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1	STATE OF MISSOUR	I	
2	PUBLIC SERVICE COMM	ISS	ION
3			
4	TRANSCRIPT OF PROCEE	DIN	GS
5	Public Hearing		
6	December 14, 20	11	
7	Joplin, Missour	i	
8	Volume 7		
9			
10	In the Matter of)	File No.
11	Missouri-American Water)	WR-2011-0337,
12	Company's Request For Authority)	et al.
13	To Implement A General Rate)	
14	Increase For Water And Sewer)	
15	Service Provided in Missouri)	
16	Service Areas)	
17			
18	HAROLD STEAR	LEY	, Presiding,
19	SENIOR RE	GUL	ATORY LAW JUDGE
20	JEFF DAVIS,		
21	COMMISSIO	NER	
22			
23			
24			
25	(Starting time of the hearin	g:	6:12 p.m.)

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Page 3 A P P E A R A N C E S 1 2 (Continued) 3 4 Public Service Commission Staff: 5 MS. RACHEL M. LEWIS MS. KIM BOLIN 6 7 MS. LISA KREMER PUBLIC SERVICE COMMISSION 8 200 Madison Street, 9th Floor 9 Jefferson City, Missouri 65102 10 11 (573) 526-6715 12 rachel.lewis@psc.mo.gov 13 14 15 Court Reporter: 16 MS. KAREN S. ROGERS, RPR, CCR No. 846 17 MIDWEST LITIGATION SERVICES 18 2422 East Madrid Road 19 Springfield, Missouri 65804 20 (417) 877-9700 krogers@midwestlitigation.com 21 22 23 24 25

Page 4 1 2 PROCEEDINGS 3 4 (Proceedings began at 5 6:12 p.m. on Wednesday, December 14, 2011, with 6 7 appearances as noted.) 8 JUDGE STEARLEY: All right. Good 9 evening. It's Wednesday, December 14th, 2011. The commission has set this time for a 10 11 public hearing in File Number WR-2011-0337, which is captioned as In the Matter of Missouri-American 12 Water Company's Request For Authority to Implement 13 14 a General Rate Increase For Water and Sewer Service Provided in Missouri Service Areas. 15 My name is Harold Stearley, and I'm the 16 regulatory law judge presiding over tonight's 17 18 hearing. 19 With me is Commissioner Davis. And Commissioner, would you like to make an opening 20 21 statement? 22 COMMISSIONER DAVIS: My name is 23 Commissioner Davis. I'm one of the five 24 commissioners that's responsible for hearing this 25 case.

	Page 5
1	I guess just to outline a little bit
2	about the process, you know, it's the utility
3	files rates with us that's, you know, the tariffs
4	that they have filed.
5	And it's our job as a commission to
б	decide whether the rates that they have filed are
7	both just and reasonable.
8	And if they're not, then we tell the
9	utility what we think our what would be just
10	and reasonable rates, and then they will they
11	will file tariffs accordingly.
12	We have to base our decision based on
13	the facts, the evidence in the record, as well as
14	the law. And so, it is what it is.
15	You know, I want to thank you for
16	showing up here tonight, and I'll give you my
17	fullest attention and make sure that my colleagues
18	who are not here tonight, you know, make sure that
19	your voice is heard.
20	So that's all I have. Thank you for
21	coming.
22	JUDGE STEARLEY: And before we take your
23	testimony, I'm going to take entries of appearance
24	from counsel, starting with Missouri-American
25	Water Company.

	Page 6
1	MR. REICHART: Thank you, Judge. Here
2	on behalf of Missouri-American Water Company, John
3	J. Reichart. My address is 727 Craig Road, St.
4	Louis, Missouri, 63141.
5	JUDGE STEARLEY: Thank you,
6	Mr. Reichart. For the Office of the Public
7	Counsel?
8	MS. BAKER: Christina Baker. PO Box
9	2230, Jefferson City, Missouri, 65102, appearing
10	on behalf of the Office of the Public Counsel and
11	the customers.
12	JUDGE STEARLEY: Thank you, Ms. Baker.
13	And for the staff of the Missouri Public Service
14	Commission.
15	MS. LEWIS: Rachel Lewis for the staff
16	of the Missouri Public Service Commission, Post
17	Office Box 360, Jefferson City, Missouri, 65102.
18	JUDGE STEARLEY: Thank you, Ms. Lewis.
19	And I don't believe we have counsel from any of
20	the intervenors in this case present. So
21	Mr. Robbins, that brings us to your testimony.
22	MR. ROBBINS: Okay, sir.
23	(Mr. Robbins approaches
24	the podium.)
25	JUDGE STEARLEY: If you would please
23	Sobel Silmali. Il jou would picase

	Page 7
	state and spell your name for our court reporter
	so we could get it in the record correctly and
	then I will swear you in.
	MR. ROBBINS: Dennis M. Robbins.
	D-E-N-N-I-S, middle initial M, last name Robbins,
	R-O-B-B-I-N-S.
	JUDGE STEARLEY: Okay, Mr. Robbins. If
	you'll please raise your right hand.
	(Mr. Robbins was placed
1	under oath by Judge
1	Stearley.)
1	JUDGE STEARLEY: Please proceed.
1	* * * * *
1	DENNIS ROBBINS,
1	of lawful age, having been called to the podium
1	and being first duly sworn, testified as follows:
1	MR. ROBBINS: Thank you. As I stated
1	last time I was at a hearing, I own a small mobile
1	home park south of Joplin.
2	I'm on Missouri-American Water. I don't
2	use the sewer and trash service. I'm just on
2	water only out there.
2	I have 12 mobile homes. Had the park
2	for 12 years. Have seen my water bills go from
2	what they used to be in one year to what they are
1	

-	Page 8
1	now in one month with the same amount of usage
2	approximately.
3	I understand that the hearings I've come
4	to in the past and I do not have the figures in
5	front of me, and I apologize because I had to work
6	steady straight through the last two weeks and
7	didn't get to go home and get my records.
8	But I and you'll have to help me with
9	this because I know they've had some increases in
10	the past.
11	And the best my figures come to from '07
12	to now, it's been somewhere between a 60 to 80
13	percent increase from what I look at my bills by
14	my cubic feet and what my bills have increased
15	to.
16	For the same amount of cubic feet I was
17	using in '07, my bill reflects almost double that,
18	and my actual cost of what I have to write the
19	checks to.
20	I don't know if they're going to tell
21	me, "Well, that's not all going to us. Some is
22	going to your taxes. Some is going to this," just
23	like Empire did.
24	But anyway, bottom line, I have to write
25	the checks. My bills average me about the

	Page 9
1	lowest bill I've ever seen is 300 some a month.
2	Average bill is about 700 a month.
3	So this affects me greatly personally.
4	I wish more people were here to stand up for
5	themselves.
6	But in my world this 16 percent
7	increase, if it's approved, is anywhere from 60 to
8	100 some dollars a month. It could be anywhere
9	from 700, 1200 more a year added to my cost.
10	I as I stated in the past, I
11	understand every company has to make a profit. I
12	don't have a problem with that.
13	I don't even have a real problem I
14	almost didn't come tonight because I realize it's
15	in vain. But I just can't my personality is I
16	just can't sit aside and let stuff happen and go
17	past me like this.
18	I've been coming to these hearings the
19	last few years. I've learned a lot. I'm still
20	more confused than I am knowledgeable, to be
21	honest with you, but I'm adamant about coming to
22	them.
23	But my fear tonight is, as I explained
24	earlier, is will I have to come to another one in
25	six months or a year from now and another six
1	

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Page 10 months and a year from now? And where is it going 1 2 to stop? The utility bills are almost as great as 3 4 people's rent or house payments now as it is, and 5 I'm talking about the average person who I talk to, not just me. 6 7 And at what point are people going to be able to stay in affordable housing when the 8 9 utilities are going to run them more than what 10 their rent or their house payment is. It scares the hell out of me personally. 11 12 And as far as the quality of Missouri-American Water, I'm happy with the water 13 14 service. I'm happy with the quality of the 15 water. I'm happy with the local people I work 16 with. They've been very good to me through all 17 18 this, and I've got -- I have a lot of empathy when 19 I call customer service. That's all you can get is empathy from them. 20 21 I fight a continuing battle of -- as I stated in the past, I do not pay a bill till I 22 23 have the money to pay it. I will not write a bad 24 check to nobody for nothing. 25 So when I get bills some from

	Page 11
1	Missouri-American Water, it reflects here I
2	have in front of me, as much as anywhere from
3	1300, 1700, 2300 a month for 12 families.
4	I can't cover that check until I go out
5	and paint enough houses to cover it. Just like I
6	can't pay the electric bills for those people
7	until I go out and paint enough houses to cover
8	that.
9	So I don't ever pay it when it's 30 days
10	late, but sometimes I pay it right up to the
11	deadline.
12	And then I had a major water leak this
13	year. Missouri-American Water worked with me.
14	They set me up on a payment program to pay 164 a
15	month along with my regular four to seven hundred
16	a month bill.
17	And I paid it faithfully, like I was
18	supposed to have paid it, anywhere from four to
19	seven days before it was due just to make sure
20	they got it in time.
21	And then after doing that three
22	payments, this summer they sent me a disconnect
23	notice anyway.
24	And so I called them and I said, "I
25	realize you made a mistake. You sent a disconnect

Page 12 1 notice out on a mistake." And they said, "No, it's not." They 2 said, "We processed your payment one day late, 3 4 Mr. Robbins." 5 I said, "What do you mean, you processed it one day late?" 6 And they said, "Well, we have a right to 7 8 have up to ten days to process your check after we 9 receive it." 10 And I said, "You mean to tell me basically in layman's terms if I send you a bill 11 and it's in the envelope sitting on the desk, 12 you're telling me basically that if you don't open 13 14 the damn thing and you don't input it in your computer, then it's the same as not being there?" 15 16 And she said, "Well, in essence that's what I'm saying, but in theory." 17 18 And I said, "Well, that's what you're 19 telling me." So by that incident -- this happened in 20 21 August. Then they demanded all that payment money in one payment and my bill. 22 23 So I had to come up with \$2700 to pay 24 them to keep my water on. And even though I 25 didn't void the contract, I honored it.

	Page 13
1	And so that's why I have a little bit of
2	a problem with I do probably take things too
3	personal when I get a disconnect notice when I
4	know I pay my bills faithfully, never wrote a bad
5	check in 12 years to Empire or Missouri-American
6	Water.
7	I feel I take it very personal when I
8	get those. And I pay them before the disconnect
9	notice.
10	But then I mailed them a payment again
11	in December and or and mailed it early. And
12	I called them and I said, "Now I mailed my check.
13	Now so are we going to have a problem?"
14	And they said the lady again told me
15	this way. This was this past Sunday. "Well, we
16	have ten days to process that check after we
17	receive it. So if it's late, that's not our
18	fault."
19	And I still don't understand that
20	concept. I'll be honest with you guys. Okay.
21	So she said, "Well, what we really here
22	at Missouri-American Water want our customers to
23	do is we want you to pay online."
24	Which I refuse to do, and I don't even
25	know how to use a computer.
20	mon now co use a compacer.

Page 14 1 "Or we want you to set us up with direct 2 out of your checking account." And I said, "Well, that ain't going to 3 4 happen in my lifetime. You ain't doing that 5 because I don't even trust you to take more out 6 than you should." 7 So I said, "We're going to have to come 8 to terms here where you tell me when I mail you my 9 check, you're going to open the damn thing in a 10 timely manner and not send me threatening letters." 11 12 So I don't know how to voice that any other way than what I stated, to be honest with 13 14 vou. I don't know. I'm just at my wits' end with all of this, guys, I really am. 15 16 I know you guys are sympathetic to my plight here, and I know my problem is not your 17 18 problem. 19 But as I stated out front, and I said this at the last hearing, my trailer park is 20 bringing in less money than what the damn 21 utilities are. 22 23 I mean literally my electric and water 24 bills and my trash service is as much as the 25 income from the whole park. And I can't sell the

Page 15 park because my utilities are so high, nobody will 1 2 buy it. If I shut it down, I've got to ask the 3 families to move out. I can't raise the rent 4 5 because they can't afford the rent as it is. So I'm not speaking just for me. I'm 6 7 speaking for average families, that this is a big 8 thing. 9 I realize you guys are saying it's only 10 \$2 per 5,000 gallons or whatever. But you multiply that times every family every month, and 11 12 that's a lot of money to a lot of people right 13 now. 14 And a lot of people are hurting out here in the economy, and I just don't understand the 15 utility companies still coming at us with 20 16 percent, 15 percent, 30 percent, and just slamming 17 18 us every six months to a year. 19 And we don't see no end to it. That's 20 all I have to say. 21 JUDGE STEARLEY: Does counsel have any questions for this witness? 22 23 MS. LEWIS: No. 24 MR. REICHART: No questions, Your Honor. JUDGE STEARLEY: Commissioner Davis? 25

		Page 16
	1	COMMISSIONER DAVIS: Okay. It's
	2	Mr. Robbins, correct?
	3	MR. ROBBINS: Yes.
	4	COMMISSIONER DAVIS: Okay. Let me just
	5	I mean I know you've appeared here in front of
	6	us before and I remember you appearing. You own a
	7	mobile home park?
	8	MR. ROBBINS: Yes, sir.
	9	COMMISSIONER DAVIS: And you have 12
	10	lots that are rented, correct?
	11	MR. ROBBINS: Yes, sir.
	12	COMMISSIONER DAVIS: Now is it do you
	13	rent them rent just the slab or do you rent the
	14	mobile home?
	15	MR. ROBBINS: Rent the mobile home, yes,
	16	sir.
	17	COMMISSIONER DAVIS: Okay. So you rent
	18	them the mobile home, and you basically charge
	19	them one fixed price for water, sewer, electric,
	20	trash?
	21	MR. ROBBINS: Correct.
	22	COMMISSIONER DAVIS: So and do you
	23	mind me asking what your what rent you're
	24	charging?
	25	MR. ROBBINS: Yeah. For a mobile home,
l		

Page 17 like a 3 bedroom/2 bath, it's 450 a month for all 1 2 that. COMMISSIONER DAVIS: Okay. It's 450 --3 450 a month, and that includes all of your -- all 4 5 of your utilities? 6 MR. ROBBINS: Yeah. 7 COMMISSIONER DAVIS: Okay. And your 8 aggregate water bill, you said -- I mean and this 9 is for 12 units, is that correct? 10 MR. ROBBINS: Yes, sir. COMMISSIONER DAVIS: Runs between four 11 and seven hundred dollars a month? 12 13 MR. ROBBINS: Correct. For just the 14 water, not the other services, because it's 15 separate. COMMISSIONER DAVIS: Now does that 16 include sewer too? 17 18 MR. ROBBINS: No. 19 COMMISSIONER DAVIS: No? 20 MR. ROBBINS: No. 21 COMMISSIONER DAVIS: Okay. So -- and I'm just mentally trying to do the math here. 22 23 Basically it breaks out between roughly \$35 -- and 24 so your master -- you have one master meter, 25 correct?

1	Page 18 MR. ROBBINS: Correct. On a good month,
2	35 per unit. On a bad month, 60 to 70 per unit.
3	So I figure more or less for me average, about 55
4	a month is what I figure it is for just water.
5	COMMISSIONER DAVIS: Okay.
б	MR. ROBBINS: Correct.
7	COMMISSIONER DAVIS: Okay. And so
8	roughly the so you're saying roughly the
9	average would be 550 times 12. It would be
10	roughly 600 and 660 a month?
11	MR. ROBBINS: Right.
12	COMMISSIONER DAVIS: Okay. And you're
13	looking at an increase of depending on whose
14	whose rate you're looking at, where you got the
15	company proposed rate, the staff's proposed rate.
16	You're looking at somewhere between
17	do you know I mean what do you know what
18	your usage per month is for all of your master
19	meter? Is it, you know, 12 I mean
20	MR. ROBBINS: Yes. And that's why
21	COMMISSIONER DAVIS: Is it 50,000
22	gallons or is it
23	MR. ROBBINS: It is this month here,
24	it was 72,000 gallons.
25	COMMISSIONER DAVIS: Okay.

1	Page 19 MR. ROBBINS: Another month it was
2	closer to 90,000 gallons.
3	COMMISSIONER DAVIS: Okay. So and I
4	mean I'm just looking at what the company has
5	proposed and what the staff has proposed.
6	And it looks like it's I'm just going
7	to ballpark this. This is fuzzy math, but it
8	looks like a dollar per month for every 5,000
9	gallons.
10	So if it's 50,000 or if it's 50,000
11	gallons, then it would roughly be \$10 a month of
12	an increase. Where if it's 90,000, it would be
13	roughly \$18 a month increase for all those units.
14	Is that
15	MR. ROBBINS: Well, if you do it that
16	way. But if you take the if you take 16
17	percent increase on a bill that's \$100 a month,
18	that's \$16 more a month.
19	The increase that I read here that they
20	were asking for is 16 percent. Am I wrong on
21	that?
22	COMMISSIONER DAVIS: I know they were
23	asking for approximately 40 million. I know the
24	PSC staff has recommended approximately 21
25	million. I'm not sure. I'll let OPC speak to

Page 20 1 OPC's position. So --2 MR. ROBBINS: Yeah. Because I would like to be sure on that because that's what I 3 4 based my figures on, is what I received. COMMISSIONER DAVIS: Well, I know -- I 5 know that part of the problem here, I think, is 6 7 rate design. 8 Where the company has proposed a -- I'm 9 going to try to think of this -- basically 10 across -- fair to say an across-the-board rate design where you've got basically all customers, 11 12 no matter what system they're in, are paying one 13 rate. 14 Whereas staff has made a little bit different proposal where you're going to have 15 different regions paying different rates. 16 17 So even though staff is recommending an 18 increase, the increase for the Joplin area is 19 probably more than some areas, but less than other 20 areas. 21 Is that a -- I'm looking out in the crowd for some sort of guidance from people that 22 23 work at the Public Service Commission. Hopefully 24 that's right. 25 So yes, they requested a 16 percent

Page 21 increase. You know, who knows what that number 1 2 will actually be. MR. ROBBINS: Correct. 3 4 COMMISSIONER DAVIS: And then it's also 5 how that gets apportioned. So just because -- I mean if everybody agrees, you know, that the 6 7 number is 5 percent or 10 percent or whatever, 8 it's still if they agree to apportion it in a 9 different manner, you may not get hit with all 16 10 percent of that. Do you understand that? 11 MR. ROBBINS: Correct. 12 COMMISSIONER DAVIS: So. MR. ROBBINS: But that's what I based 13 14 mine on because I don't see proposed right here. I do see an increase of 16 percent. 15 16 COMMISSIONER DAVIS: Mm-hmm. 17 MR. ROBBINS: Okay. Well, I'm basing 18 what Dennis writes the checks for. 19 COMMISSIONER DAVIS: Yeah. MR. ROBBINS: And if my check I write 20 21 now is \$600 and it goes up 16 percent, it's going to be \$700 basically. 22 23 COMMISSIONER DAVIS: Right. 96 dollars. 24 MR. ROBBINS: Right. And that's what I look at like. And that's if anything -- and I'm 25

	Page 22
1	not prepared enough. I've been working too much.
2	COMMISSIONER DAVIS: Right.
3	MR. ROBBINS: But if it's anything like
4	my other bills that I looked at, it also reflects
5	when my bill goes up, my basic usage charge
6	bill with Missouri-American Water, I assume
7	because you pay taxes on that, state and local
8	taxes, then my taxes are going to go up 16 percent
9	too because they're taxing me on the amount I
10	bill.
11	So I have to look at that when I write
12	the checks. And I realize they don't get the
13	money, but Dennis is still paying out the money.
14	COMMISSIONER DAVIS: Right.
15	MR. ROBBINS: You know, so a 16 percent
16	increase for them
17	COMMISSIONER DAVIS: Right.
18	MR. ROBBINS: may be 20 to 40 percent
19	for me.
20	COMMISSIONER DAVIS: Right, because it's
21	got the number has got to be grossed up for
22	taxes.
23	MR. ROBBINS: Right. And that's what I
24	look at when I write my checks.
25	COMMISSIONER DAVIS: Got it. All right.

Page 23 Mr. Robbins, I don't think I have any more 1 2 questions. Is there anything else that you want to add? 3 4 MR. ROBBINS: No. No, thank you. 5 COMMISSIONER DAVIS: Okay. JUDGE STEARLEY: I have one quick 6 7 question for counsel. The billing practice that Mr. Robbins has referred to, is that new 8 9 information to you all? 10 MS. LEWIS: It is new to staff. We just learned of it from Mr. Robbins earlier this 11 12 evening, and we have every intention to look into 13 it. 14 JUDGE STEARLEY: Okay. I was going to ask, are you planning on looking into that? 15 16 MS. LEWIS: Absolutely. 17 JUDGE STEARLEY: All right. Okay. And 18 Mr. Robbins, there are representatives from the 19 company here tonight. When we conclude the hearing, you could 20 21 have an opportunity perhaps to speak with one of them directly about this billing issue that you 22 23 indicated. 24 MR ROBBINS: Okay. Thank you. 25 JUDGE STEARLEY: All right. Anything

Page 24 else for this witness? Okay. 1 2 (Mr. Robbins is 3 excused.) JUDGE STEARLEY: Well, hearing nothing 4 and since we don't have anyone else here, we will 5 adjourn tonight's public hearing, and I thank you 6 7 all for coming. MR. ROBBINS: Thank you. 8 9 (The hearing was 10 concluded at 6:31 p.m. 11 on Wednesday, December 12 14, 2011.) 13 (No exhibits were 14 marked during the 15 course of this 16 hearing.) 17 * * * * 18 19 20 21 22 23 24 25

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1	CERTIFICATE OF REPORTER	1 460 20
2		
3		
4	STATE OF MISSOURI)	
5) SS:	
б	COUNTY OF GREENE)	
7		
8		
9	I, Karen S. Rogers, Registered	
10	Professional Reporter, Certified Realtime	
11	Reporter, and Notary Public in and for the State	
12	of Missouri, do hereby certify that I was	
13	personally present at the taking of the	
14	proceedings as set forth in the caption sheet	
15	hereof; that I then and there took down in	
16	stenotype the proceedings had at said time; and	
17	that the foregoing is a full, true, and accurate	
18	transcription of such stenotype notes so made at	
19	such time and place, all to the best of my skill	
20	and ability.	
21		
22		
23		
24	Karen S. Rogers, RPR,	
25	CCR No. 846, Notary Public	

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