

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing

JANUARY 5, 2012

Riverside, Missouri

Volume 11

In the Matter of Missouri American ) File No.  
Water Company's Request for ) WR-2011-0337, et al.  
Authority to Implement a General )  
Rate Increase for Water and Sewer )  
Service provided in Missouri )  
Service Areas, )

HAROLD STEARLEY, Presiding  
SENIOR REGULATORY LAW JUDGE

KEVIN D. GUNN, Chairman

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

2 (Hearing commenced at 12:38 p.m.)

3 JUDGE STEARLEY: All right. Good afternoon.

4 Today is January 5th, Thursday, 2012. The commission has  
5 set this time for a public hearing in File Number  
6 WR-2011-0337, which is captioned as "In the Matter of  
7 Missouri American Water Company's Request for Authority to  
8 Implement a General Rate Increase for Water and Sewer  
9 Service provided in Missouri Service Areas."

10 My name is Harold Stearley. I'm the presiding  
11 officer over today's hearing. With me is Commissioner  
12 Gunn, the chairman of the commission, and we'll begin by  
13 the chairman, if he'd like to give an opening statement.

14 CHAIRMAN GUNN: Thanks very much.

15 First of all, I want to thank everybody for  
16 coming here. I know these are never fun to come to, but we  
17 appreciate your input. It becomes extremely important.

18 You may be wondering, out of a commission of  
19 five, how come there's only one of us here. We are  
20 essentially down two commissioners. We have one that  
21 hasn't been confirmed by the Senate yet and another one who  
22 has about four days left, or just a few more days left, and  
23 so we had a hearing this morning in Jefferson City on an  
24 issue, an electrical issue, that involves this side of the  
25 state as well. So we --

1           This is the fifth out of 11 local public  
2 hearings that we have, which is -- I actually like saying  
3 this -- it's more than anybody -- anyone else in the  
4 country, any other state in the country. We have extensive  
5 local public hearings and we do it much more than anybody  
6 else.

7           We also send out comment cards, about 450,000  
8 comment cards, and comments can also be -- for folks that  
9 can't make it here today, you can tell folks that they can  
10 also make comments either by calling the Public Service  
11 Commission or by entering that on the -- on our website and  
12 we'll give those website addresses out. They are on pieces  
13 of paper out there (indicating), and we'll give that out at  
14 the end as well.

15           Just a couple things to remember.

16           I know it might be frustrating for some of  
17 you -- and believe me, it's frustrating for me -- but the  
18 law does not allow me to answer questions. I might have  
19 some questions I might ask about follow-up questions from  
20 your statements, but because any answer that I give may be  
21 viewed under the law as prejudging before the facts are in,  
22 I'm really not allowed to respond to specific questions.

23           And hopefully, though, there are staff members  
24 and there are members from the company, as well as some  
25 intervenors, here that can answer questions and give their

1 positions as to where they are in the rate case.

2           So I understand your frustration. I'm  
3 frustrated about it too, but because we have a very  
4 specific process and procedures, they don't allow me to do  
5 that.

6           We will be here until everybody gets their  
7 chance to say something. Do not be afraid that if someone  
8 has said -- mentioned what you wanted to say, to say that  
9 "I agree." That's perfectly acceptable as well.

10           And we also have a written comment forms, that  
11 if you're not comfortable testifying, getting up and  
12 speaking in front of a group, you can take one of those  
13 comment forms and either leave it with you today or --  
14 leave it here today or mail it in at a time in the future.

15           All -- this is being transcribed by a court  
16 reporter. It's on the record. All the other commissioners  
17 will be reading these transcripts. We do, on a regular  
18 basis, for all our rate cases. And they are evidence in  
19 the case. So what you say does matter and we do take it  
20 into account.

21           So with that, I know that we've got a lot of  
22 folks to go through. Judge will call you up and swear you  
23 in, and you'll be -- you'll be speaking directly.

24           And I may have some follow-up questions, so if  
25 you could just, before you leave the podium, stay up so if

1 I could ask you any questions that I might have.

2 Once again, thanks everybody for being here.

3 We'll try to move this through as quickly as we can while  
4 giving everybody the opportunity that they need to comment.

5 So thanks for being here.

6 JUDGE STEARLEY: I'm going to begin by taking  
7 entries of appearance from counsel, starting with Missouri  
8 American Water Company.

9 MR. JOHN J. REICHART: Thank you, Judge.

10 Appearing on behalf of Missouri American Water  
11 Company, John J. Reichart. My address is 727 Craig Road,  
12 St. Louis, Missouri, 63141.

13 JUDGE STEARLEY: Okay. And the Office of the  
14 Public Counsel?

15 MS. CHRISTINA BAKER: Thank you.

16 Christina Baker, PO Box 2230, Jefferson City,  
17 Missouri, 65102, appearing on behalf of the Office of the  
18 Public Counsel and the ratepayers.

19 JUDGE STEARLEY: Okay. Thank you, Ms. Baker.

20 And the staff of the Missouri Public Service  
21 Commission.

22 MS. SARAH KLIETHIERMES: Thank you, Judge.

23 Sarah Kliethiermes, of and on behalf of the  
24 staff of the Public Service Commission, 200 Madison Street,  
25 Jefferson City, Missouri, 65101.

1 JUDGE STEARLEY: Okay. Thank you,  
2 Ms. Kliethiermes.

3 I believe we also have counsel for the City of  
4 Riverside.

5 MR. JOSEPH P. BEDNAR: Yes, Your Honor.

6 Joe Bednar and Eric Steinle on behalf of the  
7 City of Riverside, 1000 Walnut Street, Kansas City,  
8 Missouri, 64106.

9 JUDGE STEARLEY: All right. Thank you.

10 Are there any counsel present for any of the  
11 other intervenors in this case?

12 Okay. Hearing none, we will move on to the  
13 public testimony.

14 I have the sign-up sheet from out front, and  
15 what I'm going to do is just go down the list calling  
16 people by name. I'll have you step up to the podium. I'll  
17 have you state and spell your name so our court reporter  
18 can get it into the record correctly. I'll then swear you  
19 in, and you can proceed with your comments.

20 So beginning at the top of the list, I have  
21 John Ponzo.

22 MR. JOHN PONZO: Good day.

23 JUDGE STEARLEY: And could you please --

24 MR. JOHN PONZO: John, J-o-h-n, Ponzo, P -- as  
25 in "Peter" -- o-n-z -- as in "zebra" -- o.

1 JUDGE STEARLEY: All right. And if you'd  
2 please raise your right hand.

3 (At this time, the oath was administered to the witness by  
4 Judge Stearley.)

5 MR. JOHN PONZO: Yes, I do.

6 JUDGE STEARLEY: All right. Please proceed.

7 MR. JOHN PONZO: Okay. I'd first like to say  
8 that despite the provided comment cards and website access,  
9 I think it's 100 percent deplorable and inexcusable that  
10 this meeting be held at 11:30 a.m. on a weekday, or each  
11 and every one of these meetings not be held at 6:00 p.m. on  
12 a weekday.

13 It's my -- it's my own position that it is an  
14 attempt to suppress turnout.

15 All right. And onward.

16 My next recommendation is that Missouri  
17 American Water should, by no means whatsoever, be allowed  
18 any increase, regardless of a statewide structure, a  
19 district structure, et cetera.

20 We have -- I've lost track of the rate  
21 increases I've sustained since I purchased my house in the  
22 Ridgewood Estates subdivision, which is a little sliver of  
23 unincorporated Platte County, back in 1998.

24 I'd also suggest that the commission qualify  
25 and initiate an independent audit of my particular



1 subdivision, Ridgewood Estates. In other words, think a  
2 little out of the box rather than perusing the books handed  
3 to you by Missouri American Water and going line by line  
4 to -- to determine whether or not this rate increase is  
5 justified. Think out of the box.

6 Point in case: Ridgewood Estates is the  
7 redheaded stepchild, if you will, of Platte County. There  
8 are 103 households in that subdivision which is literally  
9 surrounded by Riverside, Parkville, and Platte County --  
10 and -- pardon me, Riverside, Parkville, and Kansas City.

11 If I took a one-month sabbatical, turned off  
12 my main during an entire billing cycle, and neither drank a  
13 drop, showered a drop, or flushed a drop of water, I would  
14 return home to an 80-plus-dollar Missouri American Water  
15 bill.

16 Now, in my opinion, that goes way beyond  
17 "just, reasonable, and needed," as was stated by Kim and  
18 Jim.

19 I think anyone would agree, regardless of  
20 one's income, that that is completely absurd.

21 Think about it, gentlemen. Not drink a drop,  
22 not flush a drop, not shower a drop, not water the lawn a  
23 drop. 80-plus dollars a month for nothing.

24 So again, I can only reiterate that -- and  
25 implore the commission to step out of the box and appoint a

1 special committee, an attorney -- get Mr. Harrison, your  
2 lead auditor, and whoever else would be capable of  
3 scrutinizing and following the money, for lack of better  
4 terms.

5           Regarding district-specific rates and uniform  
6 rates, again let me preface that by saying by no means  
7 whatsoever should they be entitled to any type of rate  
8 increase. However, if they -- if a uniform rate is  
9 implemented and even a \$5 decrease would be put into place,  
10 as pittance as it might be, it would certainly be welcome  
11 over any type of increase.

12           Also, Missouri American Water filed for this  
13 rate increase on June 11th and I also find it deplorable  
14 that it took six months for us to get to this point after  
15 their initial filing, which, in essence, leaves that much  
16 less time for you all to digest the information that we're  
17 going to provide you to help us.

18           The clock is ticking, in other words. Six  
19 months from the time of filing to the public hearing?  
20 Unacceptable. I understand there's bureaucratic red tape  
21 involved, but somebody needs to snip that tape here and  
22 there to give the commission enough time to work and digest  
23 all facets of this particular case.

24           I guess that says it all.

25           The Office of Public Counsel, Christina --

1 Christina, I wish you would team and partner with Kim and  
2 Jim and Paul to initiate -- what's the correct word for it?  
3 To initiate further looking into -- not to sound greedy  
4 here, but Ridgewood Estates, for example.

5 I'll reiterate one more time.

6 And please paint this picture in your mind's  
7 eye. Turn your main off, be gone for an entire billing  
8 cycle, and come home to an 80-plus-dollar Missouri American  
9 Water bill. Which, by the way, includes a \$65 flat sewer  
10 charge.

11 In my opinion, our water bill, slash, sewer  
12 bill should be usage-based. If you use it, you pay for it.  
13 If you don't use it, you don't pay for it. It's common  
14 sense.

15 Thank you for your time.

16 JUDGE STEARLEY: All right.

17 CHAIRMAN GUNN: Sir, I --

18 JUDGE STEARLEY: Mr. Ponzio, please don't sit  
19 down just yet.

20 Did any counsel here have any questions for  
21 this witness?

22 Hearing none, Mr. Chairman?

23 CHAIRMAN GUNN: I do. I do have a couple  
24 questions, sir.

25 Thank you very much for testifying.

1                   So you have 103 homes in Ridgewood Estates?

2                   MR. JOHN PONZO: Correct.

3                   CHAIRMAN GUNN: And it's kind of a -- a pocket  
4 or a -- or an island or -- of Platte County that's  
5 unincorporated?

6                   MR. JOHN PONZO: Right. It's an  
7 unincorporated sliver of Platte County literally surrounded  
8 by Parkville, Riverside, and Kansas City.

9                   CHAIRMAN GUNN: And do they -- does Missouri  
10 American provide both water and sewer?

11                   MR. JOHN PONZO: Our sewage runs through  
12 Riverside into Kansas City. It's my understanding that at  
13 one point in time up until a couple of years ago, 15 of  
14 those \$65 was being paid to Riverside. They no longer  
15 needed it, thanks to the casino down the road.

16                   However, unbeknownst to we residents, somehow,  
17 some way, without any notice to anyone nor any questions  
18 being posed, that \$15 is now being paid to Kansas City as  
19 well.

20                   And I might add, now that you bring that up,  
21 our wastewater is processed in Kansas City. I can hit a  
22 Kansas City neighbor's house with a stone from my house.  
23 That same Kansas City resident that I can hit with a stone  
24 from my house pays a \$10-a-month flat sewer charge. 10.  
25 And perhaps a \$2 floodwater -- what's the proper term? Or

1 10 to \$15 wastewater sewer flat rate.

2 Ours is 65. 65. And our wastewater travels  
3 200 extra feet into the same main going to the same  
4 treatment facility.

5 Please paint this picture in your mind's eye  
6 and do some research here.

7 I can't sell my house. I've been trying to  
8 sell my house for two years now, but each time a  
9 prospective buyer wants to look at my bills to see what  
10 they might incur and they look and they see a \$100 water  
11 bill, if I try to keep my grass alive one year, which is  
12 futile in this area anyhow, they turn and walk away simply  
13 because of the water bill.

14 CHAIRMAN GUNN: Are you billed on a -- on a  
15 quarterly or --

16 MR. JOHN PONZO: Monthly.

17 CHAIRMAN GUNN: -- monthly basis?

18 MR. JOHN PONZO: Monthly.

19 CHAIRMAN GUNN: Monthly basis.

20 So that \$80 water bill is one month?

21 MR. JOHN PONZO: Correct.

22 CHAIRMAN GUNN: One month. Okay.

23 MR. JOHN PONZO: 65 of it is sewer. 13 is a  
24 customer charge.

25 The water portion of it, in my opinion, is

1 somewhat reasonable, but it's that sewer charge that's  
2 killing us. And there are 103 households in that  
3 development of 103 homes that -- I'm trying to be  
4 politically correct here.

5 CHAIRMAN GUNN: You don't have to be.

6 MR. JOHN PONZO: I don't have to be?

7 CHAIRMAN GUNN: You don't have to be.

8 MR. JOHN PONZO: -- that are being shafted.  
9 It's nothing short of piracy, Mr. Gunn, and if you can't  
10 paint that picture in your mind's eye as to what we in  
11 Ridgewood Estates are going through right now, it's  
12 hopeless.

13 I'll sell -- I'll have to sell my house at a  
14 loss just to get out from under Missouri American Water's  
15 water bill, slash, sewer bill.

16 CHAIRMAN GUNN: And then just one -- one quick  
17 follow-up, just to clarify.

18 So you would be in favor of the company's  
19 proposal to move to single tariff pricing, but that's  
20 because there's a -- there's a decrease -- it would result  
21 in a potential decrease?

22 MR. JOHN PONZO: Well, allegedly there would  
23 be a decrease for Ridgewood Estates. And I know that's not  
24 something the commission would want to hear, because there  
25 are other districts that would have to pay \$5 more and I

1 would pay \$5 less if they went to uniform -- implemented a  
2 uniform rate structure.

3           However, at this stage of the game, if the  
4 rates we're all currently paying, whether we're here in  
5 Ridgewood Estates, Misty Woods, Warrensburg, St. Louis,  
6 we're all being raped, short and sweet.

7           Salaries aren't going up. Nothing is going up  
8 except Missouri American -- Missouri American's rates.  
9 Nothing else is going up. And I'm not crying to you. I'm  
10 just stating the fact that the water rate is driving some  
11 of us out of our homes.

12           When I go door-to-door in Ridgewood Estates to  
13 put flyers and hand flyers out to my neighbors to contact  
14 state representatives for help, trying to follow the money,  
15 if you will -- okay? -- I have elderly people crying in my  
16 face at the front door because they have to choose between  
17 doing laundry, buying medication, or food. Young couples,  
18 new in the neighborhood with small children, in the  
19 oppressive heat of summer, are afraid to turn on their  
20 water sprinkler to cool the kids down because their bill is  
21 already the better part of a hundred dollars without using  
22 any water.

23           Think about it. Without using any water. The  
24 better part of a hundred dollars. Without using any water.

25           CHAIRMAN GUNN: I don't -- I'm sorry, I don't

1 have anything further.

2 MR. JOHN PONZO: So please appoint someone,  
3 some people, to look into, to scrutinize this piracy a  
4 little closer, because it is my firm opinion -- and if you  
5 couldn't tell by now, I'm from east of the Mississippi.  
6 I'm a very wary New Yorker and a somewhat educated and  
7 picky consumer. Somebody's on the take somewhere around  
8 here, and it's not my position and I don't have the means  
9 to find out who is on the take. Get my drift?

10 CHAIRMAN GUNN: Thanks very much, sir. I  
11 don't have anything further.

12 MR. JOHN PONZO: Thank you.

13 JUDGE STEARLEY: All right. Next on our list  
14 we have Jeannette Mormino.

15 MS. JEANNETTE MORMINO: I'm going to put mine  
16 in writing, because I --

17 JUDGE STEARLEY: All right.

18 MS. JEANNETTE MORMINO: -- don't think I can  
19 stand up and talk nice to you.

20 JUDGE STEARLEY: All right. Well, thank you.

21 MS. JEANNETTE MORMINO: No offense.

22 CHAIRMAN GUNN: None taken.

23 JUDGE STEARLEY: Robert Frye.

24 Mr. Frye, if you would please begin by stating  
25 and spelling your name for our court reporter.



1 MR. ROBERT FRYE: My name is Robert  
2 R-o-b-e-r-t, Frye, F-r-y-e.

3 JUDGE STEARLEY: All right. If you'd raise  
4 your right hand.

5 (At this time, the oath was administered to the witness by  
6 Judge Stearley.)

7 MR. ROBERT FRYE: I do.

8 JUDGE STEARLEY: Okay. Please proceed.

9 MR. ROBERT FRYE: As previously stated, my  
10 name is Robert Frye. I'm currently a Platte County  
11 resident in the Misty Woods subdivision, which is  
12 sandwiched between Riverside, Parkville, and Kansas City,  
13 like the previous person stated. We're in a similar  
14 situation.

15 I've actually lived in the neighborhood for  
16 six years. My wife and I own several properties and lease  
17 several properties in three different areas of the state in  
18 cities that have different water and sewer structures than  
19 what we have in Misty Woods.

20 We have six kids, we have a local business,  
21 we're invested in our communities, and we don't mind paying  
22 what's fair but we definitely feel as if, in this district  
23 specifically, just by the way in which it's being managed,  
24 it's -- that the costs have gotten out of hand.

25 I did look at the commission website last

1 night and noted that there were 3,896 written statements  
2 that have been made to the case and posted on the website.

3 I actually took the time to scroll through 60  
4 pages of those -- 600 in all -- and found three positive  
5 comments. The rest were negative or, at the very least,  
6 neutral.

7 In 3 of the past 12 months, my combined water  
8 and sewer bills have been higher than my electric bill.

9 I have a 2400-square-foot, four-bedroom home.  
10 We have multiple TVs, computers, deep freeze, and normal  
11 appliances. And if the new rate goes into force without  
12 going to a consolidated rate level, my water and sewer bill  
13 will actually exceed my electric by -- in 5 of the 12  
14 months of the year.

15 And while I realize water is a precious  
16 commodity and we need to take care of the planet, at some  
17 point I'm having difficulty wrapping my brain around why  
18 electric is actually less than water.

19 I have currently installed a whole-house water  
20 softener system and reverse osmosis system just to make it  
21 more palatable and usable.

22 The water delivered to my home is so hard that  
23 we've had difficulty keeping faucet washers and valves from  
24 failing every four to five years.

25 When I took my old water heater out of service

1 after eight years, I could hardly lift it after the water  
2 was drained, due to all of the deposits that were inside  
3 the tank.

4 It became clear that I needed to make changes  
5 that would mitigate continued maintenance expenses in the  
6 future, so I spend approximately an additional \$15 per  
7 month personally for chemicals and filters to make the  
8 water more usable and less damaging to my infrastructure in  
9 my own home. And of course this does not include the  
10 purchase price of that equipment.

11 I have actually prepared a spreadsheet that is  
12 available that shows my water bill for November for the  
13 Missouri American Water bill that I received at that home  
14 address and compares it to other municipalities.

15 In the earlier question-and-answer session, it  
16 is true that municipalities are not necessarily a fair  
17 comparison to the way that the Missouri American Water  
18 Company runs their structure, but nonetheless, there are a  
19 lot of communities that still run municipal water systems.

20 And in that spreadsheet, as I laid it out, I  
21 chose -- because municipal water districts are all public,  
22 you can get all the information about their rates and their  
23 capacities and their number of subscribers and what they do  
24 to treat the systems, I can go through and look, and in six  
25 of the comparisons that I did, currently my rate that I pay

1 for 4600 gallons a month through Missouri American Water is  
2 118 percent higher than Harrisonville and 249 percent  
3 higher than what I pay -- would pay if I lived in Sedalia.

4 And when you compare those large areas, which  
5 are greater than 10,000 residents -- and I only did that  
6 because I'm assuming that where we are in Platte County,  
7 with, I guess I found out now 5,000 residents, it should be  
8 a similar comparison but not necessarily equivalent.

9 If we go in with the new rate in the full  
10 amount, using district-specific rates, I personally will  
11 see a 49.3 percent increase to my water bill, using the  
12 same 4600 gallons.

13 If we go in with the proposed uniform rates,  
14 I'll actually see a drop of 36 percent. Again, using the  
15 same quantity.

16 I looked at several other municipalities and  
17 how they structure their systems to try to figure out  
18 answers to certain questions.

19 Excelsior Springs just recently went through a  
20 large infrastructure improvement and they had a rate change  
21 that was voted in that's staggered over five years. Their  
22 peak rate in 2015 would still leave my water bill, at  
23 current Missouri American rates, 34 percent higher.

24 I may have misstated that.

25 My current Missouri American Water bill is 34

1 percent higher than what their peak rate will be in 2015,  
2 even with their new rate increases approved.

3 So what I'm really asking the commission to  
4 take a hard look at is: What is considered normal and  
5 standard for pricing?

6 Even though a company can show on paper that  
7 it costs a certain amount to produce a product does not  
8 necessarily mean that that product is a fair and equitable  
9 value.

10 I'll go back to the 1980s when the Pentagon  
11 was paying \$900 for hammers, when I can go down to Ace  
12 Hardware and buy one for \$7. Just because the vendor could  
13 prove that it cost them that much to make it doesn't mean  
14 that it's right that I should pay that.

15 So I want to make sure that we hold them to a  
16 high enough standard to make sure that what we're paying is  
17 really reasonable.

18 I kind of make a reference to an automotive  
19 reference. I feel like we're paying Cadillac prices and  
20 we're only getting to drive a Chevy.

21 They talk about the water quality, and we do  
22 get our -- a statement each year about the water quality  
23 and the water testing that is done for the water that's  
24 delivered by Missouri American Water.

25 They're stating that we -- we get good quality

1 water, and they compare it to Kansas City, Missouri's  
2 water. And in the last test -- and pardon me while I look  
3 to see what the date of that report was.

4 It was for 2010. The comparison was to the  
5 Kansas City, Missouri water treatment facility when they  
6 went through each of the line item substances that they  
7 compared. I'm not a water chemist, so I don't know whether  
8 some of these things are good or bad for me. All I can do  
9 is look across and see the results. And in four of the  
10 line items, the Platte County water tests were worse, as  
11 far as pollutant quantity, than Kansas City, Missouri.

12 Again, I'm not a chemist and so I don't want  
13 to make a judgment whether "worse" is really the right word  
14 or not, but if they're going to compare their quality to  
15 Kansas City, Missouri, then I want to compare their price  
16 to Kansas City, Missouri. They've already stepped out on a  
17 limb and said, "Our water is comparable on a line-item  
18 comparison with KCMO."

19 If my bill were in Kansas City, Missouri, I  
20 would only pay \$17.18 a month, but yet I paid \$43.45.

21 Again, I'd just ask for it to be looked at in  
22 a fair light.

23 Uniform rates sound great and I think I'm  
24 actually in favor of consolidating rates. It would spread  
25 the expenses out over 417,000 customers. I think it's a

1 great way to go.

2 But I also want to make sure that we don't  
3 just hand over monies at the same time that we're doing  
4 that.

5 We have to make sure that we take a good hard  
6 look at what is out there and whether it's reasonable for  
7 the product that's being delivered.

8 The other concern that I have is that for some  
9 reason, Missouri American Water has the exact same rates  
10 for their residential customers as they do for their  
11 commercial customers. At least what I found published.

12 Now, you pay more customer charge based on the  
13 size of your meter, but as far as the cost per gallon of  
14 water, it is the same cost.

15 I don't agree with this policy and I think  
16 that it should be looked into having them have a staggered  
17 rate.

18 If I've installed water-saving devices and  
19 appliances in my home, I don't water my lawn and I try to  
20 do the things that keep my water bill at 4600 gallons when  
21 the average for Platte County is 6,500 gallons, it should  
22 be a tiered system where I get rewarded for using less  
23 water, causing less wear, less tear, less energy to be  
24 burned to run the power -- the water plant.

25 And conversely, for a commercial customer, if

1 a commercial customer is using 4600 gallons a minute,  
2 compared to my 4600 gallons a month, I'm sure I'm not the  
3 one wearing out the pipes. I'm also sure I'm not the one  
4 that sets the capacity requirement for the plant.

5 So I don't think that the residents should be  
6 paying for those things.

7 So my recommendation is to look into those  
8 kinds of items that maybe they could restructure how  
9 they're currently doing their billing to gain some of those  
10 monetary amounts that they need to recover, rather than  
11 continually looking in the same pot for more gold.

12 As another side note with that, the City of  
13 Maryville, Missouri implemented a deposit system for every  
14 meter that is in service. That came about two years ago.  
15 They have approximately 10,000 users. They implemented a  
16 \$150 deposit per meter. So this is regardless of what your  
17 credit is, you have to pay that \$150 when you take on  
18 service with the city.

19 With 10,000 meters, that's \$1.5 million they  
20 have available to use as a pool to do some of those  
21 improvements and to bridge some of those financial gaps  
22 that they may have in cash flow.

23 If we've got 477,000 meters at a \$100 deposit  
24 per meter, that's \$47.7 million.

25 And the money isn't going to deplete, because



1 when one person moves out, another one will move in and  
2 have to pay that same deposit. So there will be some cash  
3 flow, but the dollars will still stay in the same pot.

4 I just want them to think outside of the box a  
5 little bit about how there may be ways to generate revenue  
6 rather than consistently asking for rate increases.

7 That's all that I have.

8 JUDGE STEARLEY: Mr. Frye, did you want to  
9 make your spreadsheet an exhibit to enter into the record?

10 MR. ROBERT FRYE: I would like to do that,  
11 yes.

12 JUDGE STEARLEY: All right. Do you have a  
13 copy with you?

14 MR. ROBERT FRYE: Yes, I do.

15 (WR-2011-0337 Exhibit 1 marked for  
16 identification by the reporter.)

17 JUDGE STEARLEY: We will mark that as  
18 Exhibit 1 --

19 MR. ROBERT FRYE: Give it to you?

20 JUDGE STEARLEY: -- and hand it to our court  
21 reporter.

22 I'm assuming there's no objections to the  
23 admission of Exhibit 1 from counsel?

24 Okay. Seeing none, it shall be received into  
25 the record.

1 Counsel have any questions for this witness?

2 Okay. Mr. Chairman?

3 CHAIRMAN GUNN: Just a -- just a few.

4 Thank you very much for your very thoughtful  
5 testimony and the research that you did.

6 We're up to about 12,000 comment cards that  
7 we've gotten in, and I think we've probably only gotten  
8 3,000 actually into our system --

9 MR. ROBERT FRYE: Okay.

10 CHAIRMAN GUNN: -- so there will probably be  
11 more by the time you get back tonight, if you want to do  
12 it.

13 Just a couple questions about the water  
14 quality. So it's -- in terms of -- you've described the  
15 hard water in your water heater.

16 Any -- any taste or odor issues with -- with  
17 the water that you're using as well?

18 MR. ROBERT FRYE: Immediately when you take it  
19 from the tap, there's not necessarily an issue, but I  
20 typically take a bottle of water with me when I go out, you  
21 know, to the park or whatever with the kids, and if that  
22 sits for an hour or two, then you end up with a pretty  
23 strong chlorine odor or just not terribly palatable.

24 So we installed the reverse osmosis system to  
25 take care of that.

1 CHAIRMAN GUNN: Have you ever -- and I've got  
2 to be careful because I don't want to sound like I'm --  
3 like you should have, but I'm just -- so I'm just asking  
4 the question.

5 Have you had any interaction with the company  
6 regarding water quality? Did you contact them? Did you  
7 call them?

8 MR. ROBERT FRYE: I actually called them  
9 myself --

10 CHAIRMAN GUNN: Okay.

11 MR. ROBERT FRYE: -- and had them come out and  
12 run through a series of tests.

13 I did actually, sometime in the history about  
14 25 years ago, work for a water testing company. I  
15 personally am an engineer with a local company that deals  
16 with power generation facilities and have been with them  
17 for 25 years, so I'm fairly familiar with rate commission  
18 hearings and -- and the way that utilities generally work.

19 CHAIRMAN GUNN: Were they -- other than them  
20 obviously not doing enough so you had to go out and  
21 purchase a water system, how was that interaction? Did  
22 they come out at a timely time? Did you -- was it  
23 difficult to get them to come out? Were they --

24 MR. ROBERT FRYE: No. No.

25 CHAIRMAN GUNN: So that was okay --

1 MR. ROBERT FRYE: Okay.

2 CHAIRMAN GUNN: -- other than ultimately they  
3 said "Your water is fine, we don't need to do anything  
4 about it"?

5 MR. ROBERT FRYE: Right. Correct.

6 CHAIRMAN GUNN: Okay. I don't think -- I  
7 don't think I have anything else.

8 MR. ROBERT FRYE: Okay.

9 CHAIRMAN GUNN: We'll make sure we get copies  
10 to all the commissioners of the spreadsheet. Appreciate  
11 you putting that together for us.

12 So I don't have anything further. Thank you  
13 very much for your testimony.

14 JUDGE STEARLEY: Thank you, Mr. Frye.

15 Glen Anderson.

16 All right. If you would please state and  
17 spell your name.

18 MS. GLEN ANDERSON: My name is Glen, G-l-e-n,  
19 Anderson, A-n-d-e-r-s-o-n.

20 JUDGE STEARLEY: Okay. Raise your right hand.

21 (At this time, the oath was administered to the witness by  
22 Judge Stearley.)

23 MS. GLEN ANDERSON: I do.

24 JUDGE STEARLEY: Thank you. Please proceed.

25 MS. GLEN ANDERSON: Thank you.

1           First of all, I would like to make a comment  
2 about John Ponzo. I live in Misty Woods, which is not that  
3 far from Ridgewood Estates. I was absolutely flawed --  
4 flooded last night when I found out how much their water  
5 bill was, compared to mine.

6           Mine averages out about \$50 a month. My sewer  
7 bill averages out about \$40 a month.

8           So there's quite a difference between  
9 Ridgewood Estates and Misty Woods.

10           So I hope you will take into consideration  
11 what John asked you to do, because that is a big disparity  
12 and we're not even, what, two miles apart from each other.

13           MR. JOHN PONZO: Not even.

14           MS. GLEN ANDERSON: So -- and we're in an --  
15 unincorporated also, like Ridgewood.

16           I would also like to address the fact that our  
17 population is getting older. I'm a baby boomer and I have  
18 retired. There's a lot of us who have retired or who will  
19 be retiring. So that means a lot of us are going to be on  
20 fixed incomes.

21           Anytime that there is an increase in the  
22 utilities, it puts a hardship on a lot of us people who do  
23 have fixed incomes. And like John stated, sometimes it is  
24 a choice between either paying your utility or eating, and  
25 nobody should have to live like that. Nobody should have

1 to make that choice.

2 I understand that, you know, because of the  
3 last few years because of our economy --

4 I hope you'll excuse me. I've lost most of my  
5 voice.

6 Because of what's happening in the economy, I  
7 realize that, you know, it has affected all of us. It has  
8 affected some of us who are on fixed incomes a lot more  
9 because like maybe our retirement, our investments, have  
10 gone down because of the stock market and everything, so we  
11 don't have the ability to pay higher rates for things. We  
12 have to really put ourselves on a very strict budget.

13 And after working for all these years, you  
14 would think we would be able to enjoy our retirement and do  
15 pretty much what we would like to do. Well, that's -- I'm  
16 finding out the hard way that is not the case.

17 So I would ask that the commission look at --  
18 I don't have any demographics as to how many people are on  
19 retirement in the county or in the state. I -- I don't  
20 have that. But I do know there's a lot of us.

21 But I would -- you know, somebody needs to  
22 kind of take into consideration that some of the people who  
23 have worked here for years have -- you know, they've paid  
24 their taxes, they have earned their income, and they have  
25 contributed to their communities in any number of ways;

1 that they should be considered -- you know, they should be  
2 considered as far as their rate increases are concerned.

3 I have listened to, you know, both sides and I  
4 am kind of leaning toward consolidation because I think  
5 it's -- it would be fair for the whole state for everybody  
6 to pay the same rate, whether it -- whether for some people  
7 that has to go up, for some people it has to go down. I  
8 still think because we're under one company, that it should  
9 be one rate for all the customers.

10 And I also agree with Robert Frye in the fact  
11 that you need to look at your business customers because  
12 they do use a lot more money [sic] and maybe they should be  
13 on a different rate.

14 That's all I have to say.

15 JUDGE STEARLEY: All right. Any questions  
16 from counsel for this witness?

17 Mr. Chairman, any questions?

18 CHAIRMAN GUNN: Yes, ma'am. Thank you very  
19 much.

20 If I'm mistaken, just let me know, but you're  
21 in the same neighborhood as Mr. Frye?

22 MS. GLEN ANDERSON: Yes, I am.

23 CHAIRMAN GUNN: Do you have similar issues  
24 with water quality?

25 MS. GLEN ANDERSON: Yes, I do. We used to

1 have a water softener, but it finally went out and I  
2 couldn't afford to get it replaced.

3 So, yeah, I do have hard water and I do notice  
4 that, you know, sometimes there is a -- a taste to it,  
5 especially if it sits for a while. Yes, I do.

6 CHAIRMAN GUNN: Okay. So that's pretty common  
7 within --

8 MS. GLEN ANDERSON: Yeah.

9 CHAIRMAN GUNN: -- from where you are in Misty  
10 Woods?

11 I don't think I have anything else. Thank you  
12 for --

13 MS. GLEN ANDERSON: Let me -- I also have a  
14 pool, which, believe me, I want to get rid of, but I also  
15 have a pool and that does cause some problems with my pool  
16 filter also.

17 CHAIRMAN GUNN: With the pool pipes?

18 MS. GLEN ANDERSON: Yes.

19 CHAIRMAN GUNN: Okay.

20 MS. GLEN ANDERSON: You have to be extremely  
21 careful.

22 CHAIRMAN GUNN: All right. Thank you.

23 We'll get to you after we get everybody else.

24 We'll -- we'll give everybody an opportunity to come back

25 up after we get through the people that have signed up. We



1 want to make sure everybody gets through the first time.

2 Thank you, ma'am.

3 MS. GLEN ANDERSON: All right.

4 JUDGE STEARLEY: All right. Deborah Hunter.

5 Can you please state and spell your name.

6 MS. DEBORAH HUNTER: Deborah, D-e-b-o-r-a-h,  
7 Hunter, H-u-n-t-e-r.

8 JUDGE STEARLEY: All right. If you would  
9 raise your right hand.

10 (At this time, the oath was administered to the witness by  
11 Judge Stearley.)

12 MS. DEBORAH HUNTER: Yes.

13 JUDGE STEARLEY: Please proceed.

14 MS. DEBORAH HUNTER: Okay. I'm nervous with  
15 public speaking, so...

16 I just wanted to give you the numbers of my  
17 personal -- our water bills over the years.

18 We've lived in Ridgewood Estates for 12 years,  
19 and I have bills going back to January of 2004. We got out  
20 all 96 of those statements and went through them one by  
21 one, and back in 2004 our water bill -- the total water  
22 bill was \$75 and our usage was 8100 gallons a month, which  
23 we had kids then which have since moved out.

24 And this year, in 2011, in the last year, the  
25 cost of our water bill has gone up to \$118 a month while

1 the usage has dropped to 6,000, with less people and more  
2 conservative appliances.

3 So we've had a 26 percent decrease in our  
4 usage but over the same time our bill has increased by 36  
5 percent.

6 So I just wanted to say I'm against both the  
7 water rate being raised -- let me change that.

8 I am against the water rate going up and I  
9 think I'm for the statewide consolidation in our case, to  
10 help with our sewer rates.

11 And that's all I have.

12 JUDGE STEARLEY: All right. Any questions  
13 from counsel for this witness?

14 Okay. Seeing none, Mr. Chairman?

15 CHAIRMAN GUNN: Thank you very much for coming  
16 up. You did great. But one quick -- one quick question.

17 Do you have any water quality issues? You're  
18 not too far from Misty Woods, and any --

19 MS. DEBORAH HUNTER: Yeah.

20 CHAIRMAN GUNN: -- hardening? Odor issues?

21 MS. DEBORAH HUNTER: Well, we had to replace  
22 our water heater this summer, and, yeah, it was -- it was  
23 really extreme. And we've always filtered our water  
24 because the taste just isn't good when it comes out of the  
25 tap, so...

1 CHAIRMAN GUNN: And that's been consistent  
2 since you've been in Misty Woods?

3 MS. DEBORAH HUNTER: That's the first thing we  
4 noticed.

5 We moved from a rural area, Smithville,  
6 Missouri, 12 years ago, and, yeah, the water -- there  
7 was -- it's bad tasting.

8 CHAIRMAN GUNN: All right. Thank you, ma'am.  
9 Appreciate it. You did great.

10 JUDGE STEARLEY: All right. Carl Starkley  
11 [sic].

12 MR. CARL STARKEY: That's Carl Starkey, but --

13 JUDGE STEARLEY: Starkey?

14 MR. CARL STARKEY: -- Glen Anderson and Robert  
15 Frye spoke eloquently to the points that I wanted to make  
16 with regard to the public commission.

17 JUDGE STEARLEY: All right. Thank you,  
18 Mr. Starkey.

19 Jim Hunter.

20 Okay. Mr. Hunter, could you please state and  
21 spell your name.

22 MR. JIM HUNTER: Jim Hunter. J-i-m,  
23 H-u-n-t-e-r.

24 JUDGE STEARLEY: Okay. Raise your right hand.  
25 (At this time, the oath was administered to the witness by

1 Judge Stearley.)

2 MR. JIM HUNTER: Yes, sir.

3 JUDGE STEARLEY: Please proceed.

4 MR. JIM HUNTER: As my wife previously spoke  
5 about our bill, you would think that when our water usage  
6 in seven years' time has gone down 26 -- or 26 percent,  
7 that, you know, we would maintain a lower bill or at least  
8 one that's comparative to what it was, but to go up 36  
9 percent is pretty unfathomable.

10 As Mr. Ponzo has stated, our base rate for  
11 sewer is \$65 per month without flushing the toilet. To me,  
12 that just seems like that's just an exorbitant amount of  
13 money to pay for that.

14 As he also stated, that the water bill is  
15 pretty comparable to around this area, the metropolitan  
16 area, and people that I've spoken with that I work with --  
17 and I work with a wide range of demographics, and in  
18 talking about this same subject and our water bills,  
19 they're floored to hear that we have, you know, \$80 to pay  
20 out before we even turn our water on.

21 I am definitely against the district rate.  
22 However, I'm kind of hesitant to say that I'm for a uniform  
23 rate because, first of all, I believe that because of how  
24 high our bill is, that we will probably go down in rate as  
25 far as the amount that we pay, but if we have to help

1 absorb the costs of other people within the state with  
2 their improvements, then, you know, it may not -- it may  
3 not turn out to be that we would have a negative instead of  
4 a positive.

5           So I'm not real sure. I -- you know,  
6 obviously from the statements we've heard from other people  
7 within our area of unincorporated, that, you know, our --  
8 our salary doesn't go up. We are a working class  
9 neighborhood, and I would assume that Misty Woods is the  
10 same way. We don't get very many pay raises. And for  
11 our -- for our water bill to be more than our electric or  
12 our gas bill is just unconscionable.

13           I -- you know, my opinion is that it's highly  
14 immoral that water should be in the stock market. For  
15 these companies to look and fear their shareholders more  
16 than they do their -- their customers is just completely  
17 wrong. It's immoral.

18           That's all I have to say.

19           JUDGE STEARLEY: All right. Any questions  
20 from counsel for this witness?

21           Seeing none, Mr. Chairman?

22           CHAIRMAN GUNN: I don't have anything except  
23 thank you for testifying, sir. Appreciate it.

24           JUDGE STEARLEY: Okay. Thank you very much.

25

1 EXAMINATION

2 I'm going to need a little help with this last  
3 name. Russell --

4 MR. RUSSELL WOJTKIEWICZ: I bet you're talking  
5 about me.

6 JUDGE STEARLEY: There we go. And you can  
7 pronounce it and spell it for us, and that way I won't  
8 butcher it.

9 MR. RUSSELL WOJTKIEWICZ: It was fun in  
10 college.

11 Russell, R-u-s-s-e-l-l, Wojtkiewicz,  
12 W-o-j-t-k-i-e-w-i-c-z.

13 JUDGE STEARLEY: If you would please raise  
14 your right hand.

15 MR. RUSSELL WOJTKIEWICZ: Sure.

16 (At this time, the oath was administered to the witness by  
17 Judge Stearley.)

18 MR. RUSSELL WOJTKIEWICZ: I do.

19 JUDGE STEARLEY: Please proceed.

20 MR. RUSSELL WOJTKIEWICZ: I stand in support  
21 of the -- I believe the statewide consolidation, if the PSC  
22 will approve, you know, the rates and not approve the full  
23 revenue rates asked for.

24 I would even question if the -- any increase  
25 in revenue rates are needed because our customer service

1 rates, that minimum amount whether we use a drop of water  
2 or not, are higher than most in the area, as Mr. Frye has  
3 pointed out.

4 And as we had the little meeting last night to  
5 explain Missouri Water's -- Missouri American Water's  
6 position and the county commissioners' viewpoint that "Boy,  
7 we need to do this. Just, you know, go on and just -- you  
8 know, apply for -- testify for it," years ago when I first  
9 moved in and bought my house in Misty Woods, we didn't have  
10 a minimum customer service charge. The utilities all got  
11 paid by the amount of product they sold, period.

12 Then they were able to convince the PSC at one  
13 time, "Well, we need a minimum to maintain the  
14 infrastructure."

15 Well, you know, if you can't -- don't have the  
16 infrastructure to me, you can't sell me the product.  
17 That's what ought to be involved in my water rate.

18 Now, maybe my rates would be a little bit  
19 higher, but if I'm not using any water, then I shouldn't  
20 have to pay for it. If you want to pay for that cost, you  
21 know, you have -- that's the business you're in. Knowing  
22 to pay for that pipe and that infrastructure up to the  
23 meter. But I'm -- if I go away for three or four months,  
24 and I -- and I'm able to, and if my retirement works out  
25 right and I'm able to travel around, I don't want to have

1 to be back here paying 12, 16, \$20 a month more. I know I  
2 can have it shut off and then pay \$20 to have it turned  
3 back on when I leave.

4 You know, my neighbor -- my neighbors are  
5 going to be using up enough water to provide the utility  
6 company enough to maintain that main through there.

7 I'd like to see the PSC bring us back to a  
8 little bit more -- and allow the rules of these utility  
9 companies to operate a little more free market and  
10 corporate business attitude rather than they get to recoup  
11 every expense for a capital improvement.

12 If they're putting in that capital improvement  
13 because they know that growth is going to come in western  
14 and northern Platte County or up and down the 45 Highway,  
15 like any business they're going to make an investment. If  
16 it doesn't turn out, they've lost money, but as those homes  
17 and the economy bounces back and they build more homes,  
18 they're going to attach more and more customers, they're  
19 going to get more and more revenue.

20 I'd just like to see the PSC change those  
21 rules for that.

22 I'd also like to see them advocate that the  
23 more -- to change the perception but it's a -- it -- and  
24 pretty much the fact is, as confirmed in conversations with  
25 the different utility personnel, the more we are asked to



1 conserve and the more we do conserve, the more we pay, just  
2 as we heard the Hunters in Ridgeview -- Ridgewood Estates  
3 just testify to.

4 This has got to change.

5 We are trying to keep our cost of living low,  
6 but we're not allowed to. For every water conservation  
7 method, procedure that we put in, and I use less, the  
8 revenue -- and over time, the revenue -- the rates were  
9 requested to keep the revenues the same.

10 If revenues go down because people are using  
11 less, that should be their problem as a corporate entity on  
12 how to address it, not us to keep their revenues the same  
13 no matter if less water is used.

14 If somebody is using more water, they get to  
15 pay for that -- that amount of water. If business and  
16 industry, as it is growing in Platte County, if they're  
17 using more water, I would expect as a business I'm going to  
18 have to pay for all that water that I use.

19 Whether I pay more on a tiered basis, I'm not  
20 sure that as a businessman that I necessarily agree with  
21 that, but if I'm using \$4600 -- 4600 gallons a day or an  
22 hour, versus the resident who is using 4600 gallons a  
23 month, I do expect to pay a lot more and I expect to have  
24 to pay for that infrastructure to deliver it to me because  
25 it's going to be a lot larger pipe to come down the -- to

1 come down the pipe, so to say.

2 And I'm -- I'm probably leaning more on PSC  
3 than I am Missouri American Water because you guys make the  
4 ultimate decisions on all of this.

5 Again, work to advocate, either in your  
6 regulations -- I don't know if the PSC actually has  
7 regulations or if they enforce DNR, Missouri DNR  
8 regulations and such, but to work with them to work with  
9 each of the residents so that we can have a choice on where  
10 we get our water, where we get our electricity, what we --  
11 fuel we use to cook with.

12 Large utilities are fabulous. They're great  
13 modern entities. I don't think we can live without them.  
14 But they are becoming such a financial burden and allowing  
15 us in the lower to middle class not to be able to gain  
16 anything on that.

17 It's hard to save any money and put away for  
18 our own retirement and we wind up depending more on Social  
19 Security and the government for our retirement than we are  
20 on our own investments as these rates keep coming up and  
21 these are not reflected in the -- rarely reflected in  
22 inflationary issues for that.

23 So I would like to see if there's other  
24 alternative procedures that we can do to save our own  
25 water, which is great for the environment, is -- you know,

1 will save water overall, should limit the costs of  
2 delivering that water to us, which would help in our rates,  
3 but it's a matter of if we're even allowed to do so.

4 And I understand and make note that it also  
5 has to be done safely. You know, we don't want plagues of  
6 cholera and dysentery coming back. You know, that's part  
7 of the problem -- or part of the reason we've got the  
8 municipal and public water systems, and that's great.

9 But there's enough technology out there now  
10 that I would rather invest in conservation at my home and  
11 try to keep, you know, ideally all of my utilities under a  
12 hundred dollars a month, and even less, as I grow older and  
13 become -- instead of two people living in my home, when my  
14 son graduates and leaves the nest, one person.

15 I know I can almost be confident that my rates  
16 are going to be the same over time, and almost immediately,  
17 when there was two people in the house versus one people,  
18 as you've just heard testified by several others.

19 So I would urge the commission to go and  
20 thoroughly explore along those routes.

21 Lower or eliminate the customer service  
22 charges. By that, I don't think they need a minimum to  
23 operate. That needs to be -- and I don't have a solution  
24 right now -- fairly dealt with within the water rate, but  
25 as we pay for it is what we should be -- what we should be

1 paying. Because no business has a guarantee of staying in  
2 out there over -- over a period of time. It's on the  
3 product and the services that they sell.

4 Monopoly utilities seem to get to operate  
5 differently. To some extent I can understand why, but it's  
6 gone too far.

7 And that concludes my testimony.

8 JUDGE STEARLEY: All right. Any questions  
9 from counsel for this witness?

10 Hearing none, Mr. Chairman?

11 CHAIRMAN GUNN: I don't have anything. Thank  
12 you. Sir.

13 JUDGE STEARLEY: Thank you very much.

14 Ernest Lee.

15 All right. Mr. Lee, if you'd please state and  
16 spell your name.

17 MR. ERNEST LEE: My name is Ernest Lee.

18 E-r-n-e-s-t, L-e-e.

19 JUDGE STEARLEY: Okay. Could you please raise  
20 your right hand.

21 (At this time, the oath was administered to the witness by  
22 Judge Stearley.)

23 MR. ERNEST LEE: I do.

24 JUDGE STEARLEY: Please proceed.

25 MR. ERNEST LEE: I live in the -- where

1 there's -- several of my residents or my neighbors are here  
2 in Misty Woods, and we basically -- I'm here -- we've got  
3 320 homes in Misty Woods, and we have meetings every month.  
4 We have our neighborhood association and we talk about a  
5 lot of different things, but, you know, when it comes down  
6 to utilities -- and everybody can see sitting out here  
7 right now that there's not a lot of people here because one  
8 question came up because of the timing, but a lot of people  
9 don't believe that when you come to these things, that no  
10 one's going to listen to you. So I'm going out and  
11 doing -- I'm talking to my neighborhood.

12 But I'm talking about people that -- you know,  
13 that do believe that, you know, everything goes up for a  
14 reason. We know that all -- everything is high and we've  
15 spent a lot of money on it and everything, but water is  
16 pretty hard to understand why we pay so much.

17 But we got to have it. It's a necessity. So  
18 I'm -- you know, if it comes down to a consolidation,  
19 basically I feel, you know, we need to do that if it's  
20 going to be less money that we have to pay out.

21 But we pay a lot of money for utilities. This  
22 is not just water. Gas and everything.

23 I'm asking the commission, you know, basically  
24 to consider the fact that we've been told we're going to  
25 have to probably get two choices, and basically the one we

1 want to do is the one we have to pay less. So bottom line  
2 is, you know, to be easy on us or try to figure out a  
3 better way to be not as much but, you know, to give us that  
4 opportunity to say, "Hey, a lot of us live the way we do,  
5 we don't have the money to pay that extra."

6 You know what I mean?

7 So I'm just asking for my residents and the  
8 people I live with to consider that about us, because I  
9 know we all know the same thing. You know, the economy is  
10 really screwed, you know.

11 But I'm reading this handbook (indicating) and  
12 it says "The guide to help management to manage your  
13 utilities." I mean, you put it on this book, but you're  
14 asking us to pay more money and that doesn't -- you know,  
15 it's kind of hard to kind of accept. You know what I mean?

16 So all I have to say right now is, hey,  
17 just -- just consider who we are. We're just like you  
18 guys. You know, you live in a neighborhood just like we  
19 do. You pay the same type of utilities. But, you know,  
20 you may not pay as much or whatever. But the biggest thing  
21 is, you know, consider what we have to put up with, you  
22 know, and that's about it for me, so...

23 JUDGE STEARLEY: Okay. Any questions for this  
24 witness from counsel?

25 Mr. Chairman?

1 CHAIRMAN GUNN: Nothing. Thank you very much  
2 for that.

3 JUDGE STEARLEY: Thank you for your testimony.  
4 All right. Jennifer Bickford.

5 MS. JENNIFER BICKFORD: Jennifer,  
6 J-e-n-n-i-f-e-r, Bickford, B-i-c-k-f-o-r-d.

7 JUDGE STEARLEY: All right.

8 (At this time, the oath was administered to the witness by  
9 Judge Stearley.)

10 MS. JENNIFER BICKFORD: Yes, sir.

11 JUDGE STEARLEY: Please proceed.

12 MS. JENNIFER BICKFORD: Thank you.

13 I'm a resident here of Riverside and I've  
14 lived here for three years. I have participated in  
15 previous hearings, and at the time that I moved in in  
16 December of 2009, a rate hike had gone into effect.

17 The following year, a rate increase was again  
18 asked for and again approved.

19 Here we are again another year later, another  
20 rate hike, and I feel pretty much sure that it's going to  
21 go through.

22 My concern is that our district has not  
23 received any of the improvements, even though the  
24 improvements have been made within what's called our  
25 district.

1 Riverside is lumped in with Parkville, and the  
2 improvements have been made in that area, but here in this  
3 actual community where this building stands, there have not  
4 been improvements made.

5 In Riverside, there have been multiple house  
6 fires in which there was not enough water pressure to  
7 suppress those fires. They had to call in other fire  
8 departments to come in and help and bring in pumper trucks  
9 to try and at least douse the fires to not damage other  
10 homes.

11 That is very concerning to me as a resident  
12 with young children. I do my best to make sure that (a) we  
13 don't have a fire, that (b) we have working smoke  
14 detectors, but I cannot control whether the fire hydrant  
15 that actually sits directly across from my house is going  
16 to work.

17 It has not been tested in the three years I  
18 have lived here and, as far as I know, has not been tested  
19 since the house that is four doors away burned five years  
20 ago.

21 My concern is that if you're not even going to  
22 test our fire hydrants to know that you can put out a fire,  
23 how can you even tell me that you're actually testing the  
24 quality of the water that you're putting into my children's  
25 mouths?



1 I have a newborn. My son was born this last  
2 May, and while I was at home with my newborn, there was a  
3 water main break in my neighborhood. Nobody came down to  
4 tell me that they were going to shut off my water, that I  
5 would not be able to use water with a newborn. Nobody  
6 informed me that I should possibly actually boil my water.

7 Being an intelligent person, I relocated for  
8 two days so that I would have water and I wouldn't have to  
9 worry about boiling it.

10 When we did return to the house, we continued  
11 to boil the water for a week, with bathing the child and  
12 washing his clothes, so that we wouldn't have any concerns.

13 Our water still came through cloudy and I  
14 presumed that was because additional things were added into  
15 our water to prevent any infections.

16 Again, we were not notified.

17 This was not the first water main break in my  
18 neighborhood in the three years I have lived there.

19 Two water main breaks happened directly  
20 outside of my house. The water maintained to be on in the  
21 time that those breaks occurred. It took more than two  
22 months to get one main break repaired and the street fixed  
23 so that I could actually pull into my driveway. That was  
24 actually during the time that the last hearing occurred  
25 here in Riverside and I was asked to provide additional

1 information to the Public Service Commission.

2 That did result in a complaint.

3 As a result of that complaint, the next time I  
4 had a concern and I contacted the company to address the  
5 concern in my bill, I was told I couldn't be spoken to  
6 because I had placed a complaint.

7 I did inform the company that if they didn't  
8 want another complaint, they should probably put a  
9 supervisor on the phone and they did.

10 It bothers me that if there are people in  
11 place to protect us and help us when we have concerns over  
12 a company that we do not get to choose to use but are told  
13 we will use, that there should also be the ability to  
14 contact that company freely and contact the company that  
15 protects us as consumers.

16 At the time that I was contacting the company  
17 in August of 2010, that was regarding a double in my bill.  
18 My bill was averaging between 65 and \$75 a month for both  
19 water and sewer, and in that month it went to \$141 and some  
20 change.

21 My usage did not change, but it showed on the  
22 bill that it had spiked.

23 I requested that that be reviewed. I was  
24 informed that it would be reviewed and that I could pay my  
25 regular amount. I was then sent a disconnect notice for

1 not paying the full amount.

2 I did not contact the Missouri Public Service  
3 Commission because, again, it would have been reported back  
4 to the company and the next time I had a concern or issue,  
5 I would be told that because I had issued a complaint, I  
6 couldn't be spoken with on the phone.

7 My complaint with the company at that time was  
8 not resolved. It was delayed. And I subsequently still  
9 had to pay the remainder of that bill of \$141 and some  
10 change to maintain service so that I could just have water  
11 to feed and bathe and wash my clothing.

12 At no time did anybody come out to my house to  
13 address this. I did not see anybody during that time come  
14 out and actually look at my water main or contact me back  
15 to let me know they had looked at my water main. I had to  
16 follow up with the company to find out that, yes, they had  
17 done some investigation and I was to pay that bill because  
18 I had used the water.

19 When it comes down to the water quality in our  
20 neighborhood, it is very poor. And I do receive the  
21 documentation from the company saying that they have  
22 investigated it and it meets the requirements, but I would  
23 say that for the continued costs that we're paying, it  
24 should do more than just meet the requirements. It should  
25 exceed the requirements.

1           The water that comes into our neighborhood is  
2 so damaging to our appliances and our pipes that we are  
3 constantly having to maintain and do repairs.

4           I actually purchased a high-efficiency washer  
5 because my previous washer went out and would no longer  
6 run. When I purchased that high-efficiency washer, it  
7 actually does not clean my clothes, and I would say that  
8 the water quality and the water pressure is to blame for  
9 that, in a part. There's not enough pressure to maintain  
10 the high-efficiency washer, and what is coming in through  
11 the water is doing as much damage as the dirt on the  
12 clothing.

13           My parents also live in the same neighborhood  
14 as I do, and they do have a softener in their home, so when  
15 it's something important that needs to be washed, we go to  
16 my parents' house to wash it so that we know it gets clean.

17           The water pressure that's in the neighborhood  
18 doesn't just affect the water hydrants. It also impacts  
19 our house and other items in our house, and I feel that our  
20 water bill continues to -- our water usage continues to go  
21 up because we have to use more water just to get things  
22 done.

23           I have to prewash my dishes before using the  
24 dishwasher because they do not come clean in the dishwasher  
25 because of the lack of pressure.

1           We have complained about the water pressure  
2   and we are told that it meets the adequate requirements for  
3   the size of pipes that we have coming into our  
4   neighborhood.

5           At this time, I do not believe that we will  
6   receive any improvements to our actual water mains, only to  
7   the fire hydrants, within the next year.

8           Thank you.

9           JUDGE STEARLEY: Any questions from counsel  
10   for this witness? No?

11          Mr. Chairman?

12          CHAIRMAN GUNN: Yes. A few, actually.

13          So you're in Riverside. Is there a specific  
14   neighborhood name?

15          MS. JENNIFER BICKFORD: Indian Hills.

16          CHAIRMAN GUNN: Indian Hills.

17          Okay. And Indian Hills has had at least three  
18   water main breaks since the last -- in the last couple of  
19   years?

20          MS. JENNIFER BICKFORD: That affected my house  
21   directly.

22          In the last three years, there's been six  
23   breaks.

24          CHAIRMAN GUNN: Six breaks.

25          How many homes -- do you know how many homes

1 are in Indian Hills?

2 MS. JENNIFER BICKFORD: I believe  
3 approximately 200.

4 CHAIRMAN GUNN: The fires that occurred, did  
5 anybody tell you or did you talk to anybody about why there  
6 wasn't enough pressure?

7 Was there any explanation given to you at all?

8 MS. JENNIFER BICKFORD: The one fire that was  
9 closest to my house happened actually right before we moved  
10 in. It was a couple years before we moved in. But that  
11 fire hydrant that's closest to that house is directly  
12 across from the house that we did purchase, and the people  
13 that --

14 That house fire was actually in the evening  
15 and neighbors stood out and watched as they were unable to  
16 open the hydrant and get water from it.

17 CHAIRMAN GUNN: Do you know what time -- do  
18 you know what time of year that was?

19 MS. JENNIFER BICKFORD: It was, I believe -- I  
20 believe it was late fall.

21 CHAIRMAN GUNN: Okay. At the time -- moving  
22 to the water main, do you know what time frame -- it was  
23 right around when your child was born?

24 MS. JENNIFER BICKFORD: This last water main  
25 was in May. Or I'm sorry, it was between the end of May

1 and the end of June.

2 CHAIRMAN GUNN: May and June of this year?

3 MS. JENNIFER BICKFORD: Of 2011, yes.

4 CHAIRMAN GUNN: Of 2011. Sorry. Still seems  
5 like 2011 to me.

6 And no notification about water quality or  
7 that the break had actually occurred?

8 MS. JENNIFER BICKFORD: No.

9 The reason why I knew is because I was home on  
10 maternity leave and you could see the water flooding down  
11 the street.

12 CHAIRMAN GUNN: Did you turn on the water in  
13 your -- in your house and nothing came out?

14 MS. JENNIFER BICKFORD: The pressure did  
15 decrease, and then at that time they came through and we  
16 went out and asked.

17 Because nobody was making any movement towards  
18 homes, nobody was coming through notifying, and so we went  
19 out and said, "Are we going to maintain our water or not?"

20 And for our street, it was shut off. The  
21 street that adjoins ours, it was not shut off, and that is  
22 the street that my parents live on. So we relocated there.

23 CHAIRMAN GUNN: Okay. And you said -- well,  
24 on your billing plan, that you did not get it resolved, the  
25 company said they did an investigation and you used the

1 water and you needed to pay the bill, basically.

2 MS. JENNIFER BICKFORD: Yes.

3 CHAIRMAN GUNN: But you were told on the phone  
4 that when you initially filed the complaint, that you only  
5 had to pay the amount that you normally pay and that would  
6 keep -- that would allow them to investigate and keep you  
7 from getting any disconnect notices?

8 MS. JENNIFER BICKFORD: Correct.

9 CHAIRMAN GUNN: But you still got a disconnect  
10 notice?

11 MS. JENNIFER BICKFORD: Correct.

12 CHAIRMAN GUNN: Do you remember the date or  
13 the months of that bill?

14 MS. JENNIFER BICKFORD: That bill was August  
15 of 2010 and I received the disconnect in October -- I'm  
16 sorry, in September, and then I had to resolve that and pay  
17 it in October of 2010.

18 CHAIRMAN GUNN: So the disconnect was  
19 September. You paid in October.

20 MS. JENNIFER BICKFORD: Correct.

21 CHAIRMAN GUNN: The complaint to the PSC was  
22 made regarding the boil -- the main break, is that correct?

23 MS. JENNIFER BICKFORD: The actual complaint  
24 to the PSC was generated at a hearing like this, and that  
25 was during 2010, in the spring of 2010, and that was from a



1 different water main break.

2 CHAIRMAN GUNN: But a water main break, not  
3 the billing issue?

4 MS. JENNIFER BICKFORD: That was a water main  
5 break.

6 CHAIRMAN GUNN: But then the billing issue,  
7 they said they couldn't talk to you because of the  
8 complaint?

9 MS. JENNIFER BICKFORD: Because of the  
10 commission -- yes.

11 CHAIRMAN GUNN: I know this is going to sound  
12 like you've heard this before, but I'd like you to give  
13 your name. There's a gentleman in the back named Jim Bush  
14 who will raise his hand. Give your name to him and your  
15 address, please.

16 MS. JENNIFER BICKFORD: Okay.

17 CHAIRMAN GUNN: And if you -- if you call the  
18 company and they tell you that they can't talk to you  
19 because you have a complaint filing, call the PSC again --

20 MS. JENNIFER BICKFORD: Okay.

21 CHAIRMAN GUNN: -- just as a bit of advice,  
22 and let them know -- let us know that they said that.

23 I don't have any other questions, but I thank  
24 you very much for your testimony. Appreciate it very much.

25 MS. JENNIFER BICKFORD: Thank you.

1 JUDGE STEARLEY: Ms. Bickford, just one  
2 question for clarification.

3 You said the complaint was raised at one of  
4 the last public hearings?

5 MS. JENNIFER BICKFORD: Yes.

6 JUDGE STEARLEY: Was there actually a formal  
7 complaint filed with the commission or was it just raised  
8 at the hearing?

9 MS. JENNIFER BICKFORD: I was asked to file it  
10 and I did.

11 JUDGE STEARLEY: Okay. All right. So we  
12 should have a case number on that. We don't? Or this was  
13 an informal?

14 Okay. All right. Yeah. Please do speak  
15 again with Mr. Bush, and as the chairman has said, with any  
16 other future problems, give our consumer services  
17 department a call.

18 MS. JENNIFER BICKFORD: Thank you.

19 JUDGE STEARLEY: All right. Thank you.

20 CHAIRMAN GUNN: Thank you.

21 JUDGE STEARLEY: Connie Campbell?

22 Ms. Campbell may have left already.

23 Ethel Zimmerman.

24 MS. SHERIE THEOBALD: She had to leave.

25 JUDGE STEARLEY: She left already?

1 MS. SHERIE THEOBALD: Yeah.

2 JUDGE STEARLEY: Sherie Theobald.

3 MS. SHERIE THEOBALD: My name is Sherie  
4 Theobald. It's S-h-e-r-i-e. Theobald is T-h-e-o-b-a-l-d.

5 JUDGE STEARLEY: Okay. Can you please raise  
6 your right hand.

7 (At this time, the oath was administered to the witness by  
8 Judge Stearley.)

9 MS. SHERIE THEOBALD: I do.

10 JUDGE STEARLEY: Okay. Please proceed.

11 MS. SHERIE THEOBALD: Mine is just a complaint  
12 of a personal nature.

13 I've been on disability for, I don't know,  
14 probably three, four years now, and it's like -- I'm like  
15 everybody else. I live in Ridgewood Estates, so I'm one of  
16 the highest of the sewer charges and all of that.

17 And I am at an income level, because of my  
18 disability and the way things happened, where I'm like  
19 poverty level. So I do receive a credit from the State of  
20 Missouri so that I'm allowed to stay in my own home. I'm a  
21 single person, so it's just me. But the money that the  
22 State allows me to reside in my home, that money is  
23 supposed to be applied to my personal -- or I mean my real  
24 estate tax. Instead, it's not even enough money to pay for  
25 my water bill every month.

1           It's just like the increases that just keep  
2 coming and coming and coming are forcing me to -- I'll  
3 either have to go live with one of my children or I'll have  
4 to get -- you know, sell my house, get an apartment that --  
5 you know, where I have utilities that are so minimal  
6 compared to, you know, what the house is costing me.

7           It just seems like it's unfair to, you know,  
8 the people that are on fixed incomes that these rate  
9 increases just keep coming year after year after year, and  
10 I -- you know, like Mr. Ponzo and the Hunters and everyone  
11 else, you know, it's --

12           I -- I am fortunate enough that I have a  
13 friend that allows me to travel to his location in Arizona  
14 and I'll be gone for three weeks to a month, and I come  
15 home and I still have that \$80 bill that no water was used  
16 whatsoever in my household.

17           So it's just a frustrating, you know,  
18 continual -- just year after year after year these  
19 increases are just -- you know, they're forcing the people  
20 on fixed incomes to have to sell, you know.

21           And it's sad. The State is trying to make it  
22 so that I can stay in my home, but Missouri American Water  
23 is going to force me to have to move.

24           And that's all I have.

25           JUDGE STEARLEY: Any questions from counsel

1 for this witness? None?

2 Mr. Chairman?

3 CHAIRMAN GUNN: I don't have anything. Thank  
4 you very much for coming. I appreciate it.

5 JUDGE STEARLEY: All right. We have reached  
6 the end of our sign-up list.

7 Is there anyone else present who would like to  
8 speak?

9 Mr. Ponzo, you'd like to speak some more.  
10 Please come back.

11 MR. JOHN PONZO: Yes.

12 JUDGE STEARLEY: I will remind you you are  
13 still under oath.

14 MR. JOHN PONZO: Okay. I was overly  
15 passionate earlier regarding the rates, but I totally  
16 overlooked the quality of the water which subsequently was  
17 brought to my attention.

18 I'm on my third kitchen faucet and on my  
19 second bathroom faucet due to the accumulation of deposits  
20 and the water quality in those faucets.

21 I have researched this with friends in the  
22 plumbing business and have come to find out that water  
23 heaters have some sort of rod going through them that is  
24 designed to collect these deposits that may be in the water  
25 going to the home, and once that rod in the water heater is

1 overfilled, if you will, with deposits, it is no longer  
2 capable of filtering, in a manner of speaking, that water,  
3 so those deposits from the hard water that then accumulate  
4 in the faucets.

5 So yes, in fact, the water is extremely hard  
6 and hard on faucets.

7 Third kitchen faucet, second bathroom faucet,  
8 and I'm afraid to replace the hot heater because I can't  
9 afford it right now, so instead I'm just replacing faucets  
10 as they go out.

11 That's it. Thank you, gentlemen.

12 JUDGE STEARLEY: All right.

13 CHAIRMAN GUNN: Thank you, sir.

14 JUDGE STEARLEY: Thank you. Anybody else  
15 present that would like to speak?

16 MS. JEANNETTE MORMINO: Yeah. I do want to --  
17 I do.

18 JUDGE STEARLEY: Please state and spell your  
19 name for our court reporter.

20 MS. JEANNETTE MORMINO: My name is Jeannette  
21 Mormino. J-e-a-n-n-e-t-t-e. The last name is  
22 M-o-r-m-i-n-o.

23 This is for --

24 JUDGE STEARLEY: Excuse me. Before you start,  
25 let me swear you in.

1 (At this time, the oath was administered to the witness by  
2 Judge Stearley.)

3 MS. JEANNETTE MORMINO: You betcha.

4 JUDGE STEARLEY: All right. Please proceed.

5 MS. JEANNETTE MORMINO: Okay. This is the  
6 fourth rate increase in four years for American Water.  
7 This one's for 18 percent on top of the 40 percent increase  
8 in its rates between 2007 and 2010.

9 There was 15 percent in 2010, 20 percent in  
10 2008, 12 percent in 2007.

11 The parent company earned \$268 million in  
12 profits and paid its top seven officers \$12.5 million in  
13 bonuses.

14 My water quality is cloudy. I'm having the  
15 same issues as the rest of the folks with debris in the  
16 water pipes, water heater. I had to replace my water  
17 heater and there was so much stuff in the bottom of the  
18 water heater that the bottom broke out and there was just a  
19 huge mound of nasty trash.

20 The water -- we've had three water main breaks  
21 in the last year, and as with the lady that was talking  
22 from Indian Hills, they didn't notify us. They didn't tell  
23 us they were going to turn our water off. They didn't tell  
24 us to boil our water. They didn't do any of that stuff.

25 And when you try to call customer service,

1 that's a joke. It isn't customer service. It's "Customer,  
2 I don't know what you're talking about because I'm in  
3 another state, in another country and I have no idea what's  
4 going on in your neighborhood."

5 And I'm just really disillusioned that I have  
6 to pay \$40 a month for my water and \$45 a month for my  
7 sewer, so I'm paying \$85 and I'm only using 3500 gallons of  
8 water a month. I don't get that. And it is almost as much  
9 as paying my electric bill.

10 So I seriously don't think that these people  
11 need a rate increase, I don't think that they should be  
12 making \$268 million in profit, and I certainly don't think  
13 that the top seven management employees and CEOs should  
14 be making \$12.5 million a year. No way.

15 Thank you so much.

16 JUDGE STEARLEY: All right. Before you sit  
17 down, let me check.

18 Any questions from counsel for this witness?

19 No?

20 Mr. Chairman?

21 CHAIRMAN GUNN: Just a clarification.

22 Where -- where do you live?

23 MS. JEANNETTE MORMINO: Misty Woods.

24 CHAIRMAN GUNN: Misty Woods?

25 MS. JEANNETTE MORMINO: Yes.



1 CHAIRMAN GUNN: Okay. Thank you very much for  
2 coming down.

3 MS. JEANNETTE MORMINO: Thank you.

4 JUDGE STEARLEY: All right. Got another  
5 gentleman?

6 MR. CRAIG NIESEN: Yeah.

7 JUDGE STEARLEY: Please come forward.

8 MR. CRAIG NIESEN: My name is Craig Niesen.  
9 C-r-a-i-g, N-i-e-s-e-n. I live in the Misty Woods  
10 subdivision.

11 JUDGE STEARLEY: All right.

12 (At this time, the oath was administered to the witness by  
13 Judge Stearley.)

14 MR. CRAIG NIESEN: I do.

15 JUDGE STEARLEY: Please proceed.

16 MR. CRAIG NIESEN: Basically, this is the  
17 third meeting that I've been to in as many years for a rate  
18 increase for Missouri American Water. From what the  
19 neighborhood association posted in the newsletter, it looks  
20 like it's going to be a 40 percent increase, is what  
21 they're seeking, if we stay under the same structure as we  
22 are now.

23 That would take -- basically my monthly bill  
24 would go up by about 40 bucks right now.

25 Luckily, my wife and I are both employed and

1 are fairly well off at this point, but I know a lot of our  
2 neighbors have not seen pay increases in the past three  
3 years. I know a lot of our neighbors have lost their jobs  
4 in the last three years. And yet this company is coming to  
5 us and wanting more of our income to pay for improvements,  
6 is what they say.

7           If you go and look at their financial records  
8 for the parent company, I believe the CEO is paid  
9 \$1.7 million a year. Now, some of that money has to be  
10 coming out of our district.

11           I would also like to speak to the water  
12 quality issue.

13           Over the past nine years that we've lived in  
14 the house, we've redone two bathrooms, we're about to redo  
15 a kitchen, and I'm going to have to replace a hot water  
16 heater and probably replace the faucets in both bathrooms  
17 again.

18           About six years ago, I re- -- I added two  
19 shutoff valves into the house so that we can shut the water  
20 off safely to the bathroom areas in the house, if we do  
21 need to do repairs, because the main coming into the house  
22 is so corroded that I believe that if I turn it one too  
23 many more times, it's going to pop and I'm going to have to  
24 have them come out and turn off my water and replace it.

25           I have pictures of the shutoff valves that I

1 put in six years ago and the corrosion that's on them, if I  
2 could put that in as exhibits.

3 JUDGE STEARLEY: Certainly. How many pictures  
4 do you have?

5 MR. CRAIG NIESEN: I have -- I'll give you  
6 three of these pictures.

7 One of them is actually a hot water valve,  
8 which I don't know when that one was put in for sure, but  
9 most of that corrosion is since I moved into the house, I  
10 believe.

11 JUDGE STEARLEY: Okay. We'll want to mark  
12 those sequentially --

13 MR. CRAIG NIESEN: Okay.

14 JUDGE STEARLEY: -- and have you hand them to  
15 our court reporter, so that we -- starting with Exhibit  
16 Number 2.

17 MR. CRAIG NIESEN: Okay.

18 (WR-2011-0337 Exhibits 2, 3, and 4 marked for  
19 identification by the reporter.)

20 MR. CRAIG NIESEN: And I'd also like to add  
21 that while I understand the commission is trying to do  
22 their best with getting these meetings out and getting to  
23 as many people as possible, I had to take off today, and  
24 when I told my boss why I was taking off and why I was  
25 taking a whole day off instead of just a half day, he was

1 appalled at how much money we're being asked to pay and how  
2 much we're already paying, as opposed to where he lives.  
3 And several other coworkers voiced their concern and said,  
4 "Craig, it's time to move." Which I -- in this economy, I  
5 doubt I could sell my house for what it's worth.

6 JUDGE STEARLEY: All right. So we'll have  
7 Exhibits 2 through 4.

8 Once again, I'm assuming counsel would have no  
9 objections to there being admitted.

10 They will be received into the record.

11 MR. CRAIG NIESEN: That's all.

12 JUDGE STEARLEY: Any questions from counsel  
13 for this witness?

14 Okay. Mr. Chairman?

15 CHAIRMAN GUNN: I don't have any. Thank you  
16 for taking the time. It's much appreciated.

17 JUDGE STEARLEY: Okay. Thank you for the  
18 testimony and the exhibits.

19 Is there anyone else who would like to speak?

20 Okay. Please come forward, sir. And if you  
21 would please state and spell your name.

22 MR. CHARLES HINSON: Charles Hinson.  
23 C-h-a-r-l-e-s, H-i-n-s-o-n.

24 JUDGE STEARLEY: Okay. If you would raise  
25 your right hand.

1 (At this time, the oath was administered to the witness by  
2 Judge Stearley.)

3 MR. CHARLES HINSON: I do.

4 JUDGE STEARLEY: Please proceed.

5 MR. CHARLES HINSON: Thank you.

6 I hadn't planned on speaking today, but in  
7 listening to the other testimony, it has convinced me that  
8 I should add my voice to that testimony, and I appreciate  
9 all the research done by some of the people that have  
10 testified.

11 I speak specifically to the matter of service.

12 I am the mayor of the city of Lake Waukomis.

13 We are a customer of Missouri American Water.

14 In the short time that I've been mayor,  
15 approximately three years, this is the second rate increase  
16 that we've been faced with. The last one was somewhat  
17 large. They wanted a 23 percent increase, and I think it  
18 wound up being about 10, but they consistently seem to come  
19 back year after year, or at least on about a two-year  
20 cycle.

21 I would actually benefit from a system that  
22 has a tariff and, if you want, a rate, because we've been  
23 told in a meeting in June by Missouri American Water that  
24 our rate would decrease about 24 percent. Our commercial  
25 rate.

1           We purchase our water from them. We own our  
2 distribution system. We own our fire plugs, fire hydrants.  
3 We own our sewer system and do not use Missouri American  
4 for that at all. That's all connected to Kansas City,  
5 Missouri. And those rates will probably be increasing also  
6 because of the infrastructure problems Kansas City has.

7           But I'm somewhat -- I've been somewhat  
8 displeased, as the mayor, over the fact --

9           Well, the biggest single complaint that I have  
10 from my constituents is the rate of our water. And when I  
11 moved to Lake Waukomis eight years ago, I was -- my first  
12 water bill I got, I really didn't investigate it that much  
13 because I wanted to move onto the lake.

14           The first water bill I received was  
15 approximately the same one that I'd received for 20 years  
16 in Gladstone for water and sewer, and so I didn't think  
17 anything about it, except the next month I got another one  
18 for the same amount and it was -- I realized that they were  
19 on a one-month billing cycle and that was the rate I was  
20 paying for two months in Gladstone.

21           So it's -- it was doubled -- it immediately  
22 doubled my water and sewer rate when I moved onto the lake.  
23 And of course it's gone up since then.

24           On February 9th of 2011, my wife informed me  
25 she was leaving to go to work -- she goes earlier than I

1 do -- and that her -- that the water was decreasing in the  
2 pressure. And it was a particularly frigid night, it was  
3 below zero, and I got up to take a shower, get ready to go  
4 to work, and in fact wound up with no water by the time I  
5 was done. And that was at approximately 6:00.

6 I started making some phone calls. Then about  
7 7:30, I started receiving phone calls from people.

8 Initially I thought it was because of the  
9 water -- the colder weather, that possibly I had a pipe  
10 freeze. I've never had that happen in that house, but it  
11 was cold enough that it could have.

12 And I had started investigating that aspect of  
13 it and found that, in fact, everybody on the lake was out  
14 of water and we were receiving calls from all over the  
15 lake. The police department also was receiving them.

16 At no point during that process did I hear  
17 from Missouri American, in spite of the fact that they'd  
18 had my number as an emergency number since April of '09.

19 Finally, about -- a little after 8:00, I  
20 reached somebody at the office and was informed, "Oh, yeah,  
21 you're calling about the water being off."

22 And of course I -- I was.

23 They informed me that they had somebody on  
24 site and were working on it, the break was off of our lake.  
25 The only valve for maintenance they have on our lake is the

1 valve that comes in with their water, where we receive  
2 their water.

3 One of my constituents actually called their  
4 national service -- or their service line and was connected  
5 with somebody in Florida that informed him that they didn't  
6 even have us listed as a customer, and we assumed later on  
7 that that was because we're listed with Parkville or Platte  
8 Woods or something. The line comes through Platte Woods.

9 The Platte Woods mayor informed me that he  
10 knew we had a problem at 2:00 because it was in his area,  
11 and so that was certainly well known to somebody with  
12 Missouri American at that point.

13 Finally I got a call -- after I spoke with the  
14 lady in the office here, I got a call that let me know that  
15 they were working on it and approximately when it would be  
16 fixed.

17 Our water actually -- I never heard that it  
18 was fixed. Our water just came on and we began using it.

19 Two hours after that, I received a boil order  
20 call from them, and we'd already had -- had our water on  
21 for two hours and had been using it.

22 That's particularly disconcerting on two or  
23 three different areas, the fact that we weren't notified  
24 earlier and then we weren't notified of a boil order,  
25 because we have a reverse 911 on our lake that we can let



1 our citizens know if there's a problem, and we didn't  
2 receive a call until after the water had been on for some  
3 time.

4           Additionally, I watched the newscasts that  
5 evening, also had people watching each channel in case I  
6 missed one, and at no point did we see that announced on  
7 any media, which I believe is standard procedure.

8           I'm not saying that it wasn't there, but I'm  
9 saying none of the people I had watching saw it on either  
10 5:00, 6:00, or the 10:00, so that's what I primarily would  
11 like to address.

12           I would benefit, probably, from -- from a plan  
13 where my rates would be decreased, but I'm also hearing now  
14 that I'm going to have a spike in two years because they're  
15 going to build a plant.

16           We feel -- my information that I've had over  
17 the years is that we pay the highest rates in the state and  
18 we've had the least amount of money put into this county or  
19 into this area as far as infrastructure goes. And I've  
20 actually had that verified by some of the gentlemen sitting  
21 in this room that are with Missouri American.

22           I think we've paid our share long enough, so  
23 I'm more interested in a rate decrease, period, without  
24 anything down the line.

25           We've actually investigated and done an

1 engineering study, because Kansas City has new water lines  
2 and has upgraded their infrastructure in our area all the  
3 way from here up to Farrelview and towards the airport, and  
4 they have a pump station that backs right on our property,  
5 and they, out of the box, in spite of the expenditures  
6 they've already had, have offered us a considerable  
7 decrease in our rates compared to what we're talking about  
8 even if they do decrease with Missouri American.

9 That's all I have to say and thank you for  
10 your time. Appreciate it.

11 JUDGE STEARLEY: Stay at the podium for just a  
12 second.

13 Are there any questions from counsel for this  
14 witness?

15 Mr. Chairman?

16 CHAIRMAN GUNN: Just a few.

17 Mr. Mayor, how many folks do you represent?

18 MR. CHARLES HINSON: About 435 homes.

19 Approximately 900 people.

20 CHAIRMAN GUNN: Okay. And that main break was  
21 on February 9th, 2011, is that correct?

22 MR. CHARLES HINSON: Uh-huh. Yes, it was.

23 CHAIRMAN GUNN: All right. At any point --  
24 other than you contacting the company, at any point, as  
25 mayor, did you get any call from Missouri American Water?

1 MR. CHARLES HINSON: When we had the boil  
2 order, I did.

3 CHAIRMAN GUNN: But that was two hours after  
4 your water already came on?

5 MR. CHARLES HINSON: Uh-huh. Right.

6 CHAIRMAN GUNN: What time of the day,  
7 approximately, was that?

8 MR. CHARLES HINSON: It was probably about --  
9 between 10:30 and -- I'm -- approximately between 10:30 and  
10 noon. I can't specifically say.

11 CHAIRMAN GUNN: And you first noticed the  
12 water was shut off around 7:00 that morning?

13 MR. CHARLES HINSON: No. It was about 6:00.

14 CHAIRMAN GUNN: 6:00?

15 MR. CHARLES HINSON: 6:00 a.m. Uh-huh.

16 CHAIRMAN GUNN: And you made reference to a  
17 2:00 notification from the mayor of Parkville, is that  
18 correct?

19 MR. CHARLES HINSON: Well, he stated that he  
20 had known -- we were talking about it later, after the  
21 fact. I didn't hear from him at that point. But a couple  
22 of days later, we were in a meeting together and he  
23 mentioned, because their water had also been affected, at  
24 2:00 they had workmen on site and it was near his home so  
25 he knew --

1 CHAIRMAN GUNN: Was that 2:00 a.m.?

2 MR. CHARLES HINSON: 2:00 a.m.

3 CHAIRMAN GUNN: So that was 2:00 a.m. previous  
4 to the 6:00 a.m. when your water was shut off?

5 MR. CHARLES HINSON: Before that. Before ours  
6 went out.

7 So he knew there was going to be a problem  
8 because there was a leak and they had a crew that was  
9 there, and that the water was going to be off.

10 CHAIRMAN GUNN: Did he get notification or did  
11 he just know that there was no water?

12 MR. CHARLES HINSON: I don't know. I think he  
13 knew just because they were on-site. That was the  
14 impression that I got. But I couldn't speak for him  
15 specifically.

16 CHAIRMAN GUNN: Was the phone call to you  
17 regarding the boil order, was that to you as mayor or was  
18 that to you as a resident?

19 MR. CHARLES HINSON: No. It was to me as  
20 mayor at that point because I had left my number with --  
21 again at the office when I called in that morning.

22 CHAIRMAN GUNN: And as a -- as a resident,  
23 just as a normal resident, there was no other notification,  
24 no other media, no other phone call, or anything?

25 MR. CHARLES HINSON: No, not at that point,

1 there wasn't.

2 CHAIRMAN GUNN: Okay. Thank you. I don't  
3 have anything further. Thank you for coming, sir.

4 MR. CHARLES HINSON: All right.  
5 You're welcome.

6 JUDGE STEARLEY: All right. Is there anyone  
7 else who would like to offer testimony?

8 Okay. We'll --

9 MR. CRAIG NIESEN: Actually, I'd like to add a  
10 follow-up --

11 JUDGE STEARLEY: Certainly.

12 MR. CRAIG NIESEN: -- if I may do so, to the  
13 testimony.

14 I've never seen a notice -- a boil notice that  
15 was sent out from American Water for any breaks in our  
16 area.

17 I know in the past nine years, we've had three  
18 or four breaks on our main run up the hill on 49th Terrace  
19 or Street -- I guess it's Street -- in Misty Woods, and the  
20 breaks are going farther up the road each year.

21 So I know that main is getting patched but  
22 we've never been notified, no one's ever come around and  
23 told us that they're going to shut the water off, and I've  
24 never seen in the media a boil notice from them.

25 That's it.

1 JUDGE STEARLEY: All right. Thank you.

2 Okay. Last call.

3 Okay. Seeing no one else would like to offer  
4 any testimony, Mr. Chairman, do you have any concluding  
5 remarks?

6 CHAIRMAN GUNN: A couple things.

7 First, I want to thank everybody for coming  
8 out. We'll have a transcript prepared relatively quickly.  
9 The other commissioners will -- will be following it.

10 This is -- as was pointed out, this is about  
11 the middle of this process. We've got evidentiary hearings  
12 that are set for February 21st and March 2nd. They're  
13 going to be in Jefferson City. But those will be webcast  
14 at the time, and they should be recorded, so you should be  
15 able to go back in at a later time to view those.

16 Those are open to the public. Although the  
17 public doesn't participate, you participate and are very  
18 ably represented by the Office of Public Counsel, and they  
19 represent the residential ratepayers.

20 So I would encourage folks to watch. It can  
21 get a little tedious sometimes because you talk about some  
22 things, but these kind of customer service issues and  
23 things like that can and do come up on a regular basis.

24 For any folks that couldn't get here, like I  
25 said, they can return the comment cards if they have it, or

1 the website, or a phone call to our customer service  
2 department, and Lisa, raise your hand. You can get phone  
3 numbers from her at the table outside. We'll be able to  
4 make sure that you have ways of contacting us.

5 Our website is [www.psc.mo.gov](http://www.psc.mo.gov).  
6 [www.psc.mo.gov](http://www.psc.mo.gov). So that's where you can go and add to  
7 those comment cards that were on -- electronically and  
8 that's where there will be a section where you can show --  
9 watch the proceedings and also get to some of the other  
10 filings in the case.

11 If there's anybody that can make it up  
12 tonight, we do have -- that couldn't make it today that  
13 wanted to make it tonight, we do have a local public  
14 hearing starting at 5:30 question-and-answer, 6:00 or  
15 around there in St. Joseph tonight.

16 The location is at the university?

17 JUDGE STEARLEY: Yes.

18 CHAIRMAN GUNN: We'll have the -- we can have  
19 the address out there for folks so that anybody that needs  
20 to -- that may need to take one to send to anybody that  
21 couldn't be here tonight.

22 And it's perfectly okay for someone in this  
23 area to come and comment about their particular area. It's  
24 a local public hearing for the entire case. So even  
25 someone from St. Louis, like I am, can come and talk about

1 it. So that's perfectly fine.

2 So anybody that you have that can make it up  
3 there, would like to make it up there, are certainly  
4 welcome to do so.

5 Other than that, I want to thank everybody.  
6 The testimony was very, very helpful. There's a lot of  
7 good information in here and we'll take it into account  
8 during our process.

9 So thank you very much.

10 JUDGE STEARLEY: Okay. And just to add to the  
11 chairman's comments, tonight's hearing is at Lee Spratt  
12 Hall, Room 201, Missouri Western State University in  
13 St. Joseph, and there are still five more public hearings  
14 to follow after that.

15 The evidentiary hearing, as the chairman  
16 noted, begins February 21st, and this case is on an  
17 11-month procedural schedule. A decision will not be  
18 issued until the end of May. So I just want to make you  
19 all aware of that. Thank you all for coming.

20 Today's public hearing in WR-2011-0337 is  
21 hereby adjourned.

22 (Hearing adjourned at 2:14 p.m.)

23

24

25



1 I N D E X

2	WITNESS:	PAGE
3	MR. JOHN PONZO	8
	MR. ROBERT FRYE	17
4	MS. GLEN ANDERSON	29
	MS. DEBORAH HUNTER	34
5	MR. JIM HUNTER	36
	MR. RUSSELL WOJTKIEWICZ	39
6	MR. ERNEST LEE	45
	MS. JENNIFER BICKFORD	48
7	MS. SHERIE THEOBALD	60
	MR. JOHN PONZO	62
8	MR. CRAIG NIESEN	66
	MR. CHARLES HINSON	69
9	MR. CRAIG NIESEN	78

10 E X H I B I T S

11	EXHIBIT	DESCRIPTION	PAGE
12	1	Spreadsheet produced by Mr. Robert Frye	26
13	2	Photograph	68
14	3	Photograph	68
15	4	Photograph	68

16 (All exhibits are attached.)

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<b>A</b>	47:8 59:7 63:1 65:12 69:1 <b>admission</b> 25:23 <b>admitted</b> 68:9 <b>advice</b> 57:21 <b>advocate</b> 40:22 42:5 <b>affect</b> 52:18 <b>afford</b> 32:2 62:9 <b>afraid</b> 5:7 15:19 62:8 <b>afternoon</b> 3:3 <b>ago</b> 12:13 24:14 27:14 35:6 39:8 48:20 66:18 67:1 70:11 <b>agree</b> 5:9 9:19 23:15 31:10 41:20 <b>airport</b> 74:3 <b>al</b> 1:9 <b>alive</b> 13:11 <b>allegedly</b> 14:22 <b>allow</b> 4:18 5:4 40:8 56:6 <b>allowed</b> 4:22 8:17 41:6 43:3 59:20 <b>allowing</b> 42:14 <b>allows</b> 59:22 60:13 <b>alternative</b> 42:24 <b>American</b> 1:9 2:2 3:7 6:8,10 8:17 9:3,14 10:12 11:8 12:10 14:14 15:8 19:13,17 20:1,23,25 21:24 23:9 39:5 42:3 60:22 63:6 65:18 69:13,23 70:3 71:17	72:12 73:21 74:8,25 77:15 <b>American's</b> 15:8 <b>amount</b> 20:10 21:7 36:12,25 39:1,11 41:15 50:25 51:1 56:5 70:18 73:18 <b>amounts</b> 24:10 <b>Anderson</b> 28:15 28:18,19,23,25 29:14 31:22,25 32:8,13,18,20 33:3 35:14 81:4 <b>announced</b> 73:6 <b>answer</b> 4:18,20 4:25 <b>answers</b> 20:18 <b>anybody</b> 4:3,5 51:12,13 54:5 54:5 62:14 79:11,19,20 80:2 <b>Anytime</b> 29:21 <b>apart</b> 29:12 <b>apartment</b> 60:4 <b>appalled</b> 68:1 <b>appearance</b> 6:7 <b>APPEARAN...</b> 2:1 <b>appearing</b> 6:10 6:17 <b>appears</b> 82:9 <b>appliances</b> 18:11 23:19 34:2 52:2 <b>applied</b> 59:23 <b>apply</b> 39:8 <b>appoint</b> 9:25 16:2 <b>appreciate</b> 3:17 28:10 35:9 37:23 57:24 61:4 69:8	74:10 <b>appreciated</b> 68:16 <b>approve</b> 38:22 38:22 <b>approved</b> 21:2 47:18 <b>approximately</b> 19:6 24:15 54:3 69:15 70:15 71:5 72:15 74:19 75:7,9 <b>April</b> 71:18 <b>area</b> 13:12 35:5 36:15,16 37:7 39:2 48:2 72:10 73:19 74:2 77:16 79:23,23 <b>areas</b> 1:11 3:9 17:17 20:4 66:20 72:23 <b>Arizona</b> 60:13 <b>asked</b> 29:11 38:23 40:25 47:18 49:25 55:16 58:9 68:1 <b>asking</b> 21:3 25:6 27:3 45:23 46:7,14 <b>aspect</b> 71:12 <b>association</b> 45:4 65:19 <b>assume</b> 37:9 <b>assumed</b> 72:6 <b>assuming</b> 20:6 25:22 68:8 <b>attach</b> 40:18 <b>attached</b> 81:16 <b>attempt</b> 8:14 <b>attention</b> 61:17 <b>attitude</b> 40:10 <b>attorney</b> 10:1 82:15	<b>audit</b> 8:25 <b>auditor</b> 10:2 <b>August</b> 50:17 56:14 <b>Authority</b> 1:10 3:7 <b>automotive</b> 21:18 <b>available</b> 19:12 24:20 <b>average</b> 23:21 <b>averages</b> 29:6,7 <b>averaging</b> 50:18 <b>aware</b> 80:19 <b>A-n-d-e-r-s-o-n</b> 28:19 <b>a.m</b> 8:10 75:15 76:1,2,3,4
			<b>B</b>	
			<b>b</b> 48:13 81:10 <b>baby</b> 29:17 <b>back</b> 8:23 21:10 26:11 32:24 33:19,21 40:1 40:3,7,17 43:6 51:3,14 57:13 61:10 69:19 78:15 <b>backs</b> 74:4 <b>bad</b> 22:8 35:7 <b>Baker</b> 2:8 6:15 6:16,19 <b>base</b> 36:10 <b>based</b> 23:12 <b>basically</b> 45:2 45:19,23,25 56:1 65:16,23 <b>basis</b> 5:18 13:17 13:19 41:19 78:23 <b>bathe</b> 51:11 <b>bathing</b> 49:11 <b>bathroom</b> 61:19 62:7 66:20 <b>bathrooms</b>	

66:14,16	36:24 37:11,12	<b>bring</b> 12:20 40:7	<b>calling</b> 4:10 7:15	12:3,9 13:14
<b>becoming</b> 42:14	50:5,17,18,22	48:8	71:21	13:17,19,22
<b>Bednar</b> 2:21 7:5	51:9,17 52:20	<b>BRITT</b> 2:22	<b>calls</b> 71:6,7,14	14:5,7,16
7:6	56:1,13,14	<b>broke</b> 63:18	<b>Campbell</b> 58:21	15:25 16:10,22
<b>began</b> 72:18	59:25 60:15	<b>brought</b> 61:17	58:22	26:2,3,10 27:1
<b>beginning</b> 7:20	64:9 65:23	<b>BROWNE</b> 2:22	<b>capable</b> 10:2	27:10,19,25
<b>begins</b> 80:16	70:12,14	<b>bucks</b> 65:24	62:2	28:2,6,9 31:17
<b>behalf</b> 2:13 6:10	<b>billed</b> 13:14	<b>budget</b> 30:12	<b>capacities</b> 19:23	31:18,23 32:6
6:17,23 7:6	<b>billing</b> 9:12 11:7	<b>build</b> 40:17	<b>capacity</b> 24:4	32:9,17,19,22
<b>believe</b> 4:17 7:3	24:9 55:24	73:15	<b>capital</b> 40:11,12	34:14,15,20
32:14 36:23	57:3,6 70:19	<b>building</b> 2:10,16	<b>captioned</b> 3:6	35:1,8 37:21
38:21 45:9,13	<b>bills</b> 13:9 18:8	48:3	<b>cards</b> 4:7,8 8:8	37:22 44:10,11
53:5 54:2,19	33:17,19 36:18	<b>burden</b> 42:14	26:6 78:25	46:25 47:1
54:20 66:8,22	<b>bit</b> 25:5 39:18	<b>bureaucratic</b>	79:7	53:11,12,16,24
67:10 73:7	40:8 57:21	10:20	<b>care</b> 18:16 26:25	54:4,17,21
<b>benefit</b> 69:21	<b>blame</b> 52:8	<b>burned</b> 23:24	<b>careful</b> 27:2	55:2,4,12,23
73:12	<b>boil</b> 49:6,11	48:19	32:21	56:3,9,12,18
<b>best</b> 48:12 67:22	56:22 63:24	<b>Bush</b> 57:13	<b>Carl</b> 35:10,12,12	56:21 57:2,6
82:11	72:19,24 75:1	58:15	35:14	57:11,17,21
<b>bet</b> 38:4	76:17 77:14,24	<b>business</b> 17:20	<b>case</b> 5:1,19 7:11	58:15,20 61:2
<b>betcha</b> 63:3	<b>boiling</b> 49:9	31:11 39:21	9:6 10:23 18:2	61:3 62:13
<b>better</b> 10:3	<b>bonuses</b> 63:13	40:10,15 41:15	30:16 34:9	64:20,21,24
15:21,24 46:3	<b>book</b> 46:13	41:17 44:1	58:12 73:5	65:1 68:14,15
<b>beyond</b> 9:16	<b>books</b> 9:2	61:22	79:10,24 80:16	74:15,16,20,23
<b>Bickford</b> 47:4,5	<b>boomer</b> 29:17	<b>businessman</b>	<b>cases</b> 5:18	75:3,6,11,14
47:6,10,12	<b>born</b> 49:1 54:23	41:20	<b>cash</b> 24:22 25:2	75:16 76:1,3
53:15,20 54:2	<b>boss</b> 67:24	<b>butcher</b> 38:8	<b>casino</b> 12:15	76:10,16,22
54:8,19,24	<b>bothers</b> 50:10	<b>buy</b> 21:12	<b>cause</b> 32:15	77:2 78:4,6
55:3,8,14 56:2	<b>bottle</b> 26:20	<b>buyer</b> 13:9	<b>causing</b> 23:23	79:18 80:15
56:8,11,14,20	<b>bottom</b> 46:1	<b>buying</b> 15:17	<b>CCR</b> 82:7,8	<b>chairman's</b>
56:23 57:4,9	63:17,18	<b>B-i-c-k-f-o-r-d</b>	<b>CEO</b> 66:8	80:11
57:16,20,25	<b>bought</b> 39:9	47:6	<b>CEOs</b> 64:13	<b>chance</b> 5:7
58:1,5,9,18	<b>bounces</b> 40:17		<b>certain</b> 20:18	<b>change</b> 20:20
81:6	<b>box</b> 6:16 9:2,5	<b>C</b>	21:7	34:7 40:20,23
<b>big</b> 29:11	9:25 25:4 74:5	<b>C</b> 3:1	<b>certainly</b> 10:10	41:4 50:20,21
<b>biggest</b> 46:20	<b>Boy</b> 39:6	<b>Cadillac</b> 21:19	64:12 67:3	51:10
70:9	<b>brain</b> 18:17	<b>call</b> 5:22 27:7	72:11 77:11	<b>changes</b> 19:4
<b>bill</b> 9:15 11:9,11	<b>break</b> 49:3,17	48:7 57:17,19	80:3	<b>channel</b> 73:5
11:12 13:11,13	49:22 55:7	58:17 63:25	<b>CERTIFICA...</b>	<b>charge</b> 11:10
13:20 14:15,15	56:22 57:1,2,5	72:13,14,20	82:1	12:24 13:24
15:20 18:8,12	71:24 74:20	73:2 74:25	<b>Certified</b> 82:20	14:1 23:12
19:12,13 20:11	<b>breaks</b> 49:19,21	76:16,24 78:2	<b>certify</b> 82:8	39:10
20:22,25 22:19	53:18,23,24	79:1	<b>cetera</b> 8:19	<b>charges</b> 43:22
23:20 29:5,7	63:20 77:15,18	<b>called</b> 27:8	<b>chairman</b> 1:15	59:16
33:21,22,25	77:20	47:24 72:3	3:12,13,14	<b>Charles</b> 68:22
34:4 36:5,7,14	<b>bridge</b> 24:21	76:21	11:17,22,23	68:22 69:3,5

74:18,22 75:1 75:5,8,13,15 75:19 76:2,5 76:12,19,25 77:4 81:8 82:7 <b>check</b> 64:17 <b>chemicals</b> 19:7 <b>chemist</b> 22:7,12 <b>Chevy</b> 21:20 <b>child</b> 49:11 54:23 <b>children</b> 15:18 48:12 60:3 <b>children's</b> 48:24 <b>chlorine</b> 26:23 <b>choice</b> 29:24 30:1 42:9 <b>choices</b> 45:25 <b>cholera</b> 43:6 <b>choose</b> 15:16 50:12 <b>chose</b> 19:21 <b>Christina</b> 2:8 6:15,16 10:25 11:1 <b>christina.bake...</b> 2:12 <b>cities</b> 17:18 <b>citizens</b> 73:1 <b>city</b> 2:11,17,20 2:23 3:23 6:16 6:25 7:3,7,7 9:10 12:8,12 12:18,21,22,23 17:12 22:1,5 22:11,15,16,19 24:12,18 69:12 70:4,6 74:1 78:13 82:5,5 <b>clarification</b> 58:2 64:21 <b>clarify</b> 14:17 <b>class</b> 37:8 42:15 <b>clean</b> 52:7,16,24 <b>clear</b> 19:4 <b>clock</b> 10:18	<b>closer</b> 16:4 <b>closest</b> 54:9,11 <b>clothes</b> 49:12 52:7 <b>clothing</b> 51:11 52:12 <b>cloudy</b> 49:13 63:14 <b>cold</b> 71:11 <b>colder</b> 71:9 <b>collect</b> 61:24 <b>college</b> 38:10 <b>combined</b> 18:7 <b>come</b> 3:16,19 11:8 27:11,22 27:23 32:24 40:13 41:25 42:1 45:9 48:8 51:12,13 52:24 60:14 61:10,22 65:7 66:24 68:20 69:18 77:22 78:23 79:23,25 <b>comes</b> 34:24 45:5,18 51:19 52:1 72:1,8 <b>comfortable</b> 5:11 <b>coming</b> 3:16 34:15 42:20 43:6 52:10 53:3 55:18 60:2,2,2,9 61:4 65:2 66:4,10 66:21 77:3 78:7 80:19 <b>commenced</b> 3:2 <b>comment</b> 4:7,8 5:10,13 6:4 8:8 26:6 29:1 78:25 79:7,23 <b>comments</b> 4:8 4:10 7:19 18:5 80:11 <b>commercial</b>	23:11,25 24:1 69:24 <b>commission</b> 1:1 2:14,16 3:4,12 3:18 4:11 6:21 6:24 8:24 9:25 10:22 14:24 17:25 21:3 27:17 30:17 35:16 43:19 45:23 50:1 51:3 57:10 58:7 67:21 <b>Commissioner</b> 3:11 <b>commissioners</b> 3:20 5:16 28:10 39:6 78:9 <b>committee</b> 10:1 <b>commodity</b> 18:16 <b>common</b> 11:13 32:6 <b>communities</b> 17:21 19:19 30:25 <b>community</b> 48:3 <b>companies</b> 37:15 40:9 <b>company</b> 2:2 4:24 6:8,11 19:18 21:6 27:5,14,15 31:8 40:6 50:4 50:7,12,14,14 50:16 51:4,7 51:16,21 55:25 57:18 63:11 66:4,8 74:24 <b>company's</b> 1:9 3:7 14:18 <b>comparable</b> 22:17 36:15 <b>comparative</b> 36:8	<b>compare</b> 20:4 22:1,14,15 <b>compared</b> 22:7 24:2 29:5 60:6 74:7 <b>compares</b> 19:14 <b>comparison</b> 19:17 20:8 22:4,18 <b>comparisons</b> 19:25 <b>complained</b> 53:1 <b>complaint</b> 50:2 50:3,6,8 51:5,7 56:4,21,23 57:8,19 58:3,7 59:11 70:9 <b>completely</b> 9:20 37:16 <b>computers</b> 18:10 <b>concern</b> 23:8 47:22 48:21 50:4,5 51:4 68:3 <b>concerned</b> 31:2 <b>concerning</b> 48:11 <b>concerns</b> 49:12 50:11 <b>concludes</b> 44:7 <b>concluding</b> 78:4 <b>confident</b> 43:15 <b>confirmed</b> 3:21 40:24 <b>connected</b> 70:4 72:4 <b>Connie</b> 58:21 <b>conservation</b> 41:6 43:10 <b>conservative</b> 34:2 <b>conserve</b> 41:1,1 <b>consider</b> 45:24 46:8,17,21 <b>considerable</b>	74:6 <b>consideration</b> 29:10 30:22 <b>considered</b> 21:4 31:1,2 <b>consistent</b> 35:1 <b>consistently</b> 25:6 69:18 <b>consolidated</b> 18:12 <b>consolidating</b> 22:24 <b>consolidation</b> 31:4 34:9 38:21 45:18 <b>constantly</b> 52:3 <b>constituents</b> 70:10 72:3 <b>consumer</b> 16:7 58:16 <b>consumers</b> 50:15 <b>contact</b> 15:13 27:6 50:14,14 51:2,14 <b>contacted</b> 50:4 <b>contacting</b> 50:16 74:24 79:4 <b>continual</b> 60:18 <b>continually</b> 24:11 <b>continued</b> 19:5 49:10 51:23 <b>continues</b> 52:20 52:20 <b>contributed</b> 30:25 <b>control</b> 48:14 <b>conversations</b> 40:24 <b>conversely</b> 23:25 <b>convince</b> 39:12 <b>convinced</b> 69:7 <b>cook</b> 42:11 <b>cool</b> 15:20
--	---	--	--	--

<p><b>copies</b> 28:9  <b>copy</b> 25:13  <b>corporate</b> 2:3  40:10 41:11  <b>correct</b> 11:2  12:2 13:21  14:4 28:5 56:8  56:11,20,22  74:21 75:18  <b>correctly</b> 7:18  <b>corroded</b> 66:22  <b>corrosion</b> 67:1,9  <b>cost</b> 21:13 23:13  23:14 33:25  39:20 41:5  <b>costing</b> 60:6  <b>costs</b> 17:24 21:7  37:1 43:1  51:23  <b>counsel</b> 2:3,6,9  6:7,14,18 7:3  7:10 10:25  11:20 25:23  26:1 31:16  34:13 37:20  44:9 46:24  53:9 60:25  64:18 68:8,12  74:13 78:18  82:12,15  <b>country</b> 4:4,4  64:3  <b>county</b> 8:23 9:7  9:9 12:4,7  17:10 20:6  22:10 23:21  30:19 39:6  40:14 41:16  73:18  <b>couple</b> 4:15  11:23 12:13  26:13 53:18  54:10 75:21  78:6  <b>couples</b> 15:17  <b>course</b> 19:9</p>	<p>70:23 71:22  <b>court</b> 5:15 7:17  16:25 25:20  62:19 67:15  82:20  <b>coworkers</b> 68:3  <b>Craig</b> 2:4 6:11  65:6,8,8,14,16  67:5,13,17,20  68:4,11 77:9  77:12 81:8,9  <b>credit</b> 24:17  59:19  <b>crew</b> 76:8  <b>crying</b> 15:9,15  <b>current</b> 20:23  20:25  <b>currently</b> 15:4  17:10 18:19  19:25 24:9  <b>customer</b> 13:24  23:12,25 24:1  38:25 39:10  43:21 63:25  64:1,1 69:13  72:6 78:22  79:1  <b>customers</b> 22:25  23:10,11 31:9  31:11 37:16  40:18  <b>cycle</b> 9:12 11:8  69:20 70:19  <b>C-h-a-r-l-e-s</b>  68:23  <b>C-r-a-i-g</b> 65:9</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>D</b> 1:15 3:1 81:1  <b>damage</b> 48:9  52:11  <b>damaging</b> 19:8  52:2  <b>date</b> 22:3 56:12  <b>day</b> 7:22 41:21  67:25,25 75:6</p>	<p><b>days</b> 3:22,22  49:8 75:22  <b>deals</b> 27:15  <b>dealt</b> 43:24  <b>Deborah</b> 33:4,6  33:6,12,14  34:19,21 35:3  81:4  <b>debris</b> 63:15  <b>December</b> 47:16  <b>decision</b> 80:17  <b>decisions</b> 42:4  <b>decrease</b> 10:9  14:20,21,23  34:3 55:15  69:24 73:23  74:7,8  <b>decreased</b> 73:13  <b>decreasing</b> 71:1  <b>deep</b> 18:10  <b>definitely</b> 17:22  36:21  <b>delayed</b> 51:8  <b>deliver</b> 41:24  <b>delivered</b> 18:22  21:24 23:7  <b>delivering</b> 43:2  <b>demographics</b>  30:18 36:17  <b>department</b> 2:9  58:17 71:15  79:2  <b>departments</b>  48:8  <b>depending</b>  42:18  <b>deplete</b> 24:25  <b>deplorable</b> 8:9  10:13  <b>deposit</b> 24:13,16  24:23 25:2  <b>deposition</b> 82:9  82:14  <b>deposits</b> 19:2  61:19,24 62:1  62:3</p>	<p><b>described</b> 26:14  <b>DESCRIPTI...</b>  81:11  <b>designed</b> 61:24  <b>despite</b> 8:8  <b>detectors</b> 48:14  <b>determine</b> 9:4  <b>development</b> 2:9  14:3  <b>devices</b> 23:18  <b>difference</b> 29:8  <b>different</b> 17:17  17:18 31:13  40:25 45:5  57:1 72:23  <b>differently</b> 44:5  <b>difficult</b> 27:23  <b>difficulty</b> 18:17  18:23  <b>digest</b> 10:16,22  <b>direction</b> 82:12  <b>directly</b> 5:23  48:15 49:19  53:21 54:11  <b>dirt</b> 52:11  <b>disability</b> 59:13  59:18  <b>disconcerting</b>  72:22  <b>disconnect</b>  50:25 56:7,9  56:15,18  <b>dishes</b> 52:23  <b>dishwasher</b>  52:24,24  <b>disillusioned</b>  64:5  <b>disparity</b> 29:11  <b>displeased</b> 70:8  <b>distribution</b>  70:2  <b>district</b> 8:19  17:22 36:21  47:22,25 66:10  <b>districts</b> 14:25  19:21</p>	<p><b>district-specific</b>  10:5 20:10  <b>DNR</b> 42:7,7  <b>documentation</b>  51:21  <b>doing</b> 15:17 23:3  24:9 27:20  45:11 52:11  <b>dollars</b> 9:23  15:21,24 25:3  43:12  <b>door</b> 15:16  <b>doors</b> 48:19  <b>door-to-door</b>  15:12  <b>double</b> 50:17  <b>doubled</b> 70:21  70:22  <b>doubt</b> 68:5  <b>douse</b> 48:9  <b>drained</b> 19:2  <b>drank</b> 9:12  <b>drift</b> 16:9  <b>drink</b> 9:21  <b>drive</b> 21:20  <b>driveway</b> 49:23  <b>driving</b> 15:10  <b>drop</b> 9:13,13,13  9:21,22,22,23  20:14 39:1  <b>dropped</b> 34:1  <b>due</b> 19:2 61:19  <b>duly</b> 82:9  <b>dysentery</b> 43:6  <b>D-e-b-o-r-a-h</b>  33:6</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>E</b> 3:1,1 81:1,10  <b>earlier</b> 19:15  61:15 70:25  72:24  <b>earned</b> 30:24  63:11  <b>east</b> 16:5  <b>easy</b> 46:2</p>
--	---	--	--	--

<p><b>eating</b> 29:24  <b>ECONOMIC</b>                  2:9  <b>economy</b> 30:3,6                  40:17 46:9                  68:4  <b>educated</b> 16:6  <b>effect</b> 47:16  <b>eight</b> 19:1 70:11  <b>either</b> 4:10 5:13                  29:24 42:5                  60:3 73:9  <b>elderly</b> 15:15  <b>electric</b> 18:8,13                  18:18 37:11                  64:9  <b>electrical</b> 3:24  <b>electricity</b> 42:10  <b>electronically</b>                  79:7  <b>eliminate</b> 43:21  <b>eloquently</b> 35:15  <b>emergency</b>                  71:18  <b>employed</b> 65:25                  82:13,16  <b>employee</b> 82:15  <b>employees</b> 64:13  <b>encourage</b> 78:20  <b>energy</b> 23:23  <b>enforce</b> 42:7  <b>engineer</b> 27:15  <b>engineering</b>                  74:1  <b>enjoy</b> 30:14  <b>enter</b> 25:9  <b>entering</b> 4:11  <b>entire</b> 9:12 11:7                  79:24  <b>entities</b> 42:13  <b>entitled</b> 10:7  <b>entity</b> 41:11  <b>entries</b> 6:7  <b>environment</b>                  42:25  <b>equipment</b></p>	<p>19:10  <b>equitable</b> 21:8  <b>equivalent</b> 20:8  <b>Eric</b> 2:21 7:6  <b>Ernest</b> 44:14,17                  44:17,23,25                  81:6  <b>especially</b> 32:5  <b>essence</b> 10:15  <b>essentially</b> 3:20  <b>estate</b> 59:24  <b>Estates</b> 8:22 9:1                  9:6 11:4 12:1                  14:11,23 15:5                  15:12 29:3,9                  33:18 41:2                  59:15  <b>esteinle@spen...</b>                  2:25  <b>et</b> 1:9 8:19  <b>Ethel</b> 58:23  <b>evening</b> 54:14                  73:5  <b>everybody</b> 3:15                  5:6 6:2,4 31:5                  32:23,24 33:1                  45:6 59:15                  71:13 78:7                  80:5  <b>evidence</b> 5:18  <b>evidentiary</b>                  78:11 80:15  <b>exact</b> 23:9  <b>EXAMINATI...</b>                  38:1  <b>example</b> 11:4  <b>exceed</b> 18:13                  51:25  <b>Excelsior</b> 20:19  <b>excuse</b> 30:4                  62:24  <b>exhibit</b> 25:9,15                  25:18,23 67:15                  81:11  <b>exhibits</b> 67:2,18                  68:7,18 81:16</p>	<p><b>exorbitant</b> 36:12  <b>expect</b> 41:17,23                  41:23  <b>expenditures</b>                  74:5  <b>expense</b> 40:11  <b>expenses</b> 19:5                  22:25  <b>explain</b> 39:5  <b>explanation</b>                  54:7  <b>explore</b> 43:20  <b>extensive</b> 4:4  <b>extent</b> 44:5  <b>extra</b> 13:3 46:5  <b>extreme</b> 34:23  <b>extremely</b> 3:17                  32:20 62:5  <b>eye</b> 11:7 13:5                  14:10  <b>E-r-n-e-s-t</b>                  44:18</p> <hr/> <p style="text-align: center;"><b>F</b></p> <hr/> <p><b>fabulous</b> 42:12  <b>face</b> 15:16  <b>faced</b> 69:16  <b>facets</b> 10:23  <b>facilities</b> 27:16  <b>facility</b> 13:4                  22:5  <b>fact</b> 15:10 29:16                  31:10 40:24                  45:24 62:5                  70:8 71:4,13                  71:17 72:23                  75:21  <b>facts</b> 4:21  <b>failing</b> 18:24  <b>fair</b> 17:22 19:16                  21:8 22:22                  31:5  <b>fairly</b> 27:17                  43:24 66:1  <b>fall</b> 54:20  <b>familiar</b> 27:17</p>	<p><b>FANE</b> 2:22  <b>far</b> 22:11 23:13                  29:3 31:2                  34:18 36:25                  44:6 48:18                  73:19  <b>Farrelview</b> 74:3  <b>farther</b> 77:20  <b>faucet</b> 18:23                  61:18,19 62:7                  62:7  <b>faucets</b> 61:20                  62:4,6,9 66:16  <b>favor</b> 14:18                  22:24  <b>Fax</b> 2:5,12,18,24  <b>fear</b> 37:15  <b>February</b> 70:24                  74:21 78:12                  80:16  <b>feed</b> 51:11  <b>feel</b> 17:22 21:19                  45:19 47:20                  52:19 73:16  <b>feet</b> 13:3  <b>fifth</b> 4:1  <b>figure</b> 20:17                  46:2  <b>file</b> 1:9 3:5 58:9  <b>filed</b> 10:12 56:4                  58:7  <b>filing</b> 10:15,19                  57:19  <b>filings</b> 79:10  <b>filter</b> 32:16  <b>filtered</b> 34:23  <b>filtering</b> 62:2  <b>filters</b> 19:7  <b>finally</b> 32:1                  71:19 72:13  <b>financial</b> 24:21                  42:14 66:7  <b>financially</b>                  82:16  <b>find</b> 10:13 16:9                  51:16 61:22</p>	<p><b>finding</b> 30:16  <b>fine</b> 28:3 80:1  <b>fire</b> 48:7,13,14                  48:22,22 53:7                  54:8,11,14                  70:2,2  <b>fires</b> 48:6,7,9                  54:4  <b>firm</b> 16:4  <b>first</b> 3:15 8:7                  29:1 33:1 35:3                  36:23 39:8                  49:17 70:11,14                  75:11 78:7  <b>five</b> 3:19 18:24                  20:21 48:19                  80:13  <b>fixed</b> 29:20,23                  30:8 49:22                  60:8,20 72:16                  72:18  <b>flat</b> 11:9 12:24                  13:1  <b>flawed</b> 29:3  <b>flooding</b> 55:10  <b>floodwater</b>                  12:25  <b>floored</b> 29:4                  36:19  <b>Florida</b> 72:5  <b>flow</b> 24:22 25:3  <b>flush</b> 9:22  <b>flushed</b> 9:13  <b>flushing</b> 36:11  <b>flyers</b> 15:13,13  <b>folks</b> 4:8,9 5:22                  63:15 74:17                  78:20,24 79:19  <b>follow</b> 15:14                  51:16 80:14  <b>following</b> 10:3                  47:17 78:9  <b>follow-up</b> 4:19                  5:24 14:17                  77:10  <b>food</b> 15:17</p>
---	---	--	---	---

<p><b>force</b> 18:11 60:23 <b>forcing</b> 60:2,19 <b>foregoing</b> 82:9 <b>formal</b> 58:6 <b>forms</b> 5:10,13 <b>fortunate</b> 60:12 <b>forward</b> 65:7 68:20 <b>found</b> 18:4 20:7 23:11 29:4 71:13 <b>four</b> 3:22 18:24 22:9 39:23 48:19 59:14 63:6 77:18 <b>fourth</b> 63:6 <b>four-bedroom</b> 18:9 <b>frame</b> 54:22 <b>free</b> 40:9 <b>freely</b> 50:14 <b>freeze</b> 18:10 71:10 <b>friend</b> 60:13 <b>friends</b> 61:21 <b>frigid</b> 71:2 <b>front</b> 5:12 7:14 15:16 <b>frustrated</b> 5:3 <b>frustrating</b> 4:16 4:17 60:17 <b>frustration</b> 5:2 <b>Frye</b> 16:23,24 17:1,2,7,9,10 25:8,10,14,19 26:9,18 27:8 27:11,24 28:1 28:5,8,14 31:10,21 35:15 39:2 81:3,12 <b>fuel</b> 42:11 <b>full</b> 20:9 38:22 51:1 <b>fun</b> 3:16 38:9 <b>further</b> 11:3</p>	<p>16:1,11 28:12 77:3 82:14 <b>futile</b> 13:12 <b>future</b> 5:14 19:6 58:16 <b>F-r-y-e</b> 17:2</p> <hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <p><b>G</b> 3:1 <b>gain</b> 24:9 42:15 <b>gallon</b> 23:13 <b>gallons</b> 20:1,12 23:20,21 24:1 24:2 33:22 41:21,22 64:7 <b>game</b> 15:3 <b>gaps</b> 24:21 <b>gas</b> 37:12 45:22 <b>General</b> 1:10 3:8 <b>generally</b> 27:18 <b>generate</b> 25:5 <b>generated</b> 56:24 <b>generation</b> 27:16 <b>gentleman</b> 57:13 65:5 <b>gentlemen</b> 9:21 62:11 73:20 <b>getting</b> 5:11 21:20 29:17 56:7 67:22,22 77:21 <b>give</b> 3:13 4:12 4:13,20,25 10:22 25:19 32:24 33:16 46:3 57:12,14 58:16 67:5 <b>given</b> 54:7 <b>giving</b> 6:4 <b>Gladstone</b> 70:16 70:20 <b>Glen</b> 28:15,18 28:18,23,25 29:14 31:22,25</p>	<p>32:8,13,18,20 33:3 35:14 81:4 <b>go</b> 5:22 7:15 15:12 19:24 20:9,13 21:10 21:11 23:1 26:20 27:20 31:7,7 36:8,24 37:8 38:6 39:7 39:23 41:10 43:19 47:21 52:15,20 60:3 62:10 65:24 66:7 70:25 71:3 78:15 79:6 <b>goes</b> 9:16 18:11 45:13 70:25 73:19 <b>going</b> 6:6 7:15 9:3 10:17 13:3 14:11 15:7,7,9 16:15 18:12 22:14 24:25 29:19 33:19 34:8 38:2 40:5 40:13,15,18,19 41:17,25 43:16 45:10,10,20,24 47:20 48:15,21 49:4 55:19 57:11 60:23 61:23,25 63:23 64:4 65:20 66:15,23,23 73:14,15 76:7 76:9 77:20,23 78:13 <b>gold</b> 24:11 <b>good</b> 3:3 7:22 21:25 22:8 23:5 34:24 80:7 <b>gotten</b> 17:24 26:7,7</p>	<p><b>government</b> 42:19 <b>Governor</b> 2:10 2:16 <b>graduates</b> 43:14 <b>grass</b> 13:11 <b>great</b> 22:23 23:1 34:16 35:9 42:12,25 43:8 <b>greater</b> 20:5 <b>greedy</b> 11:3 <b>group</b> 5:12 <b>grow</b> 43:12 <b>growing</b> 41:16 <b>growth</b> 40:13 <b>guarantee</b> 44:1 <b>guess</b> 10:24 20:7 77:19 <b>guide</b> 46:12 <b>Gunn</b> 1:15 3:12 3:14 11:17,23 12:3,9 13:14 13:17,19,22 14:5,7,9,16 15:25 16:10,22 26:3,10 27:1 27:10,19,25 28:2,6,9 31:18 31:23 32:6,9 32:17,19,22 34:15,20 35:1 35:8 37:22 44:11 47:1 53:12,16,24 54:4,17,21 55:2,4,12,23 56:3,9,12,18 56:21 57:2,6 57:11,17,21 58:20 61:3 62:13 64:21,24 65:1 68:15 74:16,20,23 75:3,6,11,14 75:16 76:1,3 76:10,16,22</p>	<p>77:2 78:6 79:18 <b>guys</b> 42:3 46:18 <b>G-l-e-n</b> 28:18</p> <hr/> <p style="text-align: center;"><b>H</b></p> <hr/> <p><b>H</b> 81:10 <b>half</b> 67:25 <b>Hall</b> 80:12 <b>hammers</b> 21:11 <b>hand</b> 8:2 15:13 17:4,24 23:3 25:20 28:20 33:9 35:24 38:14 44:20 57:14 59:6 67:14 68:25 79:2 <b>handbook</b> 46:11 <b>handed</b> 9:2 <b>happen</b> 71:10 <b>happened</b> 49:19 54:9 59:18 <b>happening</b> 30:6 <b>hard</b> 18:22 21:4 23:5 26:15 30:16 32:3 42:17 45:16 46:15 62:3,5,6 <b>hardening</b> 34:20 <b>hardship</b> 29:22 <b>Hardware</b> 21:12 <b>Harold</b> 1:13 3:10 <b>Harrison</b> 10:1 <b>Harrisonville</b> 20:2 <b>hear</b> 14:24 36:19 71:16 75:21 <b>heard</b> 37:6 41:2 43:18 57:12 72:17 <b>hearing</b> 1:4 3:2 3:5,11,23 7:12 10:19 11:22</p>
--	--	--	--	---



44:10 49:24 56:24 58:8 73:13 79:14,24 80:11,15,20,22 <b>hearings</b> 4:2,5 27:18 47:15 58:4 78:11 80:13 <b>heat</b> 15:19 <b>heater</b> 18:25 26:15 34:22 61:25 62:8 63:16,17,18 66:16 <b>heaters</b> 61:23 <b>held</b> 8:10,11 <b>help</b> 10:17 15:14 34:10 36:25 38:2 43:2 46:12 48:8 50:11 <b>helpful</b> 80:6 <b>hesitant</b> 36:22 <b>hey</b> 46:4,16 <b>high</b> 21:16 36:24 45:14 <b>higher</b> 18:8 20:2 20:3,23 21:1 30:11 39:2,19 <b>highest</b> 59:16 73:17 <b>highly</b> 37:13 <b>Highway</b> 40:14 <b>high-efficiency</b> 52:4,6,10 <b>hike</b> 47:16,20 <b>hill</b> 77:18 <b>Hills</b> 53:15,16 53:17 54:1 63:22 <b>Hinson</b> 68:22,22 69:3,5 74:18 74:22 75:1,5,8 75:13,15,19 76:2,5,12,19 76:25 77:4	81:8 <b>history</b> 27:13 <b>hit</b> 12:21,23 <b>hold</b> 21:15 <b>home</b> 9:14 11:8 18:9,22 19:9 19:13 23:19 43:10,13 49:2 52:14 55:9 59:20,22 60:15 60:22 61:25 75:24 <b>homes</b> 12:1 14:3 15:11 40:16,17 45:3 48:10 53:25,25 55:18 74:18 <b>Honor</b> 7:5 <b>hope</b> 29:10 30:4 <b>hopefully</b> 4:23 <b>hopeless</b> 14:12 <b>hot</b> 62:8 66:15 67:7 <b>hour</b> 26:22 41:22 <b>hours</b> 72:19,21 75:3 <b>house</b> 8:21 12:22,22,24 13:7,8 14:13 39:9 43:17 48:5,15,19 49:10,20 51:12 52:16,19,19 53:20 54:9,11 54:12,14 55:13 60:4,6 66:14 66:19,20,21 67:9 68:5 71:10 <b>household</b> 60:16 <b>households</b> 9:8 14:2 <b>huge</b> 63:19 <b>hundred</b> 15:21 15:24 43:12	<b>Hunter</b> 33:4,6,7 33:12,14 34:19 34:21 35:3,19 35:20,22,22 36:2,4 81:4,5 <b>Hunters</b> 41:2 60:10 <b>hydrant</b> 48:14 54:11,16 <b>hydrants</b> 48:22 52:18 53:7 70:2 <b>H-i-n-s-o-n</b> 68:23 <b>H-u-n-t-e-r</b> 33:7 35:23 <hr/> <b>I</b> <hr/> <b>idea</b> 64:3 <b>ideally</b> 43:11 <b>identification</b> 25:16 67:19 <b>immediately</b> 26:18 43:16 70:21 <b>immoral</b> 37:14 37:17 <b>impacts</b> 52:18 <b>Implement</b> 1:10 3:8 <b>implemented</b> 10:9 15:1 24:13,15 <b>implore</b> 9:25 <b>important</b> 3:17 52:15 <b>impression</b> 76:14 <b>improvement</b> 20:20 40:11,12 <b>improvements</b> 24:21 37:2 47:23,24 48:2 48:4 53:6 66:5 <b>include</b> 19:9 <b>includes</b> 11:9	<b>income</b> 9:20 30:24 59:17 66:5 <b>incomes</b> 29:20 29:23 30:8 60:8,20 <b>increase</b> 1:10 3:8 8:18 9:4 10:8,11,13 20:11 29:21 38:24 47:17 63:6,7 64:11 65:18,20 69:15 69:17 <b>increased</b> 34:4 <b>increases</b> 8:21 21:2 25:6 31:2 60:1,9,19 66:2 <b>increasing</b> 70:5 <b>incur</b> 13:10 <b>independent</b> 8:25 <b>Indian</b> 53:15,16 53:17 54:1 63:22 <b>indicating</b> 4:13 46:11 <b>industry</b> 41:16 <b>inexcusable</b> 8:9 <b>infections</b> 49:15 <b>inflationary</b> 42:22 <b>inform</b> 50:7 <b>informal</b> 58:13 <b>information</b> 10:16 19:22 50:1 73:16 80:7 <b>informed</b> 49:6 50:24 70:24 71:20,23 72:5 72:9 <b>infrastructure</b> 19:8 20:20 39:14,16,22 41:24 70:6	73:19 74:2 <b>initial</b> 10:15 <b>initially</b> 56:4 71:8 <b>initiate</b> 8:25 11:2,3 <b>input</b> 3:17 <b>inside</b> 19:2 <b>installed</b> 18:19 23:18 26:24 <b>intelligent</b> 49:7 <b>interaction</b> 27:5 27:21 <b>interested</b> 73:23 82:17 <b>intervenors</b> 4:25 7:11 <b>invest</b> 43:10 <b>invested</b> 17:21 <b>investigate</b> 56:6 70:12 <b>investigated</b> 51:22 73:25 <b>investigating</b> 71:12 <b>investigation</b> 51:17 55:25 <b>investment</b> 40:15 <b>investments</b> 30:9 42:20 <b>involved</b> 10:21 39:17 <b>involves</b> 3:24 <b>island</b> 12:4 <b>issue</b> 3:24,24 26:19 51:4 57:3,6 66:12 <b>issued</b> 51:5 80:18 <b>issues</b> 26:16 31:23 34:17,20 42:22 63:15 78:22 <b>item</b> 22:6 <b>items</b> 22:10 24:8
---	--	--	---	--

52:19	11:16,18 16:13	82:5	57:11,22,22	<b>lift</b> 19:1
<hr/> <b>J</b> <hr/>	16:17,20,23	<b>KCMO</b> 22:18	59:13 60:4,5,6	<b>light</b> 22:22
<b>J</b> 2:3,21 6:9,11	17:3,6,8 25:8	<b>keep</b> 13:11	60:7,10,11,17	<b>limb</b> 22:17
<b>January</b> 1:5 3:4	25:12,17,20	23:20 41:5,9	60:19,20 64:2	<b>limit</b> 43:1
33:19	28:14,20,22,24	41:12 42:20	66:1,3 67:8	<b>line</b> 9:3,3 22:6
<b>jbednar@spe...</b>	31:15 33:4,8	43:11 56:6,6	72:14 73:1	22:10 46:1
2:24	33:11,13 34:12	60:1,9	76:11,12 77:17	72:4,8 73:24
<b>Jeannette</b> 16:14	35:10,13,17,24	<b>keeping</b> 18:23	77:21	<b>lines</b> 74:1
16:15,18,21	36:1,3 37:19	<b>KEVIN</b> 1:15	<b>Knowing</b> 39:21	<b>line-item</b> 22:17
62:16,20,20	37:24 38:6,13	<b>kids</b> 15:20 17:20	<b>known</b> 72:11	<b>Lisa</b> 79:2
63:3,5 64:23	38:17,19 44:8	26:21 33:23	75:20	<b>list</b> 7:15,20
64:25 65:3	44:13,19,22,24	<b>kill</b> 14:2	<hr/> <b>L</b> <hr/>	16:13 61:6
<b>Jefferson</b> 2:11	46:23 47:3,7,9	<b>Kim</b> 9:17 11:1	<b>L</b> 2:15	<b>listed</b> 72:6,7
2:17 3:23 6:16	47:11 53:9	<b>kind</b> 12:3 21:18	<b>lack</b> 10:3 52:25	<b>listen</b> 45:10
6:25 78:13	58:1,6,11,19	30:22 31:4	<b>lady</b> 63:21 72:14	<b>listened</b> 31:3
<b>Jennifer</b> 47:4,5	58:21,25 59:2	36:22 46:15,15	<b>laid</b> 19:20	<b>listening</b> 69:7
47:5,10,12	59:5,8,10	78:22	<b>lake</b> 69:12 70:11	<b>literally</b> 9:8 12:7
53:15,20 54:2	60:25 61:5,12	<b>kinds</b> 24:8	70:13,22 71:13	<b>little</b> 8:22 9:2
54:8,19,24	62:12,14,18,24	<b>kitchen</b> 61:18	71:15,24,25	16:4 25:5 38:2
55:3,8,14 56:2	63:2,4 64:16	62:7 66:15	72:25	39:4,18 40:8,9
56:8,11,14,20	65:4,7,11,13	<b>Kliethermes</b>	<b>large</b> 20:4,20	71:19 78:21
56:23 57:4,9	65:15 67:3,11	2:15	42:12 69:17	<b>live</b> 29:2,25
57:16,20,25	67:14 68:6,12	<b>Kliethermes</b>	<b>larger</b> 41:25	42:13 44:25
58:5,9,18 81:6	68:17,24 69:2	6:22,23 7:2	<b>late</b> 54:20	46:4,8,18
<b>Jim</b> 9:18 11:2	69:4 74:11	<b>knew</b> 55:9 72:10	<b>laundry</b> 15:17	52:13 55:22
35:19,22,22	77:6,11 78:1	75:25 76:7,13	<b>law</b> 1:13 4:18,21	59:15 60:3
36:2,4 57:13	79:17 80:10	<b>know</b> 3:16 4:16	<b>lawn</b> 9:22 23:19	64:22 65:9
81:5	<b>judgment</b> 22:13	5:21 14:23	<b>lead</b> 10:2	<b>lived</b> 17:15 20:3
<b>jobs</b> 66:3	<b>June</b> 10:13 55:1	22:7 26:21	<b>leak</b> 76:8	33:18 47:14
<b>Joe</b> 7:6	55:2 69:23	30:2,7,20,21	<b>leaning</b> 31:4	48:18 49:18
<b>John</b> 2:3 6:9,11	<b>justified</b> 9:5	30:23 31:1,3	42:2	66:13
7:21,22,24,24	<b>J-e-a-n-n-e-t-t-e</b>	31:20 32:4	<b>lease</b> 17:16	<b>lives</b> 68:2
8:5,7 12:2,6,11	62:21	36:7,19 37:2,5	<b>leave</b> 5:13,14,25	<b>living</b> 41:5 43:13
13:16,18,21,23	<b>J-e-n-n-i-f-e-r</b>	37:7,13 38:22	20:22 40:3	<b>LLP</b> 2:22
14:6,8,22 16:2	47:6	39:7,8,15,21	55:10 58:24	<b>local</b> 1:4 4:1,5
16:12 29:2,11	<b>J-i-m</b> 35:22	40:1,4,13 42:6	<b>leaves</b> 10:15	17:20 27:15
29:13,23 61:11	<b>J-o-h-n</b> 7:24	42:25 43:5,6	43:14	79:13,24
61:14 81:3,7	<b>J.D</b> 2:8	43:11,15 45:5	<b>leaving</b> 70:25	<b>location</b> 60:13
<b>joke</b> 64:1	<hr/> <b>K</b> <hr/>	45:12,13,14,18	<b>Lee</b> 44:14,15,17	79:16
<b>Joseph</b> 2:21 7:5	<b>Kansas</b> 2:23 7:7	45:19,23 46:2	44:17,23,25	<b>long</b> 73:22
79:15 80:13	9:10 12:8,12	46:3,6,9,9,10	80:11 81:6	<b>longer</b> 12:14
<b>Judge</b> 1:13 3:3	12:18,21,22,23	46:14,15,18,19	<b>left</b> 3:22,22	52:5 62:1
5:22 6:6,9,13	17:12 22:1,5	46:21,22 48:18	58:22,25 76:20	<b>look</b> 13:9,10
6:19,22 7:1,9	22:11,15,16,19	48:22 51:15	<b>level</b> 18:12	16:3 17:25
7:23 8:1,4,6	70:4,6 74:1	52:16 53:25	59:17,19	19:24 21:4
		54:17,18,22		22:2,9 23:6

24:7 30:17 31:11 37:15 51:14 66:7 <b>looked</b> 20:16 22:21 23:16 51:15 <b>looking</b> 11:3 24:11 <b>looks</b> 65:19 <b>loss</b> 14:14 <b>lost</b> 8:20 30:4 40:16 66:3 <b>lot</b> 5:21 19:19 29:18,19,22 30:8,20 31:12 41:23,25 45:5 45:7,8,15,21 46:4 66:1,3 80:6 <b>Louis</b> 2:4 6:12 15:5 79:25 <b>low</b> 41:5 <b>lower</b> 36:7 42:15 43:21 <b>Luckily</b> 65:25 <b>lumped</b> 48:1 <b>L-e-e</b> 44:18	49:20 <b>maintenance</b> 19:5 71:25 <b>making</b> 55:17 64:12,14 71:6 <b>manage</b> 46:12 <b>managed</b> 17:23 <b>management</b> 46:12 64:13 <b>manner</b> 62:2 <b>March</b> 78:12 <b>mark</b> 25:17 67:11 <b>marked</b> 25:15 67:18 <b>market</b> 30:10 37:14 40:9 <b>Maryville</b> 24:13 <b>maternity</b> 55:10 <b>matter</b> 1:9 3:6 5:19 41:13 43:3 69:11 <b>mayor</b> 69:12,14 70:8 72:9 74:17,25 75:17 76:17,20 <b>ma'am</b> 31:18 33:2 35:8 <b>mean</b> 21:8,13 46:6,13,15 59:23 <b>means</b> 8:17 10:6 16:8 29:19 <b>media</b> 73:7 76:24 77:24 <b>medication</b> 15:17 <b>meet</b> 51:24 <b>meeting</b> 8:10 39:4 65:17 69:23 75:22 <b>meetings</b> 8:11 45:3 67:22 <b>meets</b> 51:22 53:2 <b>members</b> 4:23 4:24	<b>mentioned</b> 5:8 75:23 <b>meter</b> 23:13 24:14,16,24 39:23 <b>meters</b> 24:19,23 <b>method</b> 41:7 <b>metropolitan</b> 36:15 <b>middle</b> 42:15 78:11 <b>miles</b> 29:12 <b>million</b> 24:19,24 63:11,12 64:12 64:14 66:9 <b>mind</b> 17:21 <b>mind's</b> 11:6 13:5 14:10 <b>mine</b> 16:15 29:5 29:6 59:11 <b>minimal</b> 60:5 <b>minimum</b> 39:1 39:10,13 43:22 <b>minute</b> 24:1 <b>missed</b> 73:6 <b>Mississippi</b> 16:5 <b>Missouri</b> 1:1,6,9 1:11 2:2,8,15 3:7,9 6:7,10,12 6:17,20,25 7:8 8:16 9:3,14 10:12 11:8 12:9 14:14 15:8,8 19:13 19:17 20:1,23 20:25 21:24 22:5,11,15,16 22:19 23:9 24:13 35:6 39:5,5 42:3,7 51:2 59:20 60:22 65:18 69:13,23 70:3 70:5 71:17 72:12 73:21 74:8,25 80:12	82:3,7 <b>Missouri's</b> 22:1 <b>misstated</b> 20:24 <b>mistaken</b> 31:20 <b>Misty</b> 15:5 17:11,19 29:2 29:9 32:9 34:18 35:2 37:9 39:9 45:2 45:3 64:23,24 65:9 77:19 <b>mitigate</b> 19:5 <b>MO</b> 2:4,11,17 2:23 <b>modern</b> 42:13 <b>monetary</b> 24:10 <b>money</b> 10:3 15:14 24:25 31:12 36:13 40:16 42:17 45:15,20,21 46:5,14 59:21 59:22,24 66:9 68:1 73:18 <b>monies</b> 23:3 <b>Monopoly</b> 44:4 <b>month</b> 9:23 13:20,22 19:7 20:1 22:20 24:2 29:6,7 33:22,25 36:11 40:1 41:23 43:12 45:3 50:18,19 59:25 60:14 64:6,6,8 70:17 <b>monthly</b> 13:16 13:17,18,19 65:23 <b>months</b> 10:14,19 18:7,14 39:23 49:22 56:13 70:20 <b>Mormino</b> 16:14 16:15,18,21 62:16,20,21	63:3,5 64:23 64:25 65:3 <b>morning</b> 3:23 75:12 76:21 <b>Motter</b> 82:7 <b>mound</b> 63:19 <b>mouths</b> 48:25 <b>move</b> 6:3 7:12 14:19 25:1 60:23 68:4 70:13 <b>moved</b> 33:23 35:5 39:9 47:15 54:9,10 67:9 70:11,22 <b>movement</b> 55:17 <b>moves</b> 25:1 <b>moving</b> 54:21 <b>multiple</b> 18:10 48:5 <b>municipal</b> 19:19 19:21 43:8 <b>municipalities</b> 19:14,16 20:16 <b>M-o-r-m-i-n-o</b> 62:22
<hr/> <b>M</b> <hr/>				
<b>Madison</b> 2:10 2:17 6:24 <b>mail</b> 5:14 <b>main</b> 9:12 11:7 13:3 40:6 49:3 49:17,19,22 51:14,15 53:18 54:22,24 56:22 57:1,2,4 63:20 66:21 74:20 77:18,21 <b>mains</b> 53:6 <b>maintain</b> 36:7 39:13 40:6 51:10 52:3,9 55:19 <b>maintained</b>				
<hr/> <b>N</b> <hr/>				
<b>N</b> 3:1 81:1 <b>name</b> 3:10 7:16 7:17 16:25 17:1,10 28:17 28:18 33:5 35:21 38:3 44:16,17 53:14 57:13,14 59:3 62:19,20,21 65:8 68:21 <b>named</b> 57:13 <b>nasty</b> 63:19 <b>national</b> 72:4 <b>nature</b> 59:12 <b>near</b> 75:24 <b>necessarily</b> 19:16 20:8 21:8 26:19				

<p>41:20  <b>necessity</b> 45:17  <b>need</b> 6:4 18:16  24:10 28:3  31:11 38:2  39:7,13 43:22  45:19 64:11  66:21 79:20  <b>needed</b> 9:17  12:15 19:4  38:25 56:1  <b>needs</b> 10:21  30:21 43:23  52:15 79:19  <b>negative</b> 18:5  37:3  <b>neighbor</b> 40:4  <b>neighborhood</b>  15:18 17:15  31:21 37:9  45:4,11 46:18  49:3,18 51:20  52:1,13,17  53:4,14 64:4  65:19  <b>neighbors</b> 15:13  40:4 45:1  54:15 66:2,3  <b>neighbor's</b>  12:22  <b>neither</b> 9:12  82:12  <b>nervous</b> 33:14  <b>nest</b> 43:14  <b>neutral</b> 18:6  <b>never</b> 3:16 71:10  72:17 77:14,22  77:24  <b>new</b> 15:18 16:6  18:11 20:9  21:2 74:1  <b>newborn</b> 49:1,2  49:5  <b>newscasts</b> 73:4  <b>newsletter</b> 65:19  <b>nice</b> 16:19</p>	<p><b>Niesen</b> 65:6,8,8  65:14,16 67:5  67:13,17,20  68:11 77:9,12  81:8,9  <b>night</b> 18:1 29:4  39:4 71:2  <b>nine</b> 66:13 77:17  <b>noon</b> 75:10  <b>normal</b> 18:10  21:4 76:23  <b>normally</b> 56:5  <b>northern</b> 40:14  <b>note</b> 24:12 43:4  <b>noted</b> 18:1 80:16  <b>notice</b> 12:17  32:3 50:25  56:10 77:14,14  77:24  <b>noticed</b> 35:4  75:11  <b>notices</b> 56:7  <b>notification</b> 55:6  75:17 76:10,23  <b>notified</b> 49:16  72:23,24 77:22  <b>notify</b> 63:22  <b>notifying</b> 55:18  <b>November</b> 19:12  <b>number</b> 3:5  19:23 30:25  58:12 67:16  71:18,18 76:20  <b>numbers</b> 33:16  79:3  <b>N-i-e-s-e-n</b> 65:9</p> <hr/> <p style="text-align: center;"><b>O</b></p> <hr/> <p><b>o</b> 3:1 7:25  <b>oath</b> 8:3 17:5  28:21 33:10  35:25 38:16  44:21 47:8  59:7 61:13  63:1 65:12  69:1</p>	<p><b>objections</b> 25:22  68:9  <b>obviously</b> 27:20  37:6  <b>occurred</b> 49:21  49:24 54:4  55:7  <b>October</b> 56:15  56:17,19  <b>odor</b> 26:16,23  34:20  <b>offense</b> 16:21  <b>offer</b> 77:7 78:3  <b>offered</b> 74:6  <b>office</b> 2:6,9,10  2:16 6:13,17  10:25 71:20  72:14 76:21  78:18  <b>officer</b> 3:11  <b>officers</b> 63:12  <b>Oh</b> 71:20  <b>okay</b> 6:13,19 7:1  7:12 8:7 13:22  15:15 17:8  25:24 26:2,9  27:10,25 28:1  28:6,8,20 32:6  32:19 33:14  34:14 35:20,24  37:24 44:19  46:23 53:17  54:21 55:23  57:16,20 58:11  58:14 59:5,10  61:14 63:5  65:1 67:11,13  67:17 68:14,17  68:20,24 74:20  77:2,8 78:2,3  79:22 80:10  <b>old</b> 18:25  <b>older</b> 29:17  43:12  <b>once</b> 6:2 61:25  68:8</p>	<p><b>one's</b> 9:20 45:10  63:7 77:22  <b>one-month</b> 9:11  70:19  <b>onward</b> 8:15  <b>on-site</b> 76:13  <b>open</b> 54:16  78:16  <b>opening</b> 3:13  <b>operate</b> 40:9  43:23 44:4  <b>opinion</b> 9:16  11:11 13:25  16:4 37:13  <b>opportunity</b> 6:4  32:24 46:4  <b>opposed</b> 68:2  <b>oppressive</b>  15:19  <b>order</b> 72:19,24  75:2 76:17  <b>osmosis</b> 18:20  26:24  <b>ought</b> 39:17  <b>outcome</b> 82:17  <b>outside</b> 25:4  49:20 79:3  <b>overall</b> 43:1  <b>overfilled</b> 62:1  <b>overlooked</b>  61:16  <b>overly</b> 61:14  <b>o-n-z</b> 7:25</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>P</b> 2:21 3:1 7:5,24  <b>PAGE</b> 81:2,11  <b>pages</b> 18:4  <b>paid</b> 12:14,18  22:20 30:23  39:11 56:19  63:12 66:8  73:22  <b>paint</b> 11:6 13:5  14:10  <b>palatable</b> 18:21</p>	<p>26:23  <b>paper</b> 4:13 21:6  <b>pardon</b> 9:10  22:2  <b>parent</b> 63:11  66:8  <b>parents</b> 52:13  52:16 55:22  <b>park</b> 26:21  <b>Parkville</b> 9:9,10  12:8 17:12  48:1 72:7  75:17  <b>part</b> 15:21,24  43:6,7 52:9  <b>participate</b>  78:17,17  <b>participated</b>  47:14  <b>particular</b> 8:25  10:23 79:23  <b>particularly</b>  71:2 72:22  <b>parties</b> 82:13,16  <b>partner</b> 11:1  <b>passionate</b> 61:15  <b>patched</b> 77:21  <b>Paul</b> 11:2  <b>pay</b> 11:12,13  14:25 15:1  19:25 20:3,3  21:14 22:20  23:12 24:17  25:2 30:11  31:6 36:13,19  36:25 37:10  39:20,20,22  40:2 41:1,15  41:18,19,23,24  43:25 45:16,20  45:21 46:1,5  46:14,19,20  50:24 51:9,17  56:1,5,5,16  59:24 64:6  66:2,5 68:1</p>
--	---	---	---	--

73:17 <b>paying</b> 15:4 17:21 21:11,16 21:19 24:6 29:24 40:1 44:1 51:1,23 64:7,9 68:2 70:20 <b>pays</b> 12:24 <b>peak</b> 20:22 21:1 <b>Pentagon</b> 21:10 <b>people</b> 7:16 15:15 16:3 29:22 30:18,22 31:6,7 32:25 34:1 36:16 37:1,6 41:10 43:13,17,17 45:7,8,12 46:8 50:10 54:12 60:8,19 64:10 67:23 69:9 71:7 73:5,9 74:19 <b>percent</b> 8:9 20:2 20:2,11,14,23 21:1 34:3,5 36:6,9 63:7,7,9 63:9,10 65:20 69:17,24 <b>perception</b> 40:23 <b>perfectly</b> 5:9 79:22 80:1 <b>period</b> 39:11 44:2 73:23 <b>person</b> 17:13 25:1 43:14 49:7 59:21 <b>personal</b> 33:17 59:12,23 <b>personally</b> 19:7 20:10 27:15 <b>personnel</b> 40:25 <b>perusing</b> 9:2 <b>Peter</b> 7:25	<b>phone</b> 50:9 51:6 56:3 71:6,7 76:16,24 79:1 79:2 <b>Photograph</b> 81:13,14,15 <b>picky</b> 16:7 <b>picture</b> 11:6 13:5 14:10 <b>pictures</b> 66:25 67:3,6 <b>pieces</b> 4:12 <b>pipe</b> 39:22 41:25 42:1 71:9 <b>pipes</b> 24:3 32:17 52:2 53:3 63:16 <b>piracy</b> 14:9 16:3 <b>pittance</b> 10:10 <b>place</b> 10:9 50:11 <b>placed</b> 50:6 <b>plagues</b> 43:5 <b>plan</b> 55:24 73:12 <b>planet</b> 18:16 <b>planned</b> 69:6 <b>plant</b> 23:24 24:4 73:15 <b>Platte</b> 8:23 9:7,9 12:4,7 17:10 20:6 22:10 23:21 40:14 41:16 72:7,8,9 <b>please</b> 7:23 8:2,6 11:6,18 13:5 16:2,24 17:8 28:16,24 33:5 33:13 35:20 36:3 38:13,19 44:15,19,24 47:11 57:15 58:14 59:5,10 61:10 62:18 63:4 65:7,15 68:20,21 69:4 <b>plugs</b> 70:2 <b>plumbing</b> 61:22	<b>PO</b> 6:16 <b>pocket</b> 12:3 <b>podium</b> 5:25 7:16 74:11 <b>point</b> 9:6 10:14 12:13 18:17 66:1 71:16 72:12 73:6 74:23,24 75:21 76:20,25 <b>pointed</b> 39:3 78:10 <b>points</b> 35:15 <b>police</b> 71:15 <b>policy</b> 23:15 <b>politically</b> 14:4 <b>pollutant</b> 22:11 <b>Ponzo</b> 7:21,22 7:24,24 8:5,7 11:18 12:2,6 12:11 13:16,18 13:21,23 14:6 14:8,22 16:2 16:12 29:2,13 36:10 60:10 61:9,11,14 81:3,7 <b>pool</b> 24:20 32:14 32:15,15,17 <b>poor</b> 51:20 <b>pop</b> 66:23 <b>population</b> 29:17 <b>portion</b> 13:25 <b>posed</b> 12:18 <b>position</b> 8:13 16:8 39:6 <b>positions</b> 5:1 <b>positive</b> 18:4 37:4 <b>possible</b> 67:23 <b>possibly</b> 49:6 71:9 <b>posted</b> 18:2 65:19 <b>pot</b> 24:11 25:3	<b>potential</b> 14:21 <b>poverty</b> 59:19 <b>power</b> 23:24 27:16 <b>precious</b> 18:15 <b>preface</b> 10:6 <b>prejudging</b> 4:21 <b>prepared</b> 19:11 78:8 <b>present</b> 7:10 61:7 62:15 <b>presiding</b> 1:13 3:10 <b>pressure</b> 48:6 52:8,9,17,25 53:1 54:6 55:14 71:2 <b>presumed</b> 49:14 <b>pretty</b> 26:22 30:15 32:6 36:9,15 40:24 45:16 47:20 <b>prevent</b> 49:15 <b>previous</b> 17:13 47:15 52:5 76:3 <b>previously</b> 17:9 36:4 <b>prewash</b> 52:23 <b>price</b> 19:10 22:15 <b>prices</b> 21:19 <b>pricing</b> 14:19 21:5 <b>primarily</b> 73:10 <b>probably</b> 26:7 26:10 36:24 42:2 45:25 50:8 59:14 66:16 70:5 73:12 75:8 <b>problem</b> 41:11 43:7 72:10 73:1 76:7 <b>problems</b> 32:15 58:16 70:6	<b>procedural</b> 80:17 <b>procedure</b> 41:7 73:7 <b>procedures</b> 5:4 42:24 <b>proceed</b> 7:19 8:6 17:8 28:24 33:13 36:3 38:19 44:24 47:11 59:10 63:4 65:15 69:4 <b>proceedings</b> 1:3 79:9 <b>process</b> 5:4 71:16 78:11 80:8 <b>processed</b> 12:21 <b>produce</b> 21:7 <b>produced</b> 81:12 <b>product</b> 21:7,8 23:7 39:11,16 44:3 <b>profit</b> 64:12 <b>profits</b> 63:12 <b>pronounce</b> 38:7 <b>proper</b> 12:25 <b>properties</b> 17:16 17:17 <b>property</b> 74:4 <b>proposal</b> 14:19 <b>proposed</b> 20:13 <b>prospective</b> 13:9 <b>protect</b> 50:11 <b>protects</b> 50:15 <b>prove</b> 21:13 <b>provide</b> 10:17 12:10 40:5 49:25 <b>provided</b> 1:11 3:9 8:8 <b>PSC</b> 38:21 39:12 40:7,20 42:2,6 56:21,24 57:19 <b>public</b> 1:1,4 2:6
---	--	--	---	---

2:9,13,16 3:5 4:1,5,10 6:14 6:18,20,24 7:13 10:19,25 19:21 33:15 35:16 43:8 50:1 51:2 58:4 78:16,17,18 79:13,24 80:13 80:20 <b>published</b> 23:11 <b>pull</b> 49:23 <b>pump</b> 74:4 <b>pumper</b> 48:8 <b>purchase</b> 19:10 27:21 54:12 70:1 <b>purchased</b> 8:21 52:4,6 <b>put</b> 10:9 15:13 16:15 30:12 41:7 42:17 46:13,21 48:22 50:8 67:1,2,8 73:18 <b>puts</b> 29:22 <b>putting</b> 28:11 40:12 48:24 <b>P.E</b> 2:8 <b>p.m</b> 3:2 8:11 80:22	34:16 38:24 45:8 58:2 <b>questions</b> 4:18 4:19,19,22,25 5:24 6:1 11:20 11:24 12:17 20:18 26:1,13 31:15,17 34:12 37:19 44:8 46:23 53:9 57:23 60:25 64:18 68:12 74:13 <b>question-and-...</b> 19:15 79:14 <b>quick</b> 14:16 34:16,16 <b>quickly</b> 6:3 78:8 <b>quite</b> 29:8	47:16,17,20 60:8 63:6 64:11 65:17 69:15,22,24,25 70:10,19,22 73:23 <b>ratepayers</b> 2:7 6:18 78:19 <b>rates</b> 10:5,6 15:4 15:8 19:22 20:10,13,23 22:23,24 23:9 30:11 34:10 38:22,23,25 39:1,18 41:8 42:20 43:2,15 61:15 63:8 70:5 73:13,17 74:7 <b>RDR</b> 82:8 <b>reached</b> 61:5 71:20 <b>reading</b> 5:17 46:11 <b>ready</b> 71:3 <b>real</b> 37:5 59:23 <b>realize</b> 18:15 30:7 <b>realized</b> 70:18 <b>really</b> 4:22 21:3 21:17 22:13 30:12 34:23 46:10 64:5 70:12 <b>reason</b> 23:9 43:7 45:14 55:9 <b>reasonable</b> 9:17 14:1 21:17 23:6 <b>receive</b> 51:20 53:6 59:19 72:1 73:2 <b>received</b> 19:13 25:24 47:23 56:15 68:10 70:14,15 72:19	<b>receiving</b> 71:7 71:14,15 <b>recommendati...</b> 8:16 24:7 <b>record</b> 5:16 7:18 25:9,25 68:10 <b>recorded</b> 78:14 <b>records</b> 66:7 <b>recoup</b> 40:10 <b>recover</b> 24:10 <b>red</b> 10:20 <b>redheaded</b> 9:7 <b>redo</b> 66:14 <b>reduced</b> 82:11 <b>reference</b> 21:18 21:19 75:16 <b>reflected</b> 42:21 42:21 <b>regard</b> 35:16 <b>regarding</b> 10:5 27:6 50:17 56:22 61:15 76:17 <b>regardless</b> 8:18 9:19 24:16 <b>regular</b> 5:17 50:25 78:23 <b>regulations</b> 42:6 42:7,8 <b>REGULATO...</b> 1:13 <b>Reichart</b> 2:3 6:9 6:11 <b>reiterate</b> 9:24 11:5 <b>related</b> 82:13 <b>relative</b> 82:15 <b>relatively</b> 78:8 <b>relocated</b> 49:7 55:22 <b>remainder</b> 51:9 <b>remarks</b> 78:5 <b>remember</b> 4:15 56:12 <b>remind</b> 61:12	<b>repaired</b> 49:22 <b>repairs</b> 52:3 66:21 <b>replace</b> 34:21 62:8 63:16 66:15,16,24 <b>replaced</b> 32:2 <b>replacing</b> 62:9 <b>report</b> 22:3 <b>reported</b> 51:3 <b>reporter</b> 5:16 7:17 16:25 25:16,21 62:19 67:15,19 82:1 82:20 <b>represent</b> 74:17 78:19 <b>representatives</b> 15:14 <b>represented</b> 78:18 <b>Request</b> 1:9 3:7 <b>requested</b> 41:9 50:23 <b>requirement</b> 24:4 <b>requirements</b> 51:22,24,25 53:2 <b>research</b> 13:6 26:5 69:9 <b>researched</b> 61:21 <b>reside</b> 59:22 <b>resident</b> 12:23 17:11 41:22 47:13 48:11 76:18,22,23 <b>residential</b> 23:10 78:19 <b>residents</b> 12:16 20:5,7 24:5 42:9 45:1 46:7 <b>resolve</b> 56:16 <b>resolved</b> 51:8 55:24
<hr/> <b>Q</b> <hr/>	<hr/> <b>R</b> <hr/>			
<b>qualify</b> 8:24 <b>quality</b> 21:21,22 21:25 22:14 26:14 27:6 31:24 34:17 48:24 51:19 52:8 55:6 61:16,20 63:14 66:12 <b>quantity</b> 20:15 22:11 <b>quarterly</b> 13:15 <b>question</b> 27:4	<b>R</b> 3:1 <b>raise</b> 8:2 17:3 28:20 33:9 35:24 38:13 44:19 57:14 59:5 68:24 79:2 <b>raised</b> 34:7 58:3 58:7 <b>raises</b> 37:10 <b>range</b> 36:17 <b>raped</b> 15:6 <b>rarely</b> 42:21 <b>rate</b> 1:10 3:8 5:1 5:18 8:20 9:4 10:7,8,13 13:1 15:2,10 18:11 18:12 19:25 20:9,20,22 21:1,2 23:17 25:6 27:17 31:2,6,9,13 34:7,8 36:10 36:21,23,24 39:17 43:24			

<b>respond</b> 4:22	54:9,23 58:11	66:20	<b>sense</b> 11:14	<b>showed</b> 50:21
<b>rest</b> 18:5 63:15	58:14,19 59:6	<b>Salaries</b> 15:7	<b>sent</b> 50:25 77:15	<b>shower</b> 9:22
<b>restructure</b> 24:8	61:5 62:9,12	<b>salary</b> 37:8	<b>September</b>	71:3
<b>result</b> 14:20	63:4 64:16	<b>sandwiched</b>	56:16,19	<b>showered</b> 9:13
50:2,3	65:4,11,24	17:12	<b>sequentially</b>	<b>shows</b> 19:12
<b>results</b> 22:9	68:6,25 74:4	<b>Sarah</b> 2:15 6:22	67:12	<b>shut</b> 40:2 49:4
<b>retired</b> 29:18,18	74:23 75:5	6:23	<b>series</b> 27:12	55:20,21 66:19
<b>retirement</b> 30:9	77:4,6 78:1	<b>sarah.kliether...</b>	<b>seriously</b> 64:10	75:12 76:4
30:14,19 39:24	<b>Riverside</b> 1:6	2:19	<b>service</b> 1:1,11,11	77:23
42:18,19	2:20 7:4,7 9:9	<b>save</b> 42:17,24	2:13,16 3:9,9	<b>shutoff</b> 66:19,25
<b>retiring</b> 29:19	9:10 12:8,12	43:1	4:10 6:20,24	<b>sic</b> 31:12 35:11
<b>return</b> 9:14	12:14 17:12	<b>saw</b> 73:9	18:25 24:14,18	<b>side</b> 3:24 24:12
49:10 78:25	47:13 48:1,5	<b>saying</b> 4:2 10:6	38:25 39:10	<b>sides</b> 31:3
<b>revenue</b> 25:5	49:25 53:13	51:21 73:8,9	43:21 50:1	<b>signed</b> 32:25
38:23,25 40:19	<b>road</b> 2:4 6:11	<b>says</b> 10:24 46:12	51:2,10 63:25	<b>sign-up</b> 7:14
41:8,8	12:15 77:20	<b>schedule</b> 80:17	64:1 69:11	61:6
<b>revenues</b> 41:9	<b>Robert</b> 16:23	<b>screwed</b> 46:10	72:4,4 78:22	<b>similar</b> 17:13
41:10,12	17:1,1,7,9,10	<b>scroll</b> 18:3	79:1	20:8 31:23
<b>reverse</b> 18:20	25:10,14,19	<b>scrutinize</b> 16:3	<b>services</b> 44:3	<b>simply</b> 13:12
26:24 72:25	26:9,18 27:8	<b>scrutinizing</b>	58:16	<b>single</b> 14:19
<b>reviewed</b> 50:23	27:11,24 28:1	10:3	<b>session</b> 19:15	59:21 70:9
50:24	28:5,8 31:10	<b>second</b> 61:19	<b>set</b> 3:5 78:12	<b>sir</b> 11:17,24
<b>rewarded</b> 23:22	35:14 81:3,12	62:7 69:15	<b>sets</b> 24:4	16:10 36:2
<b>rid</b> 32:14	<b>rod</b> 61:23,25	74:12	<b>seven</b> 36:6 63:12	37:23 44:12
<b>Ridgeview</b> 41:2	<b>room</b> 73:21	<b>section</b> 79:8	64:13	47:10 62:13
<b>Ridgewood</b> 8:22	80:12	<b>Security</b> 42:19	<b>sewage</b> 12:11	68:20 77:3
9:1,6 11:4 12:1	<b>routes</b> 43:20	<b>Sedalia</b> 20:3	<b>sewer</b> 1:10 3:8	<b>sit</b> 11:18 64:16
14:11,23 15:5	<b>rules</b> 40:8,21	<b>see</b> 13:9,10	11:9,11 12:10	<b>site</b> 71:24 75:24
15:12 29:3,9	<b>run</b> 19:19 23:24	20:11,14 22:3	12:24 13:1,23	<b>sits</b> 26:22 32:5
29:15 33:18	27:12 52:6	22:9 40:7,20	14:1,15 17:18	48:15
41:2 59:15	77:18	40:22 42:23	18:8,12 29:6	<b>sitting</b> 45:6
<b>right</b> 3:3 7:9 8:1	<b>runs</b> 12:11	45:6 51:13	34:10 36:11	73:20
8:2,6,15 11:16	19:18	55:10 73:6	50:19 59:16	<b>situation</b> 17:14
12:6 14:11	<b>rural</b> 35:5	<b>Seeing</b> 25:24	64:7 70:3,16	<b>six</b> 10:14,18
16:13,17,20	<b>Russell</b> 38:3,4,9	34:14 37:21	70:22	17:16,20 19:24
17:3,4 21:14	38:11,15,18,20	78:3	<b>shafted</b> 14:8	53:22,24 66:18
22:13 25:12	81:5	<b>seeking</b> 65:21	<b>share</b> 73:22	67:1
28:5,16,20	<b>R-o-b-e-r-t</b> 17:2	<b>seen</b> 66:2 77:14	<b>shareholders</b>	<b>size</b> 23:13 53:3
31:15 32:22	<b>R-u-s-s-e-l-l</b>	77:24	37:15	<b>slash</b> 11:11
33:3,4,8,9	38:11	<b>sell</b> 13:7,8 14:13	<b>sheet</b> 7:14	14:15
34:12 35:8,10	<b>S</b>	14:13 39:16	<b>Sherie</b> 58:24	<b>sliver</b> 8:22 12:7
35:17,24 37:19	<b>S</b>	44:3 60:4,20	59:1,2,3,3,9,11	<b>small</b> 15:18
38:14 39:25	<b>S</b>	68:5	81:7	<b>Smithville</b> 35:5
43:24 44:8,15	<b>S</b>	<b>Senate</b> 3:21	<b>short</b> 14:9 15:6	<b>smoke</b> 48:13
44:20 45:7	<b>S</b>	<b>send</b> 4:7 79:20	69:14	<b>snip</b> 10:21
46:16 47:4,7	<b>S</b>	<b>SENIOR</b> 1:13	<b>show</b> 21:6 79:8	<b>Social</b> 42:18

<b>softener</b> 18:20 32:1 52:14	36:4 72:13	<b>statement</b> 3:13 21:22	<b>step</b> 7:16 9:25	<b>sustained</b> 8:21
<b>sold</b> 39:11	<b>spoken</b> 36:16 50:5 51:6	<b>statements</b> 4:20 18:1 33:20	<b>stepchild</b> 9:7	<b>swear</b> 5:22 7:18 62:25
<b>solution</b> 43:23	<b>Spratt</b> 80:11	37:6	<b>stepped</b> 22:16	<b>sweet</b> 15:6
<b>somebody</b> 10:21 30:21 41:14 71:20,23 72:5 72:11	<b>spread</b> 22:24	<b>statewide</b> 8:18 34:9 38:21	<b>stock</b> 30:10 37:14	<b>sworn</b> 82:10
<b>Somebody's</b> 16:7	<b>spreadsheet</b> 19:11,20 25:9 28:10 81:12	<b>stating</b> 15:10 16:24 21:25	<b>stone</b> 12:22,23	<b>system</b> 18:20,20 23:22 24:13 26:8,24 27:21 69:21 70:2,3
<b>somewhat</b> 14:1 16:6 69:16 70:7,7	<b>spring</b> 56:25	<b>station</b> 74:4	<b>stood</b> 54:15	<b>systems</b> 19:19 19:24 20:17 43:8
<b>son</b> 43:14 49:1	<b>Springs</b> 20:19	<b>stay</b> 5:25 25:3 59:20 60:22 65:21 74:11	<b>street</b> 2:10,17 6:24 7:7 49:22 55:11,20,21,22 77:19,19	<b>S-h-e-r-i-e</b> 59:4
<b>sorry</b> 15:25 54:25 55:4 56:16	<b>sprinkler</b> 15:20	<b>staying</b> 44:1	<b>strict</b> 30:12	<b>T</b>
<b>sort</b> 61:23	<b>ss</b> 82:4	<b>Stearley</b> 1:13 3:3,10 6:6,13 6:19 7:1,9,23 8:1,4,6 11:16 11:18 16:13,17 16:20,23 17:3 17:6,8 25:8,12 25:17,20 28:14 28:20,22,24 31:15 33:4,8 33:11,13 34:12 35:10,13,17,24 36:1,3 37:19 37:24 38:6,13 38:17,19 44:8 44:13,19,22,24 46:23 47:3,7,9 47:11 53:9 58:1,6,11,19 58:21,25 59:2 59:5,8,10 60:25 61:5,12 62:12,14,18,24 63:2,4 64:16 65:4,7,11,13 65:15 67:3,11 67:14 68:6,12 68:17,24 69:2 69:4 74:11 77:6,11 78:1 79:17 80:10	<b>strong</b> 26:23	<b>T</b> 81:10
<b>sound</b> 11:3 22:23 27:2 57:11	<b>St</b> 2:4 6:12 15:5 79:15,25 80:13	<b>staying</b> 44:1	<b>structure</b> 8:18 8:19 15:2 19:18 20:17 65:21	<b>table</b> 79:3
<b>speaking</b> 5:12 5:23 33:15 62:2 69:6	<b>staff</b> 2:13 4:23 6:20,24	<b>staying</b> 44:1	<b>structures</b> 17:18	<b>take</b> 5:12,19 16:7,9 18:16 21:4 23:5 24:17 26:18,20 26:25 29:10 30:22 65:23 67:23 71:3 79:20 80:7
<b>special</b> 10:1	<b>stage</b> 15:3	<b>staying</b> 44:1	<b>study</b> 74:1	<b>taken</b> 16:22 82:10,14
<b>specific</b> 4:22 5:4 53:13	<b>staggered</b> 20:21 23:16	<b>staying</b> 44:1	<b>stuff</b> 63:17,24	<b>talk</b> 16:19 21:21 45:4 54:5 57:7 57:18 78:21 79:25
<b>specifically</b> 17:23 69:11 75:10 76:15	<b>stand</b> 16:19 38:20	<b>staying</b> 44:1	<b>subdivision</b> 8:22 9:1,8 17:11 65:10	<b>talking</b> 36:18 38:4 45:11,12 63:21 64:2 74:7 75:20
<b>spell</b> 7:17 28:17 33:5 35:21 38:7 44:16 62:18 68:21	<b>standard</b> 21:5 21:16 73:7	<b>staying</b> 44:1	<b>subject</b> 36:18	<b>tank</b> 19:3
<b>spelling</b> 16:25	<b>stands</b> 48:3	<b>staying</b> 44:1	<b>subscribers</b> 19:23	<b>tap</b> 26:19 34:25
<b>SPENCER</b> 2:22	<b>Starkey</b> 35:12 35:12,13,14,18	<b>staying</b> 44:1	<b>subsequently</b> 51:8 61:16	<b>tape</b> 10:20,21
<b>spend</b> 19:6	<b>Starkley</b> 35:10	<b>staying</b> 44:1	<b>substances</b> 22:6	<b>tariff</b> 14:19 69:22
<b>spent</b> 45:15	<b>start</b> 62:24	<b>staying</b> 44:1	<b>suggest</b> 8:24	<b>taste</b> 26:16 32:4 34:24
<b>spike</b> 73:14	<b>started</b> 71:6,7 71:12	<b>staying</b> 44:1	<b>Suite</b> 2:10,16,22	<b>tasting</b> 35:7
<b>spiked</b> 50:22	<b>starting</b> 6:7 67:15 79:14	<b>staying</b> 44:1	<b>summer</b> 15:19 34:22	<b>tax</b> 59:24
<b>spite</b> 71:17 74:5	<b>state</b> 1:1 2:8,15 3:25 4:4 7:17 15:14 17:17 28:16 30:19 31:5 33:5 35:20 37:1 44:15 59:19,22 60:21 62:18 64:3 68:21 73:17 80:12 82:3	<b>staying</b> 44:1	<b>support</b> 38:20	<b>taxes</b> 30:24
<b>spoke</b> 35:15	<b>stated</b> 9:17 17:9 17:13 29:23 36:10,14 75:19	<b>staying</b> 44:1	<b>supposed</b> 59:23	<b>team</b> 11:1
		<b>Steinle</b> 2:21 7:6	<b>suppress</b> 8:14 48:7	
			<b>sure</b> 21:15,16 23:2,5 24:2,3 28:9 33:1 37:5 38:15 41:20 47:20 48:12 67:8 79:4	
			<b>surrounded</b> 9:9 12:7	



<b>tear</b> 23:23	<b>thanks</b> 3:14 6:2 6:5 12:15 16:10	<b>time</b> 3:5 5:14 8:3 10:16,19,22 11:5,15 12:13 13:8 17:5 18:3 23:3 26:11 27:22 28:21 33:1,10 34:4 35:25 36:6 38:16 39:13 41:8 43:16 44:2,21 47:8 47:15 49:21,24 50:3,16 51:4,7 51:12,13 53:5 54:17,18,21,22 55:15 59:7 63:1 65:12 68:4,16 69:1 69:14 71:4 73:3 74:10 75:6 78:14,15	<b>transcripts</b> 5:17	<b>ultimately</b> 28:2
<b>technology</b> 43:9			<b>trash</b> 63:19	<b>unable</b> 54:15
<b>tedious</b> 78:21	<b>Theobald</b> 58:24 59:1,2,3,4,4,9 59:11 81:7		<b>travel</b> 39:25 60:13	<b>Unacceptable</b> 10:20
<b>tell</b> 4:9 16:5 48:23 49:4 54:5 57:18 63:22,23	<b>thereto</b> 82:16		<b>travels</b> 13:2	<b>unbeknownst</b> 12:16
<b>term</b> 12:25	<b>they'd</b> 71:17		<b>treat</b> 19:24	<b>unconscionable</b> 37:12
<b>terms</b> 10:4 26:14	<b>thing</b> 35:3 46:9 46:20		<b>treatment</b> 13:4 22:5	<b>understand</b> 5:2 10:20 30:2 43:4 44:5 45:16 67:21
<b>Terrace</b> 77:18	<b>things</b> 4:15 22:8 23:20 24:6 30:11 45:5,9 49:14 52:21 59:18 78:6,22 78:23		<b>trucks</b> 48:8	<b>understanding</b> 12:12
<b>terribly</b> 26:23	<b>think</b> 8:9 9:1,5 9:19,21 15:23 16:18 22:23,25 23:15 24:5 25:4 26:7 28:6 28:7 30:14 31:4,8 32:11 34:9 36:5 42:13 43:22 64:10,11,12 69:17 70:16 73:22 76:12		<b>true</b> 19:16	<b>unfair</b> 60:7
<b>test</b> 22:2 48:22			<b>try</b> 6:3 13:11 20:17 23:19 43:11 46:2 48:9 63:25	<b>unfathomable</b> 36:9
<b>tested</b> 48:17,18			<b>trying</b> 13:7 14:3 15:14 41:5 60:21 67:21	<b>uniform</b> 10:5,8 15:1,2 20:13 22:23 36:22
<b>testified</b> 43:18 69:10		<b>timely</b> 27:22	<b>turned</b> 9:11 40:2	<b>unincorporated</b> 8:23 12:5,7 29:15 37:7
<b>testify</b> 39:8 41:3		<b>times</b> 66:23	<b>turnout</b> 8:14	<b>university</b> 79:16 80:12
<b>testifying</b> 5:11 11:25 37:23		<b>timing</b> 45:8	<b>TVs</b> 18:10	<b>upgraded</b> 74:2
<b>testimony</b> 7:13 26:5 28:13 44:7 47:3 57:24 68:18 69:7,8 77:7,13 78:4 80:6 82:9 82:10		<b>today</b> 3:4 4:9 5:13,14 67:23 69:6 79:12	<b>two</b> 3:20 13:8 24:14 26:22 29:12 43:13,17 45:25 49:8,19 49:21 66:14,18 70:20 72:19,21 72:22 73:14 75:3	<b>urge</b> 43:19
<b>testing</b> 21:23 27:14 48:23		<b>today's</b> 3:11 80:20	<b>turnout</b> 8:14	<b>usable</b> 18:21 19:8
<b>tests</b> 22:10 27:12	<b>third</b> 61:18 62:7 65:17	<b>toilet</b> 36:11	<b>TVs</b> 18:10	<b>usage</b> 33:22 34:1 34:4 36:5 50:21 52:20
<b>thank</b> 3:15 6:9 6:15,19,22 7:1 7:9 11:15,25 16:12,20 26:4 28:12,14,24,25 31:18 32:11,22 33:2 34:15 35:8,17 37:23 37:24 44:11,13 47:1,3,12 53:8 57:23,25 58:18 58:19,20 61:3 62:11,13,14 64:15 65:1,3 68:15,17 69:5 74:9 77:2,3 78:1,7 80:5,9 80:19	<b>thoroughly</b> 43:20	<b>told</b> 45:24 50:5 50:12 51:5 53:2 56:3 67:24 69:23 77:23	<b>two</b> 3:20 13:8 24:14 26:22 29:12 43:13,17 45:25 49:8,19 49:21 66:14,18 70:20 72:19,21 72:22 73:14 75:3	<b>usage-based</b> 11:12
	<b>thought</b> 71:8	<b>tonight</b> 26:11 79:12,13,15,21	<b>turned</b> 9:11 40:2	<b>use</b> 11:12,13 24:20 31:12 39:1 41:7,18 42:11 49:5 50:12,13 52:21 70:3
	<b>thoughtful</b> 26:4	<b>tonight's</b> 80:11	<b>turnout</b> 8:14	<b>users</b> 24:15
	<b>three</b> 17:17 18:4 39:23 47:14 48:17 49:18 53:17,22 59:14 60:14 63:20 66:2,4 67:6 69:15 72:23 77:17	<b>top</b> 7:20 63:7,12 64:13	<b>TVs</b> 18:10	<b>utilities</b> 27:18 29:22 39:10 42:12 43:11 44:4 45:6,21 46:13,19 60:5
	<b>Thursday</b> 3:4	<b>total</b> 33:21	<b>two-year</b> 69:19	
	<b>ticking</b> 10:18	<b>totally</b> 61:15	<b>type</b> 10:7,11 46:19	
	<b>tiered</b> 23:22 41:19	<b>track</b> 8:20	<b>typewriting</b> 82:12	
		<b>transcribed</b> 5:15	<b>typically</b> 26:20	
		<b>transcript</b> 1:3 78:8	<b>T-h-e-o-b-a-l-d</b> 59:4	
			<b>U</b>	
			<b>Uh-huh</b> 74:22 75:5,15	
			<b>ultimate</b> 42:4	

<b>utility</b> 29:24 40:5,8,25	<b>washer</b> 52:4,5,6 52:10	45:15,22 48:6 48:24 49:3,4,5 49:6,8,11,13 49:15,17,19,20 50:19 51:10,14 51:15,18,19 52:1,8,8,11,17 52:18,20,20,21 53:1,6,18 54:16,22,24 55:6,10,12,19 56:1 57:1,2,4 59:25 60:15,22 61:16,20,22,24 61:25 62:2,3,5 63:6,14,16,16 63:16,18,20,20 63:23,24 64:6 64:8 65:18 66:11,15,19,24 67:7 69:13,23 70:1,10,12,14 70:16,22 71:1 71:4,9,14,21 72:1,2,17,18 72:20 73:2 74:1,25 75:4 75:12,23 76:4 76:9,11 77:15 77:23	<b>wearing</b> 24:3 <b>weather</b> 71:9 <b>webcast</b> 78:13 <b>website</b> 4:11,12 8:8 17:25 18:2 79:1,5 <b>week</b> 49:11 <b>weekday</b> 8:10 8:12 <b>weeks</b> 60:14 <b>welcome</b> 10:10 77:5 80:4 <b>went</b> 15:1 20:19 22:6 32:1 33:20 50:19 52:5 55:16,18 76:6 <b>weren't</b> 72:23 72:24 <b>western</b> 40:13 80:12 <b>we'll</b> 3:12 4:12 4:13 6:3 28:9 32:23,24,24 67:11 68:6 77:8 78:8 79:3 79:18 80:7 <b>we're</b> 10:16 15:4 15:4,6 17:13 17:21 21:16,19 21:20 23:3 26:6 29:12,14 31:8 41:6 43:3 45:24 46:17 51:23 66:14 68:1,2 72:7 74:7 <b>we've</b> 5:21 18:23 24:23 26:7,7 33:18 34:3,23 37:6 43:7 45:2 45:14,24 63:20 66:13,14 69:16 69:22 73:18,22 73:25 77:17,22 78:11	<b>whatsoever</b> 8:17 10:7 60:16 <b>whole-house</b> 18:19 <b>wide</b> 36:17 <b>wife</b> 17:16 36:4 65:25 70:24 <b>wind</b> 42:18 <b>wish</b> 11:1 <b>witness</b> 8:3 11:21 17:5 26:1 28:21 31:16 33:10 34:13 35:25 37:20 38:16 44:9,21 46:24 47:8 53:10 59:7 61:1 63:1 64:18 65:12 68:13 69:1 74:14 81:2 82:8,10 <b>Wojtkiewicz</b> 38:4,9,11,15 38:18,20 81:5 <b>wondering</b> 3:18 <b>Woods</b> 15:5 17:11,19 29:2 29:9 32:10 34:18 35:2 37:9 39:9 45:2 45:3 64:23,24 65:9 72:8,8,9 77:19 <b>word</b> 11:2 22:13 <b>words</b> 9:1 10:18 <b>work</b> 10:22 27:14,18 36:16 36:17 42:5,8,8 48:16 70:25 71:4 <b>worked</b> 30:23 <b>working</b> 30:13 37:8 48:13 71:24 72:15 <b>workmen</b> 75:24
<b>utility</b> 29:24 40:5,8,25	<b>washer</b> 52:4,5,6 52:10 <b>washers</b> 18:23 <b>washing</b> 49:12 <b>wasn't</b> 54:6 73:8 77:1 <b>wastewater</b> 12:21 13:1,2 <b>watch</b> 78:20 79:9 <b>watched</b> 54:15 73:4 <b>watching</b> 73:5,9 <b>water</b> 1:9,10 2:2 3:7,8 6:8,10 8:17 9:3,13,14 9:22 10:12 11:9,11 12:10 13:10,13,20,25 14:15 15:10,20 15:22,23,24 17:18 18:7,12 18:15,18,19,22 18:25 19:1,8 19:12,13,17,19 19:21 20:1,11 20:22,25 21:21 21:22,23,23,24 22:1,2,5,7,10 22:17 23:9,14 23:19,20,23,24 26:13,15,15,17 26:20 27:6,14 27:21 28:3 29:4 31:24 32:1,3 33:17 33:21,21,25 34:7,8,17,22 34:23 35:6 36:5,14,18,20 37:11,14 39:1 39:17,19 40:5 41:6,13,14,15 41:17,18 42:3 42:10,25 43:1 43:2,8,24	<b>Water's</b> 14:14 39:5,5 <b>water-saving</b> 23:18 <b>Waukomis</b> 69:12 70:11 <b>way</b> 9:16 11:9 12:17 17:23 19:17 23:1 27:18 30:16 37:10 38:7 46:3,4 59:18 64:14 74:3 <b>ways</b> 25:5 30:25 79:4 <b>wear</b> 23:23		
<b>valve</b> 21:9 <b>valve</b> 67:7 71:25 72:1 <b>valves</b> 18:23 66:19,25 <b>vendor</b> 21:12 <b>verified</b> 73:20 <b>versus</b> 41:22 43:17 <b>view</b> 78:15 <b>viewed</b> 4:21 <b>viewpoint</b> 39:6 <b>voice</b> 30:5 69:8 <b>voiced</b> 68:3 <b>Volume</b> 1:7 <b>voted</b> 20:21				
<b>W</b>				
<b>W</b> 82:7 <b>walk</b> 13:12 <b>Walnut</b> 2:22 7:7 <b>want</b> 3:15 14:24 21:15 22:12,15 23:2 25:4,8 26:11 27:2 32:14 33:1 39:20,25 43:5 46:1 50:8 62:16 67:11 69:22 78:7 80:5,18 <b>wanted</b> 5:8 33:16 34:6 35:15 69:17 70:13 79:13 <b>wanting</b> 66:5 <b>wants</b> 13:9 <b>Warrensburg</b> 15:5 <b>wary</b> 16:6 <b>wash</b> 51:11 52:16 <b>washed</b> 52:15				

<b>works</b> 39:24	54:10 59:14	<b>\$80</b> 13:20 36:19	<b>20</b> 63:9 70:15	<b>40</b> 63:7 65:20,24
<b>worry</b> 49:9	63:6 65:17	60:15	<b>200</b> 2:10,17 6:24	<b>417,000</b> 22:25
<b>worse</b> 22:10,13	66:3,4,13,18	<b>\$85</b> 64:7	13:3 54:3	<b>435</b> 74:18
<b>worth</b> 68:5	67:1 69:15	<b>\$900</b> 21:11	<b>2004</b> 33:19,21	<b>45</b> 40:14 81:6
<b>wouldn't</b> 49:8	70:11,15 73:14	_____	<b>2007</b> 63:8,10	<b>450,000</b> 4:7
49:12	73:17 77:17	<b>0</b>	<b>2008</b> 63:10	<b>4600</b> 20:1,12
<b>wound</b> 69:18	<b>Yorker</b> 16:6	<b>09</b> 71:18	<b>2009</b> 47:16	23:20 24:1,2
71:4	<b>young</b> 15:17	_____	<b>201</b> 80:12	41:21,22
<b>wrapping</b> 18:17	48:12	<b>1</b>	<b>2010</b> 22:4 50:17	<b>477,000</b> 24:23
<b>writing</b> 16:16	_____	<b>1</b> 25:15,18,23	56:15,17,25,25	<b>48</b> 81:6
<b>written</b> 5:10	<b>Z</b>	81:12	63:8,9	<b>49th</b> 77:18
18:1	<b>zebra</b> 7:25	<b>10</b> 12:24 13:1	<b>2011</b> 33:24 55:3	<b>49.3</b> 20:11
<b>wrong</b> 37:17	<b>zero</b> 71:3	69:18	55:4,5 70:24	_____
<b>WR-2011-0337</b>	<b>Zimmerman</b>	<b>10,000</b> 20:5	74:21	<b>5</b>
1:9 3:6 25:15	58:23	24:15,19	<b>2012</b> 1:5 3:4	<b>5</b> 1:5 18:13
67:18 80:20	_____	<b>10:00</b> 73:10	<b>2015</b> 20:22 21:1	<b>5th</b> 3:4
<b>www.psc.mo.g...</b>	<b>\$</b>	<b>10:30</b> 75:9,9	<b>21st</b> 78:12 80:16	<b>5,000</b> 20:7
79:5,6	<b>\$1.5</b> 24:19	<b>100</b> 8:9	<b>2230</b> 6:16	<b>5:00</b> 73:10
<b>W-o-j-t-k-i-e-...</b>	<b>\$1.7</b> 66:9	<b>1000</b> 2:22 7:7	<b>23</b> 69:17	<b>5:30</b> 79:14
38:12	<b>\$10-a-month</b>	<b>103</b> 9:8 12:1	<b>24</b> 69:24	<b>573.751.5562</b>
_____	12:24	14:2,3	<b>2400-square-f...</b>	2:12
<b>X</b>	<b>\$100</b> 13:10	<b>11</b> 1:7 4:1	18:9	<b>573.751.5565</b>
<b>X</b> 81:1,10	24:23	<b>11th</b> 10:13	<b>249</b> 20:2	2:11
_____	<b>\$118</b> 33:25	<b>11-month</b> 80:17	<b>25</b> 27:14,17	<b>573.751.6726</b>
<b>Y</b>	<b>\$12.5</b> 63:12	<b>11:30</b> 8:10	<b>26</b> 34:3 36:6,6	2:18
<b>yeah</b> 32:3,8	64:14	<b>118</b> 20:2	81:12	<b>573.751.9285</b>
34:19,22 35:6	<b>\$141</b> 50:19 51:9	<b>12</b> 18:7,13 33:18	<b>29</b> 81:4	2:18
58:14 59:1	<b>\$15</b> 12:18 13:1	35:6 40:1	_____	<b>6</b>
62:16 65:6	19:6	63:10	<b>3</b>	<b>6,000</b> 34:1
71:20	<b>\$150</b> 24:16,17	<b>12,000</b> 26:6	3 18:7 67:18	<b>6,500</b> 23:21
<b>year</b> 13:11 18:14	<b>\$17.18</b> 22:20	<b>12:38</b> 3:2	81:14	<b>6:00</b> 8:11 71:5
21:22 33:24,24	<b>\$2</b> 12:25	<b>13</b> 13:23	<b>3,000</b> 26:8	73:10 75:13,14
47:17,19 53:7	<b>\$20</b> 40:1,2	<b>1400</b> 2:22	<b>3,896</b> 18:1	75:15 76:4
54:18 55:2	<b>\$268</b> 63:11	<b>15</b> 12:13 63:9	<b>314.996.2287</b>	79:14
60:9,9,9,18,18	64:12	<b>16</b> 40:1	2:5	<b>60</b> 18:3 81:7
60:18 63:21	<b>\$40</b> 29:7 64:6	<b>17</b> 81:3	<b>314.997.2451</b>	<b>600</b> 18:4
64:14 66:9	<b>\$43.45</b> 22:20	<b>18</b> 63:7	2:5	<b>617</b> 82:7
69:19,19 77:20	<b>\$45</b> 64:6	<b>1980s</b> 21:10	<b>320</b> 45:3	<b>62</b> 81:7
<b>years</b> 12:13 13:8	<b>\$4600</b> 41:21	<b>1998</b> 8:23	<b>34</b> 20:23,25 81:4	<b>63141</b> 2:4 6:12
17:16 18:24	<b>\$47.7</b> 24:24	_____	<b>3500</b> 64:7	<b>64106</b> 2:23 7:8
19:1 20:21	<b>\$5</b> 10:9 14:25	<b>2</b>	<b>36</b> 20:14 34:4	<b>65</b> 13:2,2,23
24:14 27:14,17	15:1	<b>2</b> 67:16,18 68:7	36:8 81:5	50:18
30:3,13,23	<b>\$50</b> 29:6	81:13	<b>39</b> 81:5	<b>650</b> 2:10
33:17,18 35:6	<b>\$65</b> 11:9 12:14	<b>2nd</b> 78:12	_____	<b>65101</b> 6:25
36:6 39:8	36:11	<b>2:00</b> 72:10 75:17	<b>4</b>	<b>65102</b> 2:11 6:17
47:14 48:17,19	<b>\$7</b> 21:12	75:24 76:1,2,3	<b>4</b> 67:18 68:7	<b>65102-0360</b> 2:17
49:18 53:19,22	<b>\$75</b> 33:22 50:18	<b>2:14</b> 80:22	81:15	

PUBLIC HEARING 1/5/2012

<b>66</b> 81:8				
<b>68</b> 81:13,14,15				
<b>69</b> 81:8				
<hr/>				
<b>7</b>				
<hr/>				
<b>7:00</b> 75:12				
<b>7:30</b> 71:7				
<b>727</b> 2:4 6:11				
<b>78</b> 81:9				
<hr/>				
<b>8</b>				
<hr/>				
<b>8</b> 81:3				
<b>8:00</b> 71:19				
<b>80-plus</b> 9:23				
<b>80-plus-dollar</b>				
9:14 11:8				
<b>800</b> 2:16				
<b>8100</b> 33:22				
<b>816.474.3216</b>				
2:24				
<b>816.474.8100</b>				
2:23				
<hr/>				
<b>9</b>				
<hr/>				
<b>9th</b> 70:24 74:21				
<b>900</b> 74:19				
<b>911</b> 72:25				
<b>96</b> 33:20				