19:9 28:11 29:4 42:13,21 June 17:23 just 5:18,19 6:5 10:15,25 11:8,10 11:18 12:12,12,23 15:25 18:16 19:1 21:19 22:23 23:11 25:16 26:23 27:10 27:11 28:3,10 30:3,21,24 32:2,6 32:20 33:11,17 34:6,10,11,21 35:12,22 36:25 38:13,18 39:16 41:7 47:9,22 48:3 48:7,16 49:21 50:7,7,8,9 51:7,19 51:20 J-E-N-N-I-F-E-R 26:20 J-E-S-S-E 6:19 J-O-N-E-S 30:18</p> <hr/> <p style="text-align: center;">K</p> <p>K 3:13 Kallash 7:25 17:24 18:10 20:5,20 24:17 27:19 31:2 36:21 43:23 44:21 44:23,24 49:16 Kallash's 27:22 Kennard 1:21 3:2 key 21:13 kidding 50:8 kids 27:14 33:14 kind 15:16 20:15 48:22 know 3:15,19 9:9 12:22 15:2,24 19:12 22:9,18,19 23:12 28:13,14,14 32:3 33:17 34:6 36:9 45:7,10 46:5 46:15 48:21 50:17 51:22 Krewson 16:8,8,11 16:13,13,18 20:17 20:25 21:3,6,11 21:15,18,23 22:8 22:16,25 23:4,11 23:15,19 24:6,13</p>	<p>24:16 53:5,19 Krewson's 41:2 K-R-E-W-S-O-N 16:14</p> <hr/> <p style="text-align: center;">L</p> <p>L 2:2 Lake 17:4 22:12 land 39:5 Larry 27:20 last 16:19 17:6 19:19 21:6,7,18 23:2 law 1:22 3:3 44:19 50:17 lawyer 28:8 lawyers 15:18 lawyer's 28:6 lay 45:23 48:3 least 14:2 30:1 left 3:6 30:11 50:20 less 18:9 28:5 let 10:11,12 30:1,2 33:17 37:3 50:21 letter 7:3,4,8 9:1,11 9:12,18,25 10:6 10:15,25 11:14,15 12:1 17:23,25 25:9 27:24 28:1,2 28:7 29:2,6,8 34:22,23 35:4,6,8 35:10 37:7,13,17 38:7,8,9,17,25 39:2 42:5,12,20 43:4,6 44:25 46:15 47:21 48:6 48:8 50:13,14,16 50:18,25 51:3,6,7 51:8 53:18,20 letters 11:12 15:18 15:24 42:25 let's 6:12 21:12 46:2 48:16 Lewis 2:16 4:23,23 12:7 24:7,10,15 24:18 25:4 26:3,7 29:16 30:7 40:4 40:15 42:16 50:1 50:2,3 licensed 19:16 life 46:9 like 3:8 5:9,18 6:10 8:17 11:20 12:24 13:10 15:21 16:5 18:18 19:12 21:11 25:9 26:10 30:10 31:9 34:14 36:9 38:12 40:18 41:1 42:1 46:6 50:22</p>	<p>52:2 likelihood 9:8 Lincoln 1:5,9,12,18 2:2 4:2,5,8,12 6:20 7:15,19 17:18 18:13,18,20 19:12,17 20:4 22:4 44:20,22 Lisa 34:20 53:9 list 5:14 12:24 16:25 26:9 lists 38:18 Litigation 2:22 little 33:13 36:6 50:17,17 live 3:12,12,14 8:22 11:9 14:6 16:14 26:22 27:18 30:20 33:12 40:25 LLC 1:6,13 4:2,12 7:16,21,22 8:5,8 8:24 9:16 Local 1:3 location 19:3 longer 32:19 look 3:22 14:15 22:11 23:24,24 25:23,25 29:11 40:12 looked 12:24 31:12 looking 3:18,18 16:24 42:5 lot 14:20 20:3 22:3 27:13 28:4,16 lots 14:23,24 15:3,5 16:4 27:19,20,22 27:23 Louis 2:24 17:5 22:13 L-I-S-A 34:20</p> <hr/> <p style="text-align: center;">M</p> <p>M 54:3 Maas 26:12,16,19 26:19,22 28:21,24 29:2,9,13,20 30:10 53:6 made 8:16 20:5 35:9 Madison 2:12 mail 6:4 mailing 19:3 main 33:12 maintain 1:7,16 4:4 7:23 32:14 maintained 8:1 maintenance 20:3 22:3 major 21:9,10 24:1</p>
---	--	--	--	--

PUBLIC SERVICE COMMISSION 8/25/2011

<p>majority 17:15 27:18 make 3:8,20 9:4 11:17 19:2,4 20:15 22:23 23:22 23:23 26:11 30:24 31:2,12 32:6,21 33:14,18 34:7 39:13,14 49:21 50:12 makes 15:8 making 22:10 44:1 44:17 46:12,22 manage 1:8,17 4:4 7:23 27:14 manner 8:2,3 many 3:15 19:16 38:7 39:14 mark 11:3 24:22 25:22 marked 10:18 12:1 12:5 24:24 25:2 26:1 40:4,5,8 53:15 marketing 19:7 matter 1:5,12 3:5 4:1 may 5:20 6:2 7:2,10 7:12 10:11 12:21 22:14 24:21 26:21 30:9,19 41:19 42:1 43:17 45:23 46:16,17 47:18 49:3,12 50:5 maybe 27:21 41:16 ma'am 29:10 34:14 McIlroy 2:7 4:18 mean 10:20 15:14 23:21 45:24 48:4 48:6,20 means 25:7 43:17 51:9,23 mechanisms 44:18 meeting 43:22 mention 19:22 35:13 mentioned 26:24,24 28:10 29:17 30:21 35:25 36:3 41:3 Merci 10:3,5 15:7 15:10 29:7 meter 13:5,9 17:10 17:17 18:3,7,8 20:18,22,24 23:14 23:15,18 37:15 meters 8:6 9:7,13 9:21 17:15,19 25:10 36:18 37:1 37:4 43:10,12,14</p>	<p>43:18,25 44:7,15 45:11,14,24 46:9 46:16 47:25 48:2 50:15,24 mic 6:13 Midwest 2:22 might 5:25 8:9 10:22 30:23 36:9 46:22 48:6 Mike 12:14,20 35:2 38:17 53:4 Millan 2:7 4:18 million 22:23 mind 10:23 11:22 33:2 48:15 minute 37:22 39:16 minutes 30:2 Missouri 1:1,4,10 1:19 2:4,8,13,16 2:18 4:11,19,25 5:4 7:14,20 20:8 44:20 54:4 MO 2:24 moment 5:18 25:23 money 9:7 20:9 28:22 32:18,18,19 44:5 45:4 48:17 48:17 49:16 moneys 44:10 month 16:22 23:6 31:1 monthly 49:23 months 29:22 more 8:18 17:7 24:4 27:16 31:10 35:17 37:19 39:20 47:1 47:1,6 Most 9:5 mostly 16:1 move 30:4 37:2 moved 13:12 Moving 23:13 MR.JONES 30:14 30:17,20 31:11,16 31:18,23 32:6,11 much 24:6 33:13 45:4 48:16 multiple 12:25 Murphy 18:6 myself 5:20 8:25 37:13 M-A-A-S 26:20</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>N 3:1 name 3:2,10 5:13 6:14,18 12:19 16:13 26:18 30:16 30:17 33:7,8</p>	<p>34:19 40:23,24 47:15 49:4 Nathan 33:8 53:8 naturally 8:14 nature 15:24 24:2 near 35:15 necessarily 3:17 necessities 34:7 necessity 1:7,15 4:3 7:17,22 need 33:19 43:25 needed 13:16 35:6 negative 9:10 neighbor 39:2 neither 54:9 never 15:16 28:7,13 28:17 43:19 next 12:13 14:23 16:7 20:24 27:7 none 12:7,8 24:20 30:9 nonprofit 35:23 non-public 18:23 normal 13:14,19 19:18 North 2:23 Nos 4:5 note 36:23 notes 38:13 nothing 16:3 not-for-profit 48:24 no's 40:16 number 18:7,20 numbers 13:20 numerous 14:11 20:5 35:18 N-A-T-H-A-N 33:9</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>O 3:1 Oakley 12:14,17,20 12:20,22 13:4,8 14:8,11,16,18,24 15:4,14,25 38:13 38:16,17,25 39:4 39:8,12,19,23,24 40:1,10 53:4 oath 38:4 object 12:11 objection 11:25 objections 12:3,9 24:25 26:4 40:13 obtain 18:5 obtained 20:21 25:9 occasions 14:12 occur 29:18,19 occurred 28:13,14 occurring 35:17 occurs 41:5</p>	<p>odor 30:5 35:17 off 3:13 39:6 52:5 office 2:11 4:24 5:1 5:5 6:3 10:12 18:17 24:11,14 28:6 32:3 officer 50:18 often 29:18,19 35:15 Oh 40:10 49:8 okay 3:2 4:1 8:20 9:3,6,17,24 10:2 11:3,16 14:10,14 14:17 15:7,23 16:6,7 20:23,24 20:24 22:6 23:20 24:20 26:9 28:19 29:7 30:7 31:13 33:24 34:3,12 36:24 37:3,18,20 38:11,23 39:17,23 40:10 42:2,9,15 42:18 43:2,8 44:8 44:13 45:3,8,12 45:22 46:13,24 48:25 50:5 52:3 one 3:10 8:18 12:1,2 12:25 18:20 21:13 25:15,16,19 28:20 30:21 34:23 39:7 39:9,12 41:3 47:1 47:20 49:13 ones 35:3 39:19 only 11:11 13:4,13 21:13 23:25 38:21 39:10 50:11 operate 1:7,16 4:4 7:22 24:3 operation 19:18 24:1 operator 23:25 opinion 51:18 opportunity 6:10,12 25:24 40:12 order 27:3,4 other 5:8,18 12:2 24:19 27:11,16,22 29:11 30:9 34:8 35:1,3 36:3 38:10 40:3,7 46:21 48:14 50:23 51:7 otherwise 54:14 out 3:13 11:23 15:20 21:15 22:20 22:22 30:2 35:20 45:4,23 46:8,14 48:13 49:18,23 50:20 51:22 52:6 outcome 46:17</p>	<p>54:14 outdoors 13:16 outside 3:13 outstanding 8:2 36:20 out-front 46:20 over 3:3 10:12 25:24 32:10,15 36:2 39:25 44:11 46:8 overly 13:6,8 overwhelmed 28:9 own 1:7,16 4:4 7:22 8:15 15:5 16:4 17:21 20:20,21 27:23 39:12 owned 27:19,19 41:10 owner 21:12 30:24 owners 9:14 ownership 31:19 32:4,10 owner/developer 19:21,25 owns 15:2,6 24:17 31:2,7,20 32:17 O'Fallon 3:13 O-A-K-L-E-Y 12:20</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>P 3:1 packet 16:25 17:24 18:1 53:19 page 11:9 53:2 paid 36:2 paragraph 36:22 42:19 43:9,22 47:23 paragraphs 47:22 parodying 51:7 part 23:23 32:11,14 participating 3:24 particular 47:21 parties 5:10 19:6 25:24 29:15 30:9 40:11 54:10,13 parts 22:22 pass 39:25 40:2,7 passed 35:4 passing 11:22 passionate 3:15 past 14:19 33:22 pay 13:10,20 16:22 29:3 43:19 49:18 49:23 50:23 paying 30:25 31:1 32:12,18,18 49:20 payment 29:1</p>
---	---	--	---	---

PUBLIC SERVICE COMMISSION 8/25/2011

<p>people 7:6 8:15 14:20 15:4,5 34:5 35:9 38:7,10 43:16 45:23 47:3 50:12,23 51:7 per 22:23 perceived 48:7,7 percent 46:7 perform 17:21 performed 20:20 periodic 35:16 permission 17:8 permitted 38:19 43:15 person 41:3 42:5 48:3 personal 19:5 50:13 personally 18:22 person's 22:20 perspective 19:8 petition 36:14 ph 18:6 27:20 phone 28:7 photocopies 11:10 physical 19:3 pick 23:15 piece 21:6,8,18 Pike 44:20 pipes 27:6,8,9 place 18:15 placed 50:13 plan 18:25 19:13 23:24 46:6,22 plant 30:23 31:8 Plaza 2:8 4:19 please 6:13 12:15 12:19 26:14,17 30:15,16 33:3,6 34:18 40:22 45:8 47:14,15 Plus 22:21 pocket 21:16 podium 5:15 38:4 38:15 point 13:3 23:21 31:3 35:10 points 20:15 26:23 police 50:18 policeman 39:13 policy 18:22 portion 5:25 20:2 22:2 31:15 52:4 pose 18:18 possible 10:3 22:13 45:17 possibly 51:17 Post 4:24 pour 19:11 practice 44:19</p>	<p>premise 43:22 prepare 42:24 prepared 7:4 present 11:20 12:14 16:8 presented 35:7 presiding 1:21 3:3 pressure 28:15,15 pretty 28:3 prevent 18:23 previous 5:23 41:3 previously 8:9 17:11 18:10 price 17:22 20:22 pricing 18:12 primarily 28:20 prior 31:14 43:25 privacy 20:25 23:20 probably 27:6 29:5 29:21 30:3 44:16 problem 28:19 33:21 34:10 41:16 49:14 problems 14:19 15:1 proceed 5:16 7:2 12:21 26:21 30:19 47:19 49:12 PROCEEDINGS 1:2 process 3:25 6:6 44:1,4 45:21 46:12,23 product 17:22 professional 8:2 professionalism 36:21 profit 9:4 property 7:18 8:7 8:10 proposed 23:6 protected 18:20 protection 18:12 19:1 21:1 prove 24:2 proven 35:12 provide 13:21,22 14:12 16:16,24 18:4,4 22:18 provided 15:15 18:10,14 prudently 35:22 PSC 32:2 46:4,18 pubic 6:3 7:13 public 1:1,3 2:11,12 2:16 3:7 4:24 5:1 5:5 6:2 10:12,13 18:14 22:12 32:3 35:24 43:23</p>	<p>purposes 45:11 put 10:13 25:19 44:16 48:18 putting 45:24 p.m 52:7 P.O 2:4,13,17 4:10 5:4</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qualified 24:3 quality 17:22 26:25 27:1 28:20,21 29:12,18 36:4 question 5:21 13:14 14:23 22:7 26:25 29:16 31:10,18,22 32:9 41:17 45:25 47:5 48:21 50:1 51:6 questions 5:23,24 6:3,5,6 8:20 14:4 15:12 18:18 20:12 24:4,8,19,20 28:18 29:11,14 30:8 36:11 37:19 39:15,21 41:24 46:25 48:13 quick 22:21 quickly 11:8 quiet 45:8 Quinn 18:6 quite 28:12 quote 18:6 quotes 18:10 20:19</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>R 3:1 Rachel 2:16 4:23 rachel.lewis@psc... 2:19 rains 28:16 raise 5:15 6:21 12:14 16:8 23:5 26:13 30:12 33:2 40:19 47:11 49:6 rapidly 35:18 rate 17:2 20:18 22:7 22:10 23:5,7 34:5 35:20 36:1 43:25 44:17 45:15,18,19 45:21 46:12,22 rates 3:21 16:21,24 16:25 45:24 read 7:10 10:15,25 21:19 31:6 48:5 real 11:8 22:21 really 43:20 51:23 reason 38:6 reasoning 38:10</p>	<p>receive 27:24 received 28:2,6,7 29:6 34:23 51:8 recently 9:12 recommendation 15:8 23:23 record 5:11 10:17 12:10 24:8 25:1,6 25:20 26:5,9 31:11,15 40:14,17 41:1 49:22 52:5 recover 9:8 REC'D 53:15 reduced 54:8 redundant 10:18 referring 47:23 reflection 51:3,13 51:15 refrain 16:18 regards 18:11 regulated 8:24 13:11,17 33:16 34:10 regulation 33:15 regulatory 1:22 3:3 related 54:10 relative 54:12 release 18:24 remain 5:18 6:2 35:8 38:4 remind 5:22 38:4 repair 9:23 replace 27:7 report 36:7 53:20 reporter 2:20 6:14 12:6,19 25:3 26:2 26:18 30:16 33:7 34:19 40:9,23 47:15 54:1,3,18 reports 20:6 36:5 representation 43:3 43:6 51:3 represented 35:10 50:22 51:1,16 representing 17:9 request 7:15,20,21 8:5 requested 25:10 requests 20:5,6 required 19:14 20:7 29:3 reread 37:12,16 resent 50:15 51:17 reserves 19:21 22:1 reserving 19:23 reside 6:19 residences 8:15 residents 8:5 14:1 17:16 28:12 48:18</p>	<p>residents/owners 7:18 resiliency 19:9 21:7 Respectfully 8:13 respond 19:1 21:16 38:2 response 5:10 6:8 19:14 24:20 52:3 responsibility 8:8 responsible 17:15 43:10,14 47:24 48:3 rest 40:2 restoration 43:11 47:25 Restriction 19:20 restrictions 17:13 19:24 result 45:1 retained 44:21,24 return 9:9 28:7 46:7 review 35:20,25 reviewed 35:4 revised 20:8 revision 35:6 right 5:10,15 6:21 10:15,19 12:15 13:25 15:11 16:9 17:20 19:21,23 20:14 21:14,23 22:1,6 23:3,13 24:9 25:11,14 26:14 30:12 33:1 33:3 40:19 42:4 43:8 46:13 47:11 48:9,19 49:6 50:10 road 31:3 Rockport 16:14 17:9,13,16 19:20 21:24 26:22,24 27:17,24 28:12 35:15 40:25 routine 35:19 row 50:7,9 ruled 16:5 rules 15:17 16:2 19:15 run 5:19 30:1 running 13:6</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>S 3:1 safari 21:12 safe 3:20 safeguards 18:22 salary 22:20 same 23:1 24:11 39:2 41:14</p>
--	--	--	---	---

PUBLIC SERVICE COMMISSION 8/25/2011

<p>sanitary 19:23,25 21:25 satisfactory 8:3 saw 30:11 32:25 saying 36:8 50:8,22 51:22 says 43:9 SA-2012-0019 1:13 SA-20120019 4:6 scale 22:14 scars 27:1,5 schedule 35:19 seated 24:21 42:1 50:5 second 11:8 12:2 17:7,10 41:11 secretary 28:8 section 10:13 17:14 19:20 20:1,8 22:2 27:18 28:11 sections 27:17 security 18:22 see 5:7 25:6 30:9 37:23,24 47:1,3 52:3 seeing 24:20 sell 19:22,23 22:1 31:4 Senior 1:22 2:12 sent 28:2 29:3,4 47:21 sentences 36:20,22 separate 39:19 seriousness 41:18 serves 8:13 service 1:1 3:7,21 4:24 6:2 7:13 18:14 22:18 43:23 Services 2:22 session 5:24 26:25 set 35:19 seven 15:17 several 15:5 17:9 19:11 severe 19:10 sewage 30:23 31:4,7 sewer 1:6,13 2:2 4:2 4:5,9,12 7:16,23 8:1,10 9:15 17:3 17:18 18:13,19,20 19:12,17 20:4,18 21:22 22:4 31:2 32:10,12,14,16,19 44:22 49:18,24 sheet 21:20 53:16 53:17 shortly 39:1 side 7:5,6,7 8:17,18 33:1 34:24 35:1,2</p>	<p>35:3 signature 43:3 53:16,17 signatures 8:15 9:1 11:1,9,12,14 12:1 12:2,25 signed 5:12 6:9,11 8:4,13,25 38:8,10 53:16,17 significantly 18:9 similar 46:21 since 13:12,25 29:22 30:25 sink 29:20 sir 4:21 6:22,23 10:8,16,19,21 11:13 12:18 14:6 15:10 16:12 24:3 24:21 25:18 26:3 32:24 34:13 38:5 39:21 42:17 47:13 47:18 48:10 49:7 49:25 50:25 51:4 51:21,24 sit 50:6,9 sitting 28:11 44:5 45:4 48:17 situations 19:14 skip 16:20 42:19 slight 35:6 smell 30:4,5 Snider 40:21,24,24 41:16,21,25 53:10 softener 27:3,13 29:21 sold 19:6 solemnly 6:24 12:15 16:9 26:14 30:12 33:3 34:15 40:19 47:11 49:9 some 6:1 14:20 16:15,21,25 24:7 28:14 31:3 37:23 38:13 41:20 42:3 43:16 someone 33:1 35:25 46:14 something 15:21 32:5,7 somewhat 35:1 36:2 sophisticated 23:25 sorry 42:16 49:8 50:4 sounds 31:9 50:21 speak 6:10,12 38:3 SPEAKER 12:11 speaks 39:4 spell 6:13 26:18 30:15 33:7 34:19</p>	<p>40:23 47:15 spent 50:18 spoke 38:14 spokesperson 35:1 St 2:24 3:12 17:2,4 22:12 staff 2:16 4:14,22 4:24 6:1 12:7 15:8 23:22 32:2 44:4 45:2 Staff's 24:20 stage 27:22 stand 40:6 stand-up 15:16 start 47:10 started 6:12 state 1:1 7:13 12:19 19:24 22:1 23:6 26:18 30:15 33:7 33:11 36:25 37:2 40:23 41:1 47:14 54:4 statement 5:17,17 5:21 15:14 26:11 31:10 34:22 41:3 44:10 46:18,19 47:6 50:11 statements 3:8 5:12 36:14 41:2 states 17:14,24 19:21 20:2 21:24 22:2 42:19 50:16 50:19 stating 9:18 18:2 27:25 statute 20:8 stay 50:7 Stearley 3:4 step 5:14 49:3 50:6 stick 41:18 still 14:23 30:5 32:17 stop 41:9 storm 19:10 28:10 Street 2:12,23 18:16 18:16 24:13 stricken 36:22 stuck 31:5 style 15:21 subdivision 7:19,25 16:3 22:15 submission 34:22 submit 28:1 38:23 subsequent 43:22 substituting 3:5 sudden 32:15 sufficient 23:22 45:10 suggest 10:22</p>	<p>suggestions 3:19 41:8 summarize 20:15 summary 36:7 supply 14:1,19 38:21 support 8:23 35:12 suppose 25:7 sure 3:9,20 7:12 10:5,7 11:24 19:4 20:15 22:8,23 25:11 26:19 30:24 31:3,12 32:6,21 33:14,18 34:7 38:3,23 40:1 49:21 Suzanne 2:21 54:3 swear 5:15 Swearengen 2:3 sworn 54:6 system 7:24 8:1,13 9:16 19:10,22,23 19:25 21:25 24:3 27:3,12 31:4 32:10,13,14,16,16 32:19 35:14,17 44:11 systems 1:9,18 4:5 S-N-I-D-E-R 40:25</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>take 5:11 25:16 29:11 taken 9:15 32:21 34:7 54:7,11 takes 32:13 taking 32:15 talk 15:19 17:7 41:19 talking 17:5 23:2 34:5 47:10 talks 39:5 tax 18:3 technically 32:17 48:21 telephone 6:4 tell 10:11 44:19 46:1 51:2 telling 48:7 temporarily 13:23 term 22:16 Terry 42:20 43:6 47:16 53:11 test 22:22 36:5,6 testified 49:3 testify 26:11 30:11 33:1 34:14 38:12 42:2 52:3 testimony 6:25</p>	<p>10:14,24 12:16 16:10 25:7 26:15 30:13 33:4 34:15 40:20 47:12 49:10 54:5,7 thank 3:25 4:13,21 5:3,7 7:2 10:8,9 12:18 15:11 16:6 16:12 24:4,6,18 24:21 25:6,14 26:17 29:13 30:7 30:9 32:23,25 33:6,10 34:13,18 38:11 40:3,11,22 41:25 42:17 47:18 47:20 48:10,24,25 49:12,25 51:25 52:1,5 their 18:15 23:4,8 23:23 33:2 40:13 thereto 54:13 thing 22:10 23:1 48:14 things 13:19 15:15 24:1 27:16 34:8 think 13:25 24:11 32:1 33:15,16,17 35:14,21,21 36:4 39:21 41:9 46:19 51:5,12 thinking 43:17 46:15 third 18:11 19:6 though 17:20 20:7 thought 44:16 threatens 15:20 three 29:22 39:3 41:6,11 42:19 43:9 through 6:3,9 16:20 35:21 45:21 time 3:23,23 4:7 5:11,22 29:11,20 29:23,24 31:3 47:2 50:7,9 timely 8:3 times 35:18 today 51:10 toilets 27:10 30:2 41:4,6 told 13:13,21,23,24 14:11,18 28:17 49:17,20,22 Tom 16:7,13 41:1 53:5 tomorrow 51:10 tonight 3:6,11,16 6:7 18:5 total 8:14 16:2</p>
---	--	--	--	--

PUBLIC SERVICE COMMISSION 8/25/2011

<p>toward 22:3 towards 20:3 35:24 tower 19:11 21:13 TRANSCRIPT 1:2 transfer 19:19 treatment 30:23 31:5,7 trip 21:12 Troy 1:4 2:8 4:19 17:4 22:11 44:20 truth 6:25 12:16 16:10 26:15 30:13 33:4 34:16 40:20 47:12 49:10 truthful 35:7 try 28:6 trying 22:18 48:12 51:20,21 turn 5:19 10:12 29:20,25 turning 39:6 two 11:12,14 16:20 18:10,18,25 20:19 25:17 27:17,22 28:5 29:5,21 30:3 33:13 36:20,21 39:17 47:3 typewriting 54:8 T-E-R-R-Y 47:16</p> <hr/> <p style="text-align: center;">U</p> <p>uh-huh 36:16 ultimately 45:17,20 unauthorized 18:24 under 7:1 14:13 38:4 54:9 understand 3:23 6:7 9:4 10:20 11:16 16:23 22:11 22:25 45:23 48:4 48:12 51:20 understanding 8:4 23:21 29:1 51:24 understands 38:18 understood 51:9 unfilled 20:7 UNIDENTIFIED 12:11 until 6:1 usage 8:11 39:5 use 12:14 13:10,13 13:14,15,15 29:23 31:1 33:13,15 41:14 used 3:11,12,13 20:10 using 20:9 usually 35:18 utility 8:24 46:12,21</p>	<p>utilized 44:6,14</p> <hr/> <p style="text-align: center;">V</p> <p>vacation 28:8 valuable 3:24 variety 15:4 verbal 18:6 very 3:15 22:13 24:4,6 35:22 38:8 50:17 view 11:20 Volume 1:4 volumetric 23:7</p> <hr/> <p style="text-align: center;">W</p> <p>wait 5:25 want 3:19 14:15 15:13 16:15 19:4 20:18 21:3 22:19 22:23 23:1,5 24:22 25:7 26:23 30:24 31:2,11 32:2,6,20 33:1,14 33:17,18 34:7,21 35:13 37:1 38:23 39:14 41:18 42:3 46:25 47:5,22 49:21 51:20 wanted 28:3 33:11 35:13 41:8 wash 13:16 washed 50:16 washer 30:4,5 wasn't 18:4 31:19 water 1:6,8,13,17 2:2 4:2,4,9,12 7:16,23 8:1,6,9,11 9:13,15 13:10,15 13:16,20,22,22 14:1,2,12,19 17:3 17:18 18:14,19,21 19:10,11,11,17,22 20:4,18 21:13 22:5,12,18,22 26:25 27:2,2,4,5,8 27:12,12,15,16 28:20,21 29:12,18 29:19,21,23,24 30:3,6 31:1,4 32:12,15,20 33:13 33:15 34:1 36:4,5 36:6 37:1 38:21 38:22 39:6 41:4,6 41:14 43:9,13 44:6,11,22 47:23 48:2 49:18,23 watering 14:20 15:25 38:19 Water's 19:13</p>	<p>way 17:8 28:4 31:6 45:21 46:22 48:5 WA-2012-0018 1:6 WA-20120018 4:6 weather 43:15 website 10:14 weeks 28:5 29:5 welcome 47:7 well 5:11 6:4 13:13 13:21 14:1,12,25 17:12 19:5 20:3 22:3,12 29:12 31:9 32:11 35:14 38:20 43:21 47:3 49:1 51:12 went 30:2 43:6 were 11:1,15 12:5 15:23 17:17 28:13 29:3 31:14 36:14 36:15,18 40:8 44:10 46:15 47:9 49:19 weren't 31:21 46:16 whole 21:21 22:10 23:24 wishy 50:16 witness 53:2 54:5,7 wondering 12:12 38:1 41:7 wording 38:7 words 5:19 work 6:8 44:21 works 45:21 46:12 worried 34:6 worry 34:8 worse 41:10,12 Wright 17:3 22:13 written 18:4 34:25</p> <hr/> <p style="text-align: center;">Y</p> <p>yard 13:16 yards 13:22 14:2 38:19 Yeah 25:13 41:16 42:9 year 17:25 19:9 41:12 years 3:14 15:17 27:7 41:11 44:12 46:8 50:18 yellowing 41:4,5 yoke 23:15 yokes 17:17 younger 36:10</p> <hr/> <p style="text-align: center;">Z</p> <p>Zes 2:21 54:3</p> <hr/> <p style="text-align: center;">\$</p>	<p>\$10,000 46:3,6 48:16 \$200 18:8 \$250 18:9 \$353 17:25 20:20 \$400 18:1 20:20 27:25 28:5,23 29:3 \$41 17:3 \$55 16:22 23:5 31:1 \$85 23:6</p> <hr/> <p style="text-align: center;">1</p> <p>1 1:4 11:4 18:2,7 19:20 1A 12:2,4,5,10 53:16 1B 12:3,4,5,10 53:17 1C 25:23,25 26:1,8 53:18 10 46:6 103A 2:8 4:18 12 53:4,16,16,17,17 124 18:3 30:20 150 22:18 153 26:22 16 53:5 185 16:14 188 40:25</p> <hr/> <p style="text-align: center;">2</p> <p>2 22:12 24:25 25:2,5 53:19 200 2:12 2001 7:14 2006 30:25 53:20 2007 29:23 2009 17:23 2011 1:3 42:13,21 208 14:8 21 50:4 21st 17:23 22nd 7:4,14 42:13 42:21 2230 2:13 5:4 23 8:14 9:1 24 34:24 24.3 17:14 25 1:3 53:19,19 26 53:6,18,18 261 6:19 27h1 20:2 22:2 283 33:12</p> <hr/> <p style="text-align: center;">3</p> <p>3A 40:4,6,8,12,16 53:20 3B 40:6,8,12,17</p>	<p>53:21 3C 40:6,8,12,17 53:22 3rd 19:9 28:11 30 46:8 53:7 312 2:3 314.644.2191 2:25 33 53:8 34 53:9 35 50:18 355846 20:8 360 2:17 4:25 18:15 18:16 24:13 38 53:3,4</p> <hr/> <p style="text-align: center;">4</p> <p>4,800 17:1 40 53:10,20,20,21 53:21,22,22 42 53:11 45 17:4 456 2:4 4:11 49 53:12</p> <hr/> <p style="text-align: center;">5</p> <p>50 27:21 53:3 573.526.6715 2:18 573.635.3847 2:5 573.635.7166 2:5 573.751.5562 2:14 573.751.5565 2:14 573.751.9285 2:19 58 17:5 59 34:21</p> <hr/> <p style="text-align: center;">6</p> <p>6 53:3 63101 2:24 63379 2:8 4:19 636.462.4505 2:9 636.528.1457 2:9 65101 2:13 65102 2:4,18 4:11 4:25 5:4</p> <hr/> <p style="text-align: center;">7</p> <p>711 2:23</p> <hr/> <p style="text-align: center;">8</p> <p>8:11 52:7</p>
---	--	--	---	--