

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Early Pre-Hearing  
September 10, 2015  
Jefferson City, Missouri  
Volume 1

In the Matter of:  
Missouri -American Water )  
Company's Request for )  
Authority to Implement a )  
General Rate Increase for ) File No. WR-2015-0301  
Water and Sewer Service ) and SR-2015-0302  
Provided in Missouri Service )  
Areas )

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KENNARD JONES, Presiding  
CHIEF REGULATORY LAW JUDGE

REPORTED BY:  
Shelley L. Mayer, CCR  
TIGER COURT REPORTING, LLC

1 APPEARANCES:

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23 For: Missouri -American Water Company

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For: Missouri Industrial Energy Consumers

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For: Missouri Division of Energy

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For: Triumph Foods, LLC

1 APPEARANCES:

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22 Andrew County, Missouri

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For: Stonebridge Village in Stone County, Missouri

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For: Utility Workers Union of America Local 335

PROCEEDINGS

1  
2 JUDGE JONES: Let's go ahead and go on  
3 the record. This is Case No. WR-2015-0301 in the  
4 matter of Missouri -- in the matter of  
5 Missouri-American Water Company's request for  
6 authority to implement a general rate increase for  
7 water and sewer service provided in Missouri.

8 This is a pre-hearing conference  
9 primarily used for scheduling. My name is Kennard  
10 Jones; I'm the regulatory law judge assigned to this  
11 matter.

12 At this time let's take entries of  
13 appearances beginning with Missouri-American.

14 MR. COOPER: Thank you, your Honor. Dean  
15 Cooper appearing for Missouri-American Water Company.  
16 The court reporter has the address.

17 JUDGE JONES: And the Office of Public  
18 Counsel?

19 MR. OPITZ: For the Office of Public  
20 Counsel, I'm Tim Opitz, P.O. Box 2230, Jefferson  
21 City, Missouri 65102.

22 JUDGE JONES: For the Staff of the  
23 Commission?

24 MR. THOMPSON: Thank you, Judge. Kevin  
25 Thompson, Cindy Mayfield, Marcela Mueth, Whitney

1 Payne, Nicole Mers, William Hampton Williams III, and  
2 Jamie Meyers for the Staff of the Missouri Public  
3 Service Commission, Post Office Box 360, Jefferson  
4 City, Missouri 65102.

5 JUDGE JONES: And for the Missouri  
6 Industrial Energy Consumers?

7 MR. DOWNEY: Morning, Judge. Edward  
8 Downey on behalf of the MIEC, 221 Bolivar Street,  
9 Suite 101, Jefferson City, Missouri 65101.

10 JUDGE JONES: For the Missouri Department  
11 of Economic Development, Division of Energy?

12 MR. ANTAL: Alex Antal with the Missouri  
13 Department of Economic Development-- Missouri Department  
14 of Economic Development appearing on behalf of the  
15 Missouri Division of Energy. Court reporter has our  
16 address. Thank you.

17 JUDGE JONES: For Triumph Foods, LLC?

18 MR. HARDEN: This is Joshua Harden.

19 JUDGE JONES: And the City of  
20 Warrensburg, Missouri?

21 MR. SLUYS: Yeah, Judge. This is Edward  
22 Sluys, and Lee Curtis will also be joining me  
23 shortly.

24 JUDGE JONES: Did you get the spelling of  
25 the last name?

1 MR. SLUYS: It's S-l-u-y-s.

2 JUDGE JONES: City of St. Joseph,  
3 Missouri?

4 MR. HANE: Joel Hane; Tieman, Spencer,  
5 Holaday & Hicks, 702 Felix Street, St. Joseph,  
6 Missouri.

7 JUDGE JONES: For the City of Joplin,  
8 Missouri?

9 MS. BELL: Stephanie Bell for the City of  
10 Joplin, and the court reporter has the address.

11 JUDGE JONES: For the Public Water Supply  
12 Districts 1 and 2 of Andrew County?

13 MR. DORITY: Thank you, Judge. Larry  
14 DORITY and James Fischer with Fischer & DORITY, P.C.  
15 representing Public Water Supply Districts Numbers 1  
16 and 2 of Andrew County. And the court reporter has  
17 our information.

18 JUDGE JONES: For the City of Riverside,  
19 Missouri? Is there anyone here for the City of  
20 Riverside, Missouri?

21 Okay. For the City of Brunswick,  
22 Missouri?

23 MR. DRAG: Good morning, your Honor. My  
24 name is Gary Drag, representing the City of  
25 Brunswick, Law Office of Gary Drag. Address is 3917A

1 McDonald Avenue, St. Louis, Missouri 63116-3816.

2 JUDGE JONES: Could you spell your last  
3 name for the court reporter please.

4 MR. DRAG: Last name is spelled D-r-a-g,  
5 that's Delta Romeo Alpha Golf.

6 JUDGE JONES: Thank you.

7 And for StoneBridge Village Property  
8 Owners Association?

9 MS. LA FOE: Liz La Foe on behalf of  
10 Bryan Wade with the Husch Blackwell Springfield  
11 office. And the court reporter has our information.

12 JUDGE JONES: Thank you.

13 And the Utility Workers Union of America,  
14 Local 335?

15 MR. CAMPBELL: Greg Campbell with the  
16 firm of Hammond and Shinnors, 7730 Carondelet,  
17 Clayton, Missouri 63105.

18 JUDGE JONES: Thank you.

19 Are there any parties who have intervened  
20 who I have not called that are present? Okay. I  
21 don't hear anyone.

22 Well, we got just a couple of things and  
23 then I'll let you all talk amongst yourselves. There  
24 are a couple of dates in the proposed procedural  
25 schedule. One is September 17th for you all to

1 propose a schedule. Does anyone see a problem with  
2 that date? I don't see any indication that there is  
3 a problem.

4 And also for the dates for the local  
5 public hearing time, locations, and hearing dates for  
6 September 28th, does anyone foresee a problem with  
7 that date? Okay.

8 Also I have filed before the Commission a  
9 motion for a true-up date with a tax year ending  
10 December 31st, 2014, filed by Missouri-American with  
11 known and measurable changes trued up through  
12 January 31st of next year. Does anyone object to  
13 that motion? I see no objection. I'll issue an  
14 order in the next couple of days granting that  
15 motion.

16 And also there's an application for an  
17 environmental cost adjustment mechanism that was  
18 filed by Missouri-American to establish that  
19 mechanism in this rate case. Does anyone have any  
20 objection to that application? Or concern I should  
21 say. Okay. Well, I don't see any. Then I will  
22 probably put that before the Commission because it'll  
23 be establishing a mechanism in the rate case and  
24 they'll probably want to know about that and it'll be  
25 on next week.



1                   That's all I have. Does anyone else have  
2 any concerns they want to discuss on the record?

3                   MR. THOMPSON: Judge, if I may, we're  
4 wondering if you would be flexible with respect to  
5 moving the hearing dates back. We would like to see  
6 the hearing dates the first week being March 28th  
7 through April 1 and the second week being April 4  
8 through April 8.

9                   JUDGE JONES: You said -- what did you  
10 say again, Mr. Thompson?

11                   MR. THOMPSON: We'd like to see the first  
12 week of the hearings start on March 28th and the  
13 second week of the hearings start on April 4th. That  
14 would be essentially moving them back a month.

15                   JUDGE JONES: Okay. That would change  
16 the dates for any true-up hearing also, correct?

17                   MR. THOMPSON: We would anticipate --  
18 yeah, that would change the dates for that.

19                   JUDGE JONES: You just want me -- if  
20 these dates are changed, do you want to just move  
21 them back accordingly?

22                   MR. THOMPSON: Yes.

23                   JUDGE JONES: Okay. I can't say that'll  
24 happen. I'll have to go back and look at the  
25 calendars and refigure timelines, but does -- while

1 I'm doing that, anyone have any concerns or  
2 objections?

3 MR. COOPER: Your Honor, I think -- I  
4 don't know we necessarily have any objections. I  
5 think we'd like to have the conversation with Staff  
6 about the -- about the dates as well, so.

7 JUDGE JONES: You mean during your off  
8 the record --

9 MR. COOPER: Yes.

10 JUDGE JONES: -- portion?

11 Why do you want the dates changed,  
12 Mr. Thompson?

13 MR. THOMPSON: We don't think there's  
14 enough time to put this case together according to  
15 the current schedule.

16 JUDGE JONES: Okay. Well, after you all  
17 have your conversation off the record, then,  
18 Mr. Thompson, why don't you file something --

19 MR. THOMPSON: Yes, sir.

20 JUDGE JONES: -- that reflects whatever  
21 you all talked about and what conclusion you come to.

22 MR. THOMPSON: I will do that, Judge.  
23 Thank you.

24 JUDGE JONES: Okay. Is there anything  
25 else you all would like to talk about on the record?

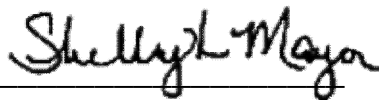
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All right. Well, with that, we'll go off the record.  
(Off the record.)

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CERTIFICATE

I, Shelley L. Mayer, a Certified Court Reporter, CCR No. 679, the officer before whom the foregoing hearing was taken, do hereby certify that the witness whose testimony appears in the foregoing hearing was duly sworn by me; that the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.



Shelley L. Mayer, CCR



<p style="text-align: center;"><b>A</b></p> <p><b>ability</b> 12:8  <b>action</b> 12:10,15  <b>address</b> 4:16              5:16 6:10,25  <b>adjustment</b> 8:17  <b>ahead</b> 4:2  <b>Alex</b> 5:12  <b>ALEXANDER</b>              2:18  <b>Alpha</b> 7:5  <b>America</b> 3:23              7:13  <b>Andrew</b> 3:13              6:12,16  <b>Antal</b> 2:18 5:12              5:12  <b>anticipate</b> 9:17  <b>appearances</b> 2:1              3:1 4:13  <b>appearing</b> 2:21              3:2,4,14 4:15              5:14  <b>appears</b> 12:5  <b>application</b> 8:16              8:20  <b>April</b> 9:7,7,8,13  <b>Areas</b> 1:16  <b>assigned</b> 4:10  <b>Association</b> 7:8  <b>attorney</b> 12:12  <b>authority</b> 1:14              4:6  <b>Avenue</b> 3:15,22              7:1</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>back</b> 9:5,14,21              9:24  <b>beginning</b> 4:13  <b>behalf</b> 5:8,14 7:9  <b>Bell</b> 3:7 6:9,9  <b>Bemiston</b> 3:2  <b>best</b> 12:7</p>	<p><b>Blackwell</b> 3:18              7:10  <b>Bolivar</b> 2:15 5:8  <b>Box</b> 2:3,8,12,19              4:20 5:3  <b>Brunswick</b> 3:16              6:21,25  <b>Bryan</b> 2:15 7:10  <b>Brydon</b> 2:11</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>calendars</b> 9:25  <b>called</b> 7:20  <b>Campbell</b> 3:21              7:15,15  <b>Carondelet</b> 3:22              7:16  <b>case</b> 4:3 8:19,23              10:14  <b>Cave</b> 2:15  <b>CCR</b> 1:22 12:3              12:19  <b>CERTIFICATE</b>              12:1  <b>Certified</b> 12:2  <b>certify</b> 12:4  <b>change</b> 9:15,18  <b>changed</b> 9:20              10:11  <b>changes</b> 8:11  <b>CHIEF</b> 1:20  <b>Cindy</b> 4:25  <b>City</b> 1:10 2:4,9              2:12,16,19,22              3:3,6,8,9,12,16              4:21 5:4,9,19              6:2,7,9,18,19              6:21,24  <b>Clayton</b> 3:22              7:17  <b>come</b> 10:21  <b>Commission</b> 1:3              2:2,5 4:23 5:3              8:8,22</p>	<p><b>Company</b> 2:13              4:15  <b>Company's</b> 1:14              4:5  <b>concern</b> 8:20  <b>concerns</b> 9:2              10:1  <b>conclusion</b>              10:21  <b>conference</b> 4:8  <b>Consumers</b> 2:17              5:6  <b>conversation</b>              10:5,17  <b>Cooper</b> 2:11              4:14,15 10:3,9  <b>correct</b> 9:16  <b>cost</b> 8:17  <b>counsel</b> 2:7,10              4:18,20 12:9              12:13  <b>County</b> 3:13,20              6:12,16  <b>couple</b> 7:22,24              8:14  <b>court</b> 1:23 4:16              5:15 6:10,16              7:3,11 12:2  <b>current</b> 10:15  <b>Curtis</b> 5:22</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>D-r-a-g</b> 7:4  <b>date</b> 8:2,7,9  <b>dates</b> 7:24 8:4,5              9:5,6,16,18,20              10:6,11  <b>days</b> 8:14  <b>Dean</b> 2:11 4:14  <b>December</b> 8:10  <b>Delta</b> 7:5  <b>Department</b> 2:7              5:10,13,13  <b>Develop--</b> 5:13</p>	<p><b>Development</b>              2:7 5:11,14  <b>direction</b> 12:9  <b>discuss</b> 9:2  <b>District</b> 3:13  <b>Districts</b> 6:12,15  <b>Division</b> 2:18,20              5:11,15  <b>doing</b> 10:1  <b>Dority</b> 3:10,11              6:13,14,14  <b>Downey</b> 2:14              5:7,8  <b>Drag</b> 3:14,15              6:23,24,25 7:4  <b>duly</b> 12:6</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>Early</b> 1:8  <b>East</b> 3:8  <b>Economic</b> 2:7              5:11,13,14  <b>ED</b> 2:14  <b>Edward</b> 3:2 5:7              5:21  <b>employed</b> 12:10              12:13  <b>employee</b> 12:12  <b>Energy</b> 2:17,18              2:20 5:6,11,15  <b>England</b> 2:11  <b>entries</b> 4:12  <b>environmental</b>              8:17  <b>essentially</b> 9:14  <b>establish</b> 8:18  <b>establishing</b>              8:23</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>Felix</b> 3:5 6:5  <b>file</b> 1:15 10:18  <b>filed</b> 8:8,10,18  <b>financially</b> 12:14</p>	<p><b>firm</b> 7:16  <b>first</b> 9:6,11  <b>Fischer</b> 3:11              6:14,14  <b>flexible</b> 9:4  <b>Foe</b> 3:17 7:9,9  <b>Foods</b> 2:23 5:17  <b>foregoing</b> 12:3,5  <b>foresee</b> 8:6  <b>further</b> 12:11</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>Gary</b> 3:14,15              6:24,25  <b>general</b> 1:15 4:6  <b>go</b> 4:2,2 9:24              11:1  <b>Golf</b> 7:5  <b>Good</b> 6:23  <b>granting</b> 8:14  <b>Greg</b> 3:21 7:15</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>Hammond</b> 3:21              7:16  <b>Hampton</b> 5:1  <b>Hane</b> 3:4 6:4,4  <b>happen</b> 9:24  <b>Harden</b> 2:21              5:18,18  <b>hear</b> 7:21  <b>hearing</b> 8:5,5              9:5,6,16 12:4,6              12:11  <b>hearings</b> 9:12,13  <b>Hicks</b> 3:5 6:5  <b>High</b> 3:8  <b>Holiday</b> 3:5 6:5  <b>Honor</b> 4:14 6:23              10:3  <b>Husch</b> 3:18 7:10</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p><b>III</b> 5:1  <b>implement</b> 1:14</p>
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<p>4:6  <b>increase</b> 1:15                  4:6  <b>indication</b> 8:2  <b>Industrial</b> 2:17                  5:6  <b>information</b>                  6:17 7:11  <b>interested</b> 12:14  <b>intervened</b> 7:19  <b>issue</b> 8:13  <b>it'll</b> 8:22,24</p> <hr/> <p style="text-align: center;"><b>J</b></p> <hr/> <p><b>J</b> 3:2  <b>James</b> 6:14  <b>Jamie</b> 5:2  <b>January</b> 8:12  <b>Jefferson</b> 1:10                  2:4,9,12,16,19                  3:8,12 4:20 5:3                  5:9  <b>Joel</b> 3:4 6:4  <b>joining</b> 5:22  <b>Jones</b> 1:19 4:2                  4:10,17,22 5:5                  5:10,17,19,24                  6:2,7,11,18 7:2                  7:6,12,18 9:9                  9:15,19,23                  10:7,10,16,20                  10:24  <b>Joplin</b> 3:9 6:7,10  <b>Joseph</b> 3:6,6 6:2                  6:5  <b>Joshua</b> 2:21                  5:18  <b>judge</b> 1:20 4:2                  4:10,17,22,24                  5:5,7,10,17,19                  5:21,24 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