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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing

March 30, 2010

Warrensburg, Missouri

Volume 3

In The Matter Of Missouri-American )  
Water Company's Request For )  
Authority To Implement A General ) Case No. WR-2010-0131  
Rate Increase For Water Service )  
Provided in Missouri Service Areas )

NANCY DIPPELL, PRESIDING  
REGULATORY LAW JUDGE

ROBERT M. CLAYTON III,  
CHAIRMAN

REPORTED BY: SAUNDRA TIPPINS  
MIDWEST LITIGATION

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A P P E A R A N C E S

W.R. England  
Missouri-American Water Company

Christina Baker  
Office of Public Counsel

Rachel Lewis  
Public Service Commission

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

2                                   JUDGE DIPPELL: Missouri Public Service  
3 Commission has set this time for a local hearing in Case  
4 No. WR-2010-0131 in which Missouri American Water Company  
5 seeks to implement a general rate increase. I'm Nancy  
6 Dippell. I'm a regulatory law judge who works for the  
7 commission, and my job tonight is to facilitate this  
8 hearing to take public comments.

9                                   With me tonight is the chairman, Robert  
10 Clayton, of the Public Service Commission. And  
11 Mr. Chairman, would you like to make some opening remarks?

12                                  CHAIRMAN CLAYTON: Thank you. Thank you,  
13 Judge. My name is Robert Clayton. I'm chairman of the  
14 Missouri Public Service Commission. We're a five-member  
15 commission. We have five commissioners from different  
16 parts of the state of Missouri, and we are all venturing  
17 out, taking part in the local public hearing process that  
18 is going on throughout the state. Last night we were in  
19 Riverside, Missouri. We're here tonight in Warrensburg.  
20 Tomorrow we're in St. Louis. And I'm not sure where  
21 Thursday is, and then next week we keep going.

22                                  I am here tonight to hear the comments that  
23 you have and to participate in a little bit of the  
24 discussion that has been going on. I wanted to make you  
25 aware that if you would like to testify, we have a court

1 reporter who is here. She will take down the comments, and  
2 then all the commissioners have an opportunity to read the  
3 transcript that goes with that.

4           As you can see, we're also web casting, and we  
5 have some folks participating from Jefferson City. Part of  
6 the reason for that is that we had a completely different  
7 case unrelated to this one taking place in our Jefferson  
8 City hearing room, so we have a number of different things  
9 that are going on, and we try to accommodate as many people  
10 as possible.

11           So I want to thank you for taking the time to  
12 come out tonight. We are trying some new things on these  
13 local public hearings, trying to make sure that we're  
14 providing information that is helpful so that the public  
15 has an opportunity to understand what we do at the  
16 commission, how we make decisions, and how you can provide  
17 input on many of those decisions.

18           So having said that, I want to thank you for  
19 being here. Please take advantage of our staff if you have  
20 particular issues, or if you want to meet with the company,  
21 we can help facilitate those discussions, and I look  
22 forward to your comments. Thank you for being here.

23           JUDGE DIPPELL: Thank you. If you were  
24 present for the question and answer session, which I think  
25 all of you were, you were introduced to some of the members

1 of our staff who are here. And as the chairman said, we're  
2 more than happy to meet with you if you have questions that  
3 didn't get answered.

4           Also I want to make you aware that we are  
5 having the hearing transcribed so that the other  
6 commissioners can read the comments and so forth. And in  
7 addition, it's being -- this hearing is being recorded as  
8 well as being broadcast over the video. It will be  
9 recorded, and then the video will be placed on our website.  
10 We have a website which has all of our hearings and the  
11 commissioners' general agenda meetings.

12           I wanted to thank Central Missouri University  
13 for letting us use their facility this evening, and just  
14 state that the comments and statements here tonight really  
15 aren't associated with the university. They've just been  
16 kind enough to provide with us a location.

17           This is an official hearing of the Missouri  
18 Public Service Commission, and we'll take the statements  
19 and testimony under oath or affirmation. The purpose is to  
20 receive your comments, and the company's not here to  
21 present witnesses tonight. We will have an evidentiary  
22 hearing later in the process where it's more like a trial  
23 and the company will be presenting their witnesses, staff  
24 and then the other parties will also present witnesses at  
25 that time.

1                   As I call your name, if you would come up.  
2 This is a little odd arrangement, but if you could come up  
3 and stand at the podium if you're able, and I will ask you  
4 to take an oath or affirm, and then you can give your name.

5                   CHAIRMAN CLAYTON: Is that where the  
6 camera is?

7                   JUDGE DIPPELL: The camera is actually  
8 back here. See, that's why we are asking you to stand up  
9 here. So with that, I'm going to let the attorneys make  
10 their entries of appearance. I'm going to begin with  
11 Office of the Public Counsel, who is the public advocate  
12 before the Public Service Commission. Ms. Baker would you  
13 like to make your entry of appearance?

14                  MS. BAKER: Thank you very much.  
15 Christina Baker, P.O. Box 2230, Jefferson City, Missouri,  
16 65102, appearing on behalf of the Office of the Public  
17 Counsel.

18                  JUDGE DIPPELL: And Mr. England, would you  
19 like to make your appearance?

20                  MR. ENGLAND: Thank you, Judge. Let the  
21 record reflect the appearance of W.R. England, appearing on  
22 behalf of the water company. My address in Jefferson City  
23 is Post Office Box 456, zip code 65102.

24                  JUDGE DIPPELL: And for staff?

25                  MS. LEWIS: My name is Rachel Lewis,

1 appearing for the staff of the Public Service Commission.

2 My address is P.O. Box 360, Jefferson City, Missouri.

3 JUDGE DIPPELL: And are there any other  
4 attorneys that need to make an entry? All right then. We  
5 can go ahead and begin with our first witness, Cindy  
6 Collier.

7 CINDY COLLIER,  
8 produced, sworn and examined, testifies and says:

9 MS. COLLIER: I'm an alderman in the City  
10 of Brunswick, and I'd like to submit into the evidence a  
11 packet of petition signatures of Missouri American Water  
12 Company customers. And the petition is titled, We the  
13 Undersigned Customers of the Missouri American Water  
14 Company, Brunswick, Missouri, are Strongly Opposed to the  
15 Recently Requested Rate Increase Submitted to the Public  
16 Service Commission. And there's a few comments in there  
17 also.

18 And then visually I'd like to -- I don't want  
19 to submit to the evidence bank. I would like for the  
20 pertinent people to see it tonight.

21 JUDGE DIPPELL: Okay.

22 MS. COLLIER: The quality that we have to  
23 sustain.

24 JUDGE DIPPELL: Can you explain to us what  
25 you're holding there?

1 MS. COLLIER: It is a small section of  
2 pipe from our Brunswick Nursing Home, and it is, of course,  
3 filled with calcium deposits. So is there anyone who would  
4 like to look at that or hold it?

5 CHAIRMAN CLAYTON: I would.

6 JUDGE DIPPELL: I'm going to try to figure  
7 out a way that we could photograph it or at least get a  
8 good visual of it on the camera. Did you have any other  
9 comments that you wanted to make while he's setting up the  
10 document camera?

11 MS. COLLIER: I don't believe so.

12 JUDGE DIPPELL: Let me go ahead then and  
13 I'll mark your petitions. You were willing to let us take  
14 those and as attach those to the transcript? I'll mark  
15 those as Exhibit 1, and if you'll just give those to the  
16 court reporter, she can attach those to the transcript.

17 (The reporter marked Exhibit No. 1.)

18 JUDGE DIPPELL: Can you tell me anything  
19 more about the pipe?

20 MS. COLLIER: It is, as I said, from the  
21 Brunswick Nursing Home, and it's just a small section of  
22 pipe where the calcium has overtaken it. And of course,  
23 the pipe has become useless.

24 JUDGE DIPPELL: Do you know when it was  
25 collected, the pipe?



1 MS. COLLIER: It was approximately three  
2 years ago.

3 JUDGE DIPPELL: Mr. Chairman, would you  
4 like to ask Ms. Collier any questions?

5 CHAIRMAN CLAYTON: I would, Judge, thank  
6 you. Alderman Collier, regarding this pipe, obviously  
7 there was backup or a clog in the service where the  
8 pressure got so low somebody went in and replaced the pipe?  
9 Is that how they came about finding this section of the  
10 pipe?

11 MS. COLLIER: Yes.

12 CHAIRMAN CLAYTON: And was this reported  
13 to the company?

14 MS. COLLIER: No, I don't believe that it  
15 was.

16 CHAIRMAN CLAYTON: Do you believe it's the  
17 company's fault for the calcium building up in the pipe?  
18 Is that your understanding of the kind of diagnosis of the  
19 problem?

20 MS. COLLIER: Yes, yes. I believe that  
21 the grains of hardness in the City of Brunswick's water is  
22 extreme and reeks havoc on --

23 CHAIRMAN CLAYTON: Have you ever had the  
24 water tested? Has the City had the water tested?

25 MS. COLLIER: Yes.

1                   CHAIRMAN CLAYTON: Do you know what the  
2 rating was?

3                   MS. COLLIER: I know the grains of  
4 hardness, and I'm not certain. It's 20 grains hard in the  
5 City of Brunswick. And I'm not certain if that's the  
6 measurement you prefer or not.

7                   CHAIRMAN CLAYTON: I think that was what  
8 we heard last time. We heard someone mentioned 22, but 20  
9 is similar to that.

10                   (Off the record.)

11                   CHAIRMAN CLAYTON: I'd like to look at  
12 that pipe, too, at some point. Thank you. What's the name  
13 of the nursing home?

14                   MS. COLLIER: It's Brunswick Nursing Home.

15                   CHAIRMAN CLAYTON: And do you know, did  
16 the nursing home ever contact the water company?

17                   MS. COLLIER: No. I don't know if the  
18 nursing home contacted the water company.

19                   CHAIRMAN CLAYTON: Have you been advised  
20 of things that you can do to or that the nursing home can  
21 do to address the problem aside from contacting the water  
22 company? Did they buy filters or anything like that.

23                   MS. COLLIER: A water softener was the  
24 resolution.

25                   CHAIRMAN CLAYTON: Okay. Alderman

1 Collier, I think that's all the questions I have.

2 MS. COLLIER: I should disclose that my  
3 father, Sam Johnson, is a plumbing contractor in Brunswick,  
4 and that's where the section of pipe came from. It's his  
5 possession, and I was told not to let it go.

6 CHAIRMAN CLAYTON: That's all right.  
7 We're not going to make you part with your evidence there.  
8 Thank you very much for coming.

9 JUDGE DIPPELL: Were there any -- before  
10 you step down, just a moment, Ms. Collier. Were there any  
11 questions from the attorneys in Jefferson City? Ms. Baker?

12 MS. BAKER: No questions. Thank you for  
13 coming.

14 MR. ENGLAND: No questions.

15 MS. LEWIS: No questions. Thank you for  
16 your time.

17 JUDGE DIPPELL: Thank you, Ms. Collier,  
18 very much. And Ms. Collier was the only person I had  
19 signed up on my witness list, but if anybody else would  
20 like to give comments, just raise your hand and we'd be  
21 happy to hear from you.

22 We appreciate you-all coming out this evening,  
23 and I hope that the reason nobody wants to get up and give  
24 comments is that you got your questions answered, and the  
25 PSC staff was able to help in some way. So if you have

1 further questions, you can contact our office or the Office  
2 of the Public Counsel.

3                   And I guess that will conclude the on-record  
4 portion of the hearing, and we can go off the record.

5 Thank you.

6                   (Proceedings adjourned.)

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I N D E X

Witness Name	Page
Cindy Collier	7

E X H I B I T S

Exhibit	Marked	Received
No. 1	8	8