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**TRANSCRIPT DUE FEBRUARY 23 UNLESS OTHERWISE SPECIFIED BY
PRESIDING JUDGE**

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing
February 9, 2016
Arnold, Missouri
Volume 12

In The Matter Of Missouri-American Water)
Company's Request For Authority To) File Nos. WR-2015-0301
Implement A General Rate Increase For)
Water And Sewer Service Provided In)
Missouri Service Areas)

KENNARD L. JONES, Presiding
SENIOR REGULATORY LAW JUDGE

DANIEL Y. HALL, Chairman,
STEPHEN M. STOLL,
WILLIAM P. KENNEY,
SCOTT T. RUPP,
MAIDA J. COLEMAN,
COMMISSIONERS

REPORTED BY: Debra L. Burris, CSR, CCR
MO Lic. No. 789 * IL Lic. No. 084-004545

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1 JUDGE JONES: This is case number
2 WR-2015-0301, Missouri American Water
3 Company's request for a general rate
4 increase to water and sewer service. My
5 name is Kennard Jones. I am the Judge
6 assigned to this case and presiding over
7 this local public hearing. The Commission
8 is holding a number of local public hearings
9 around the state, including this one here in
10 Arnold, and another this evening in
11 St. Louis County.

12 To resolve this and any other
13 matter before it, the Commission must
14 balance the interests of the various parties
15 in the case. Those parties include the
16 staff of the Commission, which is neutral,
17 the Company, and the Office of the Public
18 Counsel, which represents the interests of
19 the general public. Additionally there are
20 11 other parties in this case.

21 There is a scheduled evidentiary
22 hearing to be held February 29th through
23 March 11th of this year in Jefferson City.
24 You may view that hearing live through the
25 Commission's website.

1 This meeting includes a question
2 and answer session which just concluded,
3 followed by this on-the-record portion where
4 you the public may make statements on the
5 record to be included in the docket of this
6 case. There is a court reporter present who
7 will transcribe your statements. And
8 because any response may appear as showing a
9 bias in the decision-making process, the
10 Commissioners, nor I, can answer any
11 questions from the audience.

12 However, if you were unable to
13 get all of you questions answered during the
14 question and answer session, there are
15 people here that can help you during and
16 after the hearing. At this time I'll
17 introduce the Commissioners present, who are
18 Commissioners Stoll, Coleman, and
19 Commissioner Rupp. Commissioner Stoll,
20 would you like to make any comments?

21 COMMISSIONER STOLL: I guess my
22 only comment would be to welcome everybody
23 here. Thanks for coming out. It's kind of
24 a snowy morning for everybody, but the roads
25 were clear, and we're glad to have you here.

1 We're hear to listen to your comments, and
2 we do take those comments into consideration
3 as we go through our decision-making
4 process. So thank you very much, and we
5 look forward to hearing from you.

6 JUDGE JONES: Commissioner Rupp?

7 COMMISSIONER RUPP: Yes. I want
8 to welcome everybody. Thanks for coming.
9 Along with your thoughts on the pending rate
10 case, we also like to hear comments about
11 the customer service that the company has
12 provided in your area and any interactions
13 that you've had, whether that be positive,
14 neutral, negative, we'd like to hear how the
15 company is operating in this area, just
16 along with your thoughts of the pending, or
17 possible rate case. Thank you.

18 JUDGE JONES: Commissioner
19 Coleman?

20 COMMISSIONER COLEMAN: Thank you
21 very much. We look forward to hearing your
22 testimony today, and look forward to having
23 those who can participate to come to the
24 evidentiary hearing, or as the Judge noted,
25 you can see those online. Thank you.

1 JUDGE JONES: Okay. At this time
2 let's take entries of appearances from the
3 parties who are present. Missouri American
4 Water Company?

5 TIMOTHY LUFT: Thank you, Judge.
6 Tim Luft, Missouri American Water. The
7 court reporter has my information.

8 JUDGE JONES: The Office of the
9 Public Counsel?

10 DUSTIN ALLISON: Dustin Allison,
11 Office of Public Counsel.

12 JUDGE JONES: Staff of the
13 Commission?

14 WHITNEY PAYNE: Whitney Payne
15 with the Staff Counsel's Office. The court
16 reporter already has my information.

17 JUDGE JONES: Are there any other
18 parties present who would like to enter an
19 appearance? Okay, I don't see any. I have
20 a list of people who have signed up here to
21 make statements, about 16 people. I'll call
22 your names, ask you to come to this podium,
23 raise your right hand and I'll swear you in.
24 After giving your testimony I'd ask that you
25 remain at the microphone for a moment to see

1 if there are any questions from us or the
2 parties present.

3 After I've gone through this list
4 I will ask if there's anyone else present
5 who would like to also make a statement on
6 the record, and you will be able to do that.
7 So let's go ahead and get started. The
8 first person on the list is Dale Going.
9 Good afternoon, sir.

10 DALE GOING: Good afternoon. My
11 name is Dale Going.

12 JUDGE JONES: Do you solemnly
13 affirm that this testimony you are about to
14 give is the truth?

15 DALE GOING: I do.

16 JUDGE JONES: Thank you, sir, you
17 may proceed.

18 DALE GOING: I'm here for a
19 couple of reasons. I've lived in South
20 County ever since 1964. And looking at
21 these rate increase for the water, it kind
22 of jumps all over from being raised to \$2.47
23 to a minus \$9.29, depending where you're at.
24 All sewer rates have increased somewhat
25 drastically in some areas from a flat rate

1 to so many gallons.

2 And breaking that down to the
3 question of why 19.63 percent increase
4 versus the 9.7 that was in the literature is
5 somewhat confusing. That's a rather large
6 difference there. Earlier some questions
7 were asked about commissions and bonuses for
8 the officers of the company. And another
9 question was asked what profit they have
10 got, made in the last two years. They were
11 unable to answer that question. None of
12 them have those facts for their profit for
13 the last two years and their cost factors in
14 that area.

15 Looking around this room, all --
16 most all, if not all, are on social
17 security. The question was asked, and no
18 answer was given by the company, how much of
19 our social security was raised in the last
20 two years. Zero. How can we afford a 19
21 percent rate increase when we're on fixed
22 incomes? Thank you.

23 JUDGE JONES: Commissioner Stoll,
24 do you have anything?

25 COMMISSIONER STOLL: No

1 questions. Thank you for your testimony.

2 COMMISSIONER COLEMAN: Thank you.

3 JUDGE JONES: Laura Graham. Well
4 I guess I'll have to say this, turn your
5 phone off. Can you raise your right hand,
6 please? Do you solemnly affirm that this
7 testimony you are about to give is the
8 truth?

9 LAURA GRAHAM: Yes, sir.

10 JUDGE JONES: Thank you. Can you
11 spell your name for the court reporter,
12 please?

13 LAURA GRAHAM: My name is Laura
14 Graham.

15 JUDGE JONES: Can you spell it?

16 COMMISSIONER COLEMAN: Ms.
17 Graham, would you spell your name for the
18 court reporter, please?

19 LAURA GRAHAM: First name
20 L-a-u-r-a, last name G-r-a-h-a-m.

21 COMMISSIONER COLEMAN: Thank you.

22 LAURA GRAHAM: I actually want to
23 share a story about what Arnold's water and
24 sewer your means to me. I went through
25 sewer backup on the 28th. And other people

1 suffered more. Their homes floated away.
2 But you see, this sewer backup was diagnosed
3 by Roto-Rooter as a discompression or a
4 water hammer. It's when the backflow valve
5 installed by City Hall, the original owner
6 of our water and sewer, mandated without
7 asking the homeowner's permissions to be put
8 into homes to control the water.

9 A discompression or a water
10 hammer has a 50 percent chance of
11 malfunction. It is technically illegal. It
12 is not accepted by the Federal Law under
13 code 834 of the American Water. This was
14 proven by plumbing and FEMA that caused the
15 sewer backup. The homeowner did not have
16 flood insurance. That's unfortunate. I'm a
17 renter. Renter's insurance does not cover
18 it.

19 I like the rest of the room am on
20 fixed income. I lost 47 percent accurately
21 of my belongings and my history of my life.
22 I am not accepted by FEMA for no assistance.
23 Nothing. And that was what was done by
24 Arnold for the water before it was sold.
25 The contracted -- where are you at --

1 referred to when it was sold to Missouri
2 American Water. It states in that contract
3 that all clauses and agreements are
4 grandfathered in.

5 It took me a lot of time and
6 research and a lot of courage to come -- and
7 I'm fighting a lot of pain -- to come up
8 here and say, you know, if you guys got to
9 raise the rates, do so, but it's going to
10 hit me twice. This is water and sewer.
11 What I use -- what I, you know, use, I'm
12 charged for, you know.

13 And I don't think it's right to
14 hit certain areas because some pipes in some
15 areas are worse than others. There does
16 need to be an increase, but there needs to
17 be some other kind of solution. And one of
18 the suggestions that I wanted to make for
19 consideration is all of our little townships
20 have newspapers, why not a community
21 communication page. This says this monthly
22 increase goes into effect, for further
23 questions -- you know, have information,
24 welcome to our town, this is our water,
25 animal, burn permit, restrictions. Publish

1 it once a month in the papers thrown on our
2 curb, you know. I guess that's it.

3 JUDGE JONES: Commissioner Stoll?

4 COMMISSIONER STOLL: I just thank
5 you for your testimony. You know, on your
6 last issue and the suggestion you made, have
7 you made that suggestion to the City of
8 Arnold?

9 LAURA GRAHAM: I have written to
10 the City of Arnold, and I have contacted the
11 newspaper, yes, sir. I'm waiting for a
12 reply.

13 COMMISSIONER STOLL: Because I
14 would -- I would think that --

15 LAURA GRAHAM: I think every
16 township should be. And I think that for
17 our utilities or municipalities --

18 COMMISSIONER STOLL: I see what
19 -- yeah, I see what you're saying.

20 LAURA GRAHAM: -- it should be a
21 responsibility of the utility to say it to
22 the newspapers, you're printing news, once a
23 month there's going to be a community
24 communication page. You'd have less angry
25 people. You're wasting a lot of time.

1 There's corporate America and there's middle
2 class. You know, that's what our world's
3 come to. And it is what it is, but how can
4 we handle it differently?

5 COMMISSIONER STOLL: I see what
6 you mean, because you're talking about, you
7 know, there are a lot of folks who have
8 American Water Service that are outside the
9 City of Arnold, so that's why we're
10 suggesting that.

11 LAURA GRAHAM: I think that I
12 said with it was -- okay, we offer a page
13 once a month that would apply to homeowners,
14 businesses and just people in general. We
15 can either insert it into the change of
16 address kits in each community, which would
17 be extremely expensive, postage stamps would
18 go up, you know, or just our local town
19 newspapers. And a letter is sent to each --
20 one form letter, you know, and just change
21 the dates. There's a public meeting, animal
22 control laws have changed, it's now a \$60
23 penalty instead of a \$10 penalty.

24 Because most people feel better
25 just because they're acknowledged. Because

1 the thing is, you need water. And if the
2 rates go up, we've got to pay it if we want
3 water. So if we can educate them upfront of
4 what to expect before we get to these
5 hearings, then we might have a community
6 that starts to week together more.

7 COMMISSIONER STOLL: I have no
8 further questions, Judge. Thank you for
9 your testimony.

10 JUDGE JONES: Commissioner
11 Coleman?

12 LAURA GRAHAM: And I'm going to
13 have to leave, because I didn't take a pain
14 pill coming in, and I don't drive so I'm
15 going to call a ride.

16 COMMISSIONER COLEMAN: Ms.
17 Graham, I'm going to make this very quick
18 for you then so that you can get the
19 assistance that you need relative to your
20 pain medication. So I --

21 LAURA GRAHAM: It's the weather.

22 COMMISSIONER COLEMAN: I can
23 understand, and I'm very sorry to hear about
24 your losses regarding your property. You
25 said you lost about 47 percent?

1 LAURA GRAHAM: 47 percent of my

2 --

3 COMMISSIONER COLEMAN: Was this
4 sewage?

5 LAURA GRAHAM: It was sewage,
6 ma'am. It was over four inches deep. It
7 was what they called a discompression.
8 Roto-Rooter actually was the contractor I
9 found through my research that installed
10 these in the Woodridge subdivision. And
11 there's eight homes. And six of those eight
12 homes had sewer backflow. When I did the
13 research -- and they did use the good one.
14 It's called double check backflow valve.
15 But -- and also the water company by Federal
16 law, your locals, is required -- if it is
17 not declared an emergency -- and this wasn't
18 until after -- they're supposed to 24 to 48
19 hours notify you of an act of God that may
20 cause this phenomenon to happen. They're
21 also supposed to, according to the newspaper
22 and contract and the same bylaw 834, come
23 out and annually inspect these backflow
24 valves. Never.

25 COMMISSIONER COLEMAN: Thank you

1 for your information. Appreciate it.

2 LAURA GRAHAM: Yeah. You know,
3 I'm blessed. It'll come back around me,
4 around to me. So I still got mom, so I
5 didn't lose it all. Thank you guys for your
6 time.

7 COMMISSIONER COLEMAN: Thank you
8 very much.

9 JUDGE JONES: Jeff Thresher. Do
10 you solemnly affirm that this testimony you
11 are about to give is the truth?

12 JEFF: Yes, I do.

13 JUDGE JONES: Thank you, sir.
14 Can you spell your last name for the court
15 reporter?

16 JEFF THRESHER: T-h-r-e-s-h-e-r.

17 JUDGE JONES: Thank you.

18 JEFF THRESHER: I'm from Ceder
19 Hill. Been living there for a little over
20 five years. When I bought my place sewer
21 was running about \$45 a month. In the short
22 time that I've been there it's already risen
23 twice. It went from 45, for a very short
24 period I was paying 54, now I'm paying 65.
25 I don't know if there's different rates for

1 business and residential, or what they're
2 classifying my mobile home as, but I own my
3 land. I own my home. It's my residence.

4 I'm here today, because I don't
5 get to choose who my sewer is. I'm stuck
6 with who they give, who I have. I can't
7 turn off a light to save sewer. I turn off
8 a light I can save electricity. I have a
9 choice about that. They keep raising the
10 rates, pretty soon 10 percent of my social
11 security check will be going to sewer,
12 basically straight down the toilet. That's
13 why I'm here today.

14 Because as you see many of the
15 gray haired and hair styles like me in here
16 are on social security. They're on a fixed
17 income. They don't have a choice. It's --
18 it's coming down to do I put gas in my car,
19 do I pay my sewer bill, you know. Do I turn
20 off all my lights and live in the dark so I
21 can pay my sewer bill. That's what the
22 choices are coming down to, you know.
23 That's what I have to say. I -- you know,
24 they couldn't answer my question on how much
25 profits they made the past two years. They

1 say they can't give out the information for
2 last year, and they don't have the figures
3 for the year before. I don't know any
4 business that the, that the officials in the
5 company don't know their numbers without
6 that business being in trouble.

7 JUDGE JONES: Any questions?

8 COMMISSIONER STOLL: No
9 questions. Thank you for your testimony.

10 JUDGE JONES: Thank you. Ron
11 Morrison. Could you raise right hand. Do
12 you solemnly affirm that this testimony you
13 are about to give is the truth?

14 RON MORRISON: I do.

15 JUDGE JONES: Thank you, sir.
16 You may proceed.

17 RON MORRISON: Ron, R-o-n, last
18 name is Morrison, M-o-r-r-i-s-o-n. I'm
19 going to read something. I'm not going to
20 talk. I'm just going to read what I've got
21 here. I live in the same subdivision that
22 Mr. Thresher does. We live in a mobile home
23 community. I've lived there for about 20
24 years in Cedar Hill, Missouri. I'm going to
25 read a letter that I got from Missouri

1 American Water in 2004.

2 Missouri American Water, a
3 subsidiary of American Water Company,
4 acquired Cedar Hill Utility Company on
5 November 15th, 2004. And they're saying
6 it's a win-win situation. There's one other
7 paragraph that says rate to remain
8 unchanged. Your rates have not changed as a
9 result of this acquisition. If you have
10 questions, please call us. That was their
11 letter, okay. There's more to it, but I'm
12 not going to read all of it.

13 And then I wrote a letter in 2013
14 to a TV station and kind of referenced the
15 same thing as what Mr. Thresher said about
16 the price. I live in a mobile home
17 community in Cedar Hill. I'm one of about
18 65 families that live in this community, and
19 on an average we pay \$65 per month for our
20 sewer bill. And I wrote in there this seems
21 a little high at the time.

22 Back in March of 2012 the Public
23 Service Commission were calling families in
24 our subdivision asking if we had any
25 complaints about the sewer problem. And I

1 said, yeah, we did, we have a minor one.
2 They called me back, investigated it. And
3 that's when the monthly bill was \$45.64. In
4 June of 2012 my bill went up to \$65.22. And
5 then I assumed the PSA, Missouri American
6 Water could increase our bill. Also during
7 the spring of that same summer the sewer
8 company did some repair on the pump station.
9 Whether that had any bearing on the
10 increase, I have nothing.

11 I'd like to back up a little bit.
12 Starting in January of 2008 my monthly bill
13 was \$23.52. In December of 2008 -- excuse
14 me, from December of 2008 through December
15 of 2009 my bill went up to 28.84. From
16 January of 2009 through July of 2010 my
17 monthly bill went up to \$33.81. From August
18 of 2010 through May of 2012 my monthly bill
19 went up to 45.64. From June of 2012 through
20 the present my bill has remained at \$65.22.

21 My comment at the end, I thought
22 that was a little high. And I was hoping
23 somebody would follow up and maybe do a
24 little research and figure out if we got
25 overcharged in Ceder Hill because of the

1 community we live in, we're not in a
2 high-populated area like Arnold, Missouri.
3 And I looked at the -- I looked at the
4 guidelines you've got here for the rate
5 increase for Arnold, and they're a lot
6 cheaper than we are. And I thought that's a
7 little high. And I still think it's a
8 little high. And that's why I mentioned
9 during the early session why couldn't the
10 Public Service Commission help us to
11 decrease our rate instead of increase our
12 rate. And that's all I have at this time,
13 Judge.

14 JUDGE JONES: Any questions?

15 COMMISSIONER STOLL: I guess I
16 have one. Did you ask for some information
17 in the question and answer period at the
18 beginning? Were you able to --

19 RON MORRISON: Yes, I did. Yes,
20 I did. And I -- I didn't get no reply why
21 we couldn't get a decrease, from this
22 gentleman with the suit on over here. But I
23 think we are overpriced for our monthly
24 rates. That's my comment. Judge, thank
25 you.

1 JUDGE JONES: Thank you.
2 COMMISSIONER STOLL: Thank you
3 very much.
4 RON MORRISON: Thank you, sir.
5 JUDGE JONES: Jim Terry.
6 JIM TERRY: Good afternoon,
7 Judge.
8 JUDGE JONES: Good afternoon.
9 Would you raise you right hand, please? Do
10 you solemnly affirm that this testimony you
11 are about to give is the truth?
12 JIM TERRY: I do.
13 JUDGE JONES: Thank you, sir.
14 You may proceed.
15 JIM TERRY: T-e-r-r-y. I'm the
16 county councilman for the people in the
17 Ceder Hill area that would be affected by
18 the sewer rate increase. I'm speaking on
19 their behalf. I'm also a volunteer at the
20 Cedar Hill food pantry, the peace pantry.
21 In my role as treasurer there I pay the
22 monthly bill of 65.22 to Missouri American
23 every month.
24 I realize that Jefferson County
25 is not considered a poor county, but I

1 assure you that we do have many families in
2 that area that have a hard time with money.
3 That's why we're a food pantry. We provide
4 groceries to over 300 people per week. Not
5 all of those people are Missouri American
6 customers, but I'm sure many of them are.

7 I do the interviews to determine
8 if people are eligible for our help. Many
9 are barely hanging on, plus I regularly get
10 phone calls when I'm at the food pantry from
11 people that are looking for utilities
12 assistance. There really is a problem. I
13 just would very much appreciate for their
14 sake that you avoid a rate increase, or at
15 least take that into account.

16 Beyond that, I did, we do have a
17 major problem I think, maybe some of you
18 know, with failing septic and small sewer
19 systems in the county. We are working with
20 the public sewer districts to correct.

21 Relative to this meeting I've been working
22 with one family that has a failing septic
23 system and wants to hook on to Missouri
24 American Water's main line that's only 600
25 feet away. I met with those people and a

1 Missouri American engineer more than 15
2 months ago to try and make that happen, and
3 they're still not connected.

4 There's a number of other people
5 with failing septic systems in their
6 subdivision as well. Missouri American has
7 been working with them, but everything has
8 been going very, very slowly. If you must
9 allow rate increases, can you at least
10 encourage them to be more aggressive in
11 connecting to subdivisions along their line.
12 These people were willing to pay to get it
13 done. They are asking for an \$8,000 to
14 \$10,000 fee to do the connections, which is
15 a very large amount for a lot of people
16 needless to say.

17 Seems like there should be some
18 way that they could be handled as part of
19 their sewer bills to let people pay with
20 time. I know there's some issues involved
21 in that, but surely in this day of
22 computers, something could be worked that
23 they could pay that in their monthly bill
24 and spread it over maybe 10 years.

25 If the Commission could make

1 these things happen, it would really help
2 this county, and I suspect a lot more, solve
3 a huge problem. Thank you.

4 JUDGE JONES: Thank you, Mr.
5 Terry. Do you have any questions?

6 COMMISSIONER STOLL: No
7 questions. Thank you for your testimony.

8 COMMISSIONER COLEMAN: Thank you,
9 sir.

10 JUDGE JONES: Elmer Marz. Do you
11 solemnly affirm that the testimony you are
12 about to give is the truth?

13 ELMER MARZ: I do.

14 JUDGE JONES: Thank you, sir.
15 You may proceed. Spell your name, please.

16 ELMER MARZ: E-l-m-e-r M-a-r-z.

17 The one question I got with the water
18 company is they give the City of Arnold \$12
19 million for our sewers. And if they knew
20 that they needed \$5 million in repairs, why
21 did they give the City of Arnold \$12
22 million? Why didn't they satisfy with the
23 lesser amount.

24 So they give the City of Arnold
25 \$12 million, and they give us the bill. Not

1 only us, everybody in here is paying for
2 that \$12 million. And I've been -- I've
3 been -- I have seen absolutely no
4 improvements in our sewers since I've been
5 living here. And I've lived here 40 years.
6 And I -- and American Water has -- I've seen
7 them put something down in the sewer to
8 check for gas or something, but I've never
9 seen them make any improvements in our
10 sewers. Nothing at all. That's all I got
11 to say. Thank you.

12 JUDGE JONES: Thank you.

13 COMMISSIONER STOLL: Thank you
14 for your testimony.

15 JUDGE JONES: Paul Geisler. Will
16 you raise your right hand? Do you solemnly
17 affirm that this testimony you are about to
18 give is the truth?

19 PAUL GEISLER: Yes.

20 JUDGE JONES: Thank you, sir.
21 Could you spell your last name for the court
22 reporter, please?

23 PAUL GEISLER: My first name is
24 Paul, P-a-u-l, Geisler, G-e-i-s-l-e-r. I've
25 been an Arnold resident since 1956, aside

1 from three years in the military and four
2 years in college. We've lived in our
3 present address for 31 years.

4 My concern has already been
5 expressed by some. I'm also a social
6 security recipient. I'm more fortunate than
7 others. I worked for the State of Missouri,
8 and I do have a pension. The increase we
9 got there was swallowed up by increases in
10 vision and dental insurance. So we're still
11 at square one.

12 But everybody is asking for
13 increases. Other -- besides utilities,
14 other services that we enjoy are also asking
15 for increases. But we have to ask, when
16 does it stop? What happens when expenses
17 exceed income? Then we've got a real
18 problem. This has already been expressed
19 also. What I have to say I think is
20 Missouri American Water needs to tighten
21 their belts a little bit like the rest of us
22 do.

23 COMMISSIONER STOLL: No
24 questions. Thank you for your testimony,
25 sir.

1 JUDGE JONES: Betty Allen.
2 BETTY ALLEN: No comments. Thank
3 you.
4 JUDGE JONES: Candice Greer.
5 Raise your right hand. Do you solemnly
6 affirm that this testimony you are about to
7 give is the truth?
8 CANDICE GREER: Yes.
9 JUDGE JONES: Thank you.
10 CANDICE GREER: C-a-n-d-i-c-e
11 G-r-e-e-r. I hope no one in this room comes
12 after me after this. I work for Ameren
13 Missouri -- well, Ameren Services, but I
14 work for Ameren Corporation, so I'm more
15 familiar because I've run queries for you
16 guys before, so I know what you look at.
17 Some things I'd like to bring up, we
18 recently had an election, or a ballot
19 initiative here in Arnold. They wanted to
20 raise some of our taxes. My understanding,
21 and you might need to double check this, is
22 that Missouri American Water donated to that
23 PAC to try to get us to vote for a tax
24 increase. That's money that could have gone
25 to, into capital improvements to our sewer

1 system. I don't know how many other
2 communities they have donated to or if they
3 have, but that's something to be
4 investigated.

5 My other question is -- and you
6 guys probably don't have the answer -- if
7 they didn't have the money for the
8 improvements for Arnold sewer system, why
9 did they take it on? Because they knew it
10 was a failing sewer system, they knew that
11 it needed a lot of improvements to bring it
12 back up to par to meet environmental
13 regulations. If they knew that they needed
14 a rate increase for this, why did they take
15 it on? And they even sat in one of my
16 subdivision meetings and told us that our
17 rates would not go up, at least not for
18 three or four years.

19 And the guy that -- the
20 representatives they had at my subdivision
21 meeting did not even know how the Public
22 Service Commission process worked. Being an
23 Ameren employee, I had to sit there and
24 explain it to my residents and how they had
25 to go to Missouri Public Service Commission

1 for rate increases. But that was a primary
2 concern of the residents in my subdivision
3 when the ballot initiative came for us to
4 vote for Missouri American to buy our sewer
5 system.

6 Let's see. I'm sorry, I have a
7 list. I -- personally as a resident, even
8 though they named a couple capital
9 improvements they have done in the area, I
10 have not seen any capital improvements done
11 in the Arnold area to our sewer system.
12 Arnold's sewer system is pretty dilapidated.
13 It's old. The community is, from way
14 back -- my parents have lived here since
15 1965, and like many people in this room, my
16 parents are on social security, and they are
17 not seeing an increase, and they will be
18 adversely impacted by this.

19 Also, they're getting a return --
20 they're asking for a return on investment of
21 10.7 percent. The utility I work for is not
22 even allowed that. If I recall, I think
23 we're only allowed 9, a little over 9
24 percent. So why would they be allowed to
25 get more of a return on investment than us?

1 They also discussed in their rate case,
2 recovering costs with an ECAM, which is a
3 charge they put on. I'm wondering if that's
4 not similar to what we tried to propose at
5 one point, which was a CWIP, Construction
6 While in Progress, except they're doing it
7 for environmental things.

8 If the environmental improvements
9 are considered taxable improvements, then
10 how come they're going to be allowed to
11 recover the cost as they're incurring it?
12 My understanding is that we're only allowed
13 to recover capital costs that we have
14 incurred -- which means in the past. So I
15 guess some issues with that is, will almost
16 be like a double recovery. If they're
17 recovering as they're going along, as the
18 Missouri Public Service Commission are you
19 able to look at that and say, well, you
20 already recovered WCIP, you can only take
21 the remainder back in your rate base, that
22 type of thing?

23 And also, what if you deny that
24 capital recovery and deem it not to really
25 be a capital recovery, are we going to have

1 a mechanism in place to get that refunded to
2 us as rate payers on their system? We also,
3 when we took -- when we voted for Missouri
4 American to take on our sewer system, we
5 didn't vote to be in a combined district.
6 So we -- our understanding on our vote was
7 that we would remain Arnold and that we
8 would have our own rates, that no one else
9 would be in our rate base, and that our
10 money would be spent within Arnold. It
11 wouldn't be -- we wouldn't be trying to
12 cover like Cedar Hill's problems, you know,
13 and Cedar Hill, we didn't expect them to
14 have to cover our problems. I understand
15 that, you know, it is a whole community,
16 but, you know, everyone's rates are
17 different it seems. I think that's all I
18 have on my list.

19 COMMISSIONER STOLL: Just one
20 item, to answer a couple of your technical
21 questions, you might talk to our staff.
22 They could -- they could explain those
23 situations to you.

24 CANDICE GREER: Okay.

25 COMMISSIONER STOLL: And they're

1 standing in the back. And they'd be happy
2 to talk to you I know. Thank you.

3 JUDGE JONES: Thank you. Okay.
4 I can't read the full last name. I believe
5 the first name is Earl. Is there anyone
6 named Earl here? Well, we'll come back to
7 that in a moment. Mary, is it Easton or
8 Factor or -- hi. Would you raise your right
9 hand? Can you raise your right hand,
10 please? Do you solemnly affirm that this
11 testimony you are about to give is the
12 truth?

13 MARY FACTOR: Yes, I do.

14 JUDGE JONES: Thank you. Could
15 you please spell your last name for the
16 court reporter?

17 MARY FACTOR: F-a-c-t-o-r.

18 JUDGE JONES: All right. You may
19 proceed.

20 MARY FACTOR: Okay. We're in a
21 down economy. Water is vital. All people
22 must have it, even those on fixed incomes.
23 19.63 percent rate increase is unreasonable
24 and actually ludicrous. I propose that the
25 rate increase be tied to the CPI.

1 Missouri American Water mentioned
2 a tax on rate increase, and that tax
3 certainly must be a lot higher than, must be
4 higher than 19.63 for them to justify asking
5 for 19.63. The infrastructure cost of
6 capital improvements, I, whatever they're
7 asking for in, for this rate increase, when
8 somebody is a private business owner, they
9 have to look to the future and extrapolate
10 what they're going to need for future needs
11 for their business and budget that in.

12 And to just come up and say now
13 we need 19.63 percent more money doesn't
14 sound like a good business plan was
15 purported in the beginning. Missouri
16 American Water can take some of this rate,
17 the money that they need from this rate
18 increase from their profits and their salary
19 increases. I know people -- I know teachers
20 who are getting 0 percent rate increase, and
21 have gotten that for the last four years.
22 And two of those people work at the
23 University of Missouri in Columbia. No rate
24 increase whatsoever on their income.

25 What is American Water, Missouri

1 American Water doing for water safety in our
2 state and in our area? It's unsafe. I see
3 signs -- I see signs around creeks and where
4 kids play that say, this, sewer may spill
5 into this creek water, do not play in it,
6 you know. It depends on if there's, I
7 guess, flooding or extra rain in the area
8 that they have to open up a valve and water,
9 sewage water spills into clean water. And
10 all they do is post a sign. That's
11 unacceptable.

12 Missouri American Water does not
13 make their case for a rate increase. And
14 also, there are not sufficient public
15 hearings. We have two in the Arnold area --
16 we have one in the Arnold area, and that's
17 the one that I'm at right now. I live in
18 South County. There are -- Forsyth is
19 St. Louis County. There are two in North
20 County. I think one's at a community
21 college, the other one is at Meramec up in
22 North County, which are difficult to get to
23 in the evening.

24 And you can tell by the
25 demographics in the room, a lot of us cannot

1 drive at night. It's more difficult to get
2 out in the nighttime and drive, and here we
3 are in the dark -- I mean, it's in winter,
4 it's not in the summertime when people can
5 have a little more freedom with their
6 driving privilege. And it's just, the
7 accessibility to these public hearings is
8 not enough.

9 I really think that you would
10 have this room quadruple packed even if you
11 had four more hearings throughout, you know,
12 placed throughout South County area. More
13 people would be able to show up. And there
14 could be more evening, accessibility to
15 meetings in the evening where working people
16 can't come now. And I thank you for
17 listening.

18 JUDGE JONES: Thank you, Ms.
19 Factor.

20 COMMISSIONER STOLL: Thank you
21 for your testimony. I will add one thing.
22 If you do know anybody that couldn't
23 attend -- and I'm sure next time that we
24 have local public hearings -- we usually
25 have them at the Thornhill Library, the

1 county library, and we could not get that
2 this time. So, we're going to --

3 MARY FACTOR: What time of day
4 would that be, please?

5 COMMISSIONER STOLL: Well, again,
6 we try to have an afternoon session and an
7 evening one, because, like you said, some
8 people don't really like to get out at
9 night. We've had 12 -- when we complete the
10 local public hearing tonight we will have
11 had 12 around the state. But next time
12 we're going to have one a little more
13 geographically, better located so that it'll
14 make it easier to attend.

15 MARY FACTOR: Okay. Can I get
16 one other thing, please? I got this letter
17 from Missouri American Water saying that
18 they had to swap out my water meter, and to
19 please call them with a time that we could
20 agree upon. So I called them -- and this
21 was back -- the letter was dated September
22 2nd, 2015. And I called to make an
23 appointment for to have someone to come and
24 swap out the water meter. And a couple of
25 days before the service rep was supposed to

1 be at my house, they had to cancel. I don't
2 know why, they just said at this time we
3 have to suspend changing out water meters.

4 So then about two months ago I
5 get a letter saying, okay, we're going to
6 swap out water meters again, and call to
7 make an appointment. I called to make an
8 appointment, and someone came out to my
9 house and changed the water meter. A few
10 days later I went in my basement -- now this
11 would have been last Monday -- and there was
12 water spilling out of my water meter, my new
13 water meter. And so, of course, I missed an
14 hour of work. I called Missouri American
15 Water, told them what happened, and that I
16 had water on the floor of my basement. They
17 said that they would send me, put me on an
18 emergency ticket and send out a
19 representative to change it right away.

20 I asked them when that would be.
21 And they said, we don't know, it's whenever
22 one's available. And it turned out that
23 they came approximately two hours after the
24 phone call was made. So that's lost time
25 for me at my job that I can't, that I wasn't

1 making any income. And so it just doesn't
2 sit right with me when I ask a question in
3 the room, the previous, you know, at 11:30
4 when we had the question and answer period,
5 that when we asked isn't there somewhere
6 else they could get money to cover the cost
7 of some of this rather than putting it on
8 the backs of their customers, and the
9 response from the one gentleman was they cut
10 \$5 million in service positions.

11 Well, that serves us, and that's
12 what I think my bill goes for, is service.
13 So it doesn't help to cut -- when I call
14 Missouri American Water, I would like to
15 receive a human being on the other end who's
16 going to address concerns, and yet we all
17 know we stand in line and get prompts and
18 press this option, press that option, where
19 do you live, what's your social security
20 number. They probably don't ask that. But
21 they ask your address and phone number. And
22 it's just less and less service for more and
23 more money. That's my comment.

24 JUDGE JONES: Commissioner
25 Coleman?

1 COMMISSIONER COLEMAN: Ms.
2 Factor?
3 MARY FACTOR: Yes.
4 COMMISSIONER COLEMAN: I'm glad
5 you brought up your issue relative to the
6 water meter, because customer service is
7 very important I'm sure to everybody in the
8 room, and certainly to us. So based on the
9 fact that you had water that was dripping in
10 your basement, was this a significant amount
11 of water?
12 MARY FACTOR: Well, it was enough
13 that it filled up a couple of waste baskets
14 that were probably this high so. But we
15 didn't see it. That's -- it filled those up
16 in the two-hour timeframe that we saw it.
17 It had spilled over towards the washing
18 machine where, you know, it's graded down,
19 so it's going towards the washing machine.
20 And it ruined maybe five boxes that had
21 pictures and picture frames in them and
22 other things I had stored in cardboard boxes
23 that were sitting on the basement floor. So
24 -- and one metal cabinet that was a storage
25 shelf. So significant cost to me. I could

1 not make a claim. I figured we'd just, you
2 know -- I lost some pictures. I didn't make
3 a claim.

4 COMMISSIONER COLEMAN: Thank you.

5 JUDGE JONES: Thank you. Rita
6 Stoker. Do you solemnly affirm that this
7 testimony you are about to give is the
8 truth?

9 RITA STOKER: Yes, sir.

10 JUDGE JONES: Thank you. Can you
11 spell your last name for the court reporter?

12 RITA STOKER: Stoker,
13 S-t-o-k-e-r. I live in St. Louis County --
14 South County. I like everyone else here are
15 disturbed by the percentage of rate
16 increase. What concerns me first off is the
17 lack of perpetual management. What I see is
18 a lack of performance by this company over
19 40 years, allowing a lot of this
20 deterioration within the system to have
21 gotten to the place it has gotten in order
22 to have to require mandates of these kinds
23 of rate increases.

24 If this had been managed properly
25 like any professional company would have

1 managed their business in a profitable
2 manner, this wouldn't have gotten to this
3 deteriorating point. But with that being
4 said, I also know that there are a lot of
5 new mandates that are being required by all
6 of the utilities now that we never had 40
7 years ago. So I'm kind of saying, you know,
8 something to both sides of that, of that
9 point.

10 My issue, I use very little
11 water, and I pulled my last bill to bring
12 with me. To look at what I am paying for
13 water in proportion to the total bill and
14 what I'm paying in taxes and fees. As of my
15 last bill I am paying 66 percent in taxes
16 and fees for my service. With this new rate
17 increase the way I had it explained to me
18 earlier was that the net result would be a
19 9.73 percent increase, which would, what
20 would ultimately affect my rate increase on
21 my bottom line. It would then get me to
22 almost 80 percent of my bill will be in
23 taxes and fees, not water. Thank you.

24 JUDGE JONES: Thank you.

25 COMMISSIONER STOLL: Thank you

1 for your testimony.

2 JUDGE JONES: Erin Porcelli.

3 ERIN PORCELLI: Porcelli.

4 JUDGE JONES: Porcelli.

5 ERIN PORCELLI: Most of my issues
6 have already been addressed. Thank you.

7 JUDGE JONES: Bob Boyd? Christy
8 McArthy. Do you solemnly affirm that the
9 testimony you're about to give is the truth?

10 CHRISTY MCARTHY: Yes, I do.
11 McArthy is M-c-A-r-t-h-y. I just want to
12 reiterate the woman that just left. I'm
13 also from South County. I am a single
14 homeowner, with one person in the place, and
15 my numbers are almost identical to hers. I
16 would mention the same thing. Roughly 75
17 percent of what I would be paying would go
18 towards administrative fees and taxes versus
19 actual water supply.

20 That being said, I was going to
21 ask some questions earlier of people from
22 the company. They have no one here with a
23 finance background, nobody to speak numbers.
24 That to me says they are not ready. They
25 are -- they are being nontransparent in

1 delivering their information. There's
2 something wrong if you're coming to a
3 meeting and you have nobody that can speak
4 on numbers. What are you hiding? I mean
5 that's a true concern.

6 I don't know what their
7 shareholders are earning. Are they earning
8 that 10 percent that we're having to pay? I
9 mean, where's this money going? There's
10 nobody here to say, well, so much is going
11 to go for this, so much is going to go for
12 that. There's all this high-volume talking
13 of \$50 million. For what? Is that \$50
14 million going all to capital improvements?
15 Is some of it going to other operating
16 expenses? What's going on? If they're not
17 here to tell us decent answers to questions
18 that we have, they're not ready for this
19 rate increase.

20 There is something that has to be
21 done for them to be accountable to us before
22 they ask for this type of increase. That's
23 what I have to say.

24 COMMISSIONER STOLL: Just a
25 quick, quick comment. I'm sure there's

1 somebody here that could answer --

2 RITA MCARTHY: No. I asked.

3 SOMEONE IN THE AUDIENCE: We
4 asked they, they wouldn't --

5 RITA MCARTHY: There is a woman
6 here who says she's been the president for
7 three months. She has not the background.
8 There's not another person in here when we
9 asked if there was anybody with a finance or
10 had numbers, we couldn't get that
11 information.

12 SOMEONE IN THE AUDIENCE: We
13 asked for last year's, and they didn't have
14 this year's.

15 RITA MCARTHY: They couldn't
16 provide anything. That's irresponsible.

17 COMMISSIONER STOLL: Maybe not --
18 what was -- your first comment though was
19 about why the fees were so high, and you
20 didn't get that question answered?

21 RITA MCARTHY: I didn't ask any
22 questions, because once I learned there was
23 no finance person here -- I'm an accountant.
24 I'm -- that's my job. That would have been
25 where I wanted to go, what avenue I wanted

1 to go down. But they don't have anybody
2 here to see even address those issues. You
3 know, What is their, what is their pension
4 and benefits contribution? Are they taking
5 a hit on that? What are their shareholder's
6 getting? Are they getting a 10 percent
7 dividend? Are they getting something less?
8 Did they take a hit back in 2007 and '08
9 when everybody else did? You know, what's
10 -- what's going on with all that? Nobody's
11 here to answer those questions. That to me
12 says that they are kind of playing a side
13 game and not really wanting to address the
14 true issues that we have.

15 COMMISSIONER STOLL: Thank you
16 for your testimony.

17 JUDGE JONES: Before you go, is
18 there anyone other than the company
19 representative here that can talk with her
20 about numbers?

21 COMMISSIONER STOLL: Anybody from
22 the staff?

23 JUDGE JONES: From the staff of
24 the Commission. Okay, I've exhausted the
25 names on the list. Is there anyone else

1 present who would like to come up? I saw a
2 hand to my left first and then I saw you.
3 So in the back here. Do you solemnly affirm
4 that your testimony you're about to give is
5 the truth?

6 JOHN VANDILLEN: Yes, I do.

7 JUDGE JONES: Thank you. Could
8 you please state and spell your name for the
9 court report?

10 JOHN VANDILLEN: John VanDillen,
11 V-a-n-D-i-l-l-e-n. Just a question on the
12 rate increases, everything is geared for
13 residential. I own a business here, so I'd
14 like to know what my rates are going to be.

15 COMMISSIONER COLEMAN: Mr.
16 VanDillen, did you get a chance to ask that
17 question to anybody who was here about
18 business' rate increase -- business
19 increases?

20 JOHN VANDILLEN: No. I was
21 listening to other questioners, and I asked
22 questions in relationship to those. This
23 was a question I was going to ask, but then
24 we were cut off in order to allow you folks
25 to come up here on the panel.

1 COMMISSIONER COLEMAN: Sure.
2 Well I'm sure there are people here who can
3 answer that question also, so if you turn
4 around somebody should be raising their
5 hand. Right over here. He's with the staff
6 of the Public Service Commission. There's a
7 young lady over here next to the CEO of the
8 company that can answer that question also.

9 JOHN VANDILLEN: Well, on the
10 sheet too, on the residential page here for
11 District 1, they give you all the
12 percentages of increases. And I -- I'm very
13 naive to think like this, but when you come
14 up to asking for 19 percent increase, and
15 you look at this sheet and you've got 20,
16 21, 25, 30 percent increases, what happened
17 to that 19 percent increase? Thank you.

18 JUDGE JONES: That you, sir.
19 Right here on my right. Would you raise
20 your right hand? Do you solemnly affirm
21 that the testimony you're about to give is
22 the truth?

23 LESS HORN: I do.

24 JUDGE JONES: Thank you. Could
25 you please state and spell your name?

1 LES HORN: Les, L-e-s, Horn,
2 H-o-r-n.

3 JUDGE JONES: Thank you, sir.

4 LES HORN: I guess maybe I'm
5 doubling back to some things that have
6 already been said, but I wanted to make a
7 reference to things that I printed out from
8 American Water website, plus what I was
9 handed out today. Right in the middle of
10 the page it says, requested rates based on
11 monthly household water usage. Since I've
12 been getting a bill from American Water, my
13 bill has been the same each and every month.
14 That made me do a little research at that
15 time that I'd kind of like to go over.

16 What did we do this past year
17 that maybe we could do differently this
18 year? Again, I'm on social security, so I'm
19 always looking for ways to trim things down
20 so we can have a reasonable lifestyle. So I
21 went back and I printed out all my bills,
22 and then I took -- and one lady made a
23 reference to fees and taxes. Well, the
24 numbers aren't going to be the same, but if
25 I took my bill per month and divided by

1 whatever, I come out to using 3.2 thousand
2 gallons water a month, not 5,000. So in
3 essence I want to know about people who are
4 not using the 5,000. Are we still going to
5 see a continuous bill based month in and
6 month out, or am I going to be billed for my
7 actual use of the system? So far I don't
8 think that's been the case.

9 Now I want to go over some
10 customer service items with you. I have a
11 strong dislike for American Water based on
12 not only this, but their customer service.
13 The night that the sewer backed up -- I live
14 in Arnold, and we had -- I think it was
15 about 30 inches of sewer back up in our
16 home. But the night of that sewer back up I
17 had the occasion to want to go down to our
18 basement, and I turn on the light -- and my
19 sewer line is in middle of the floor. I
20 turned on the light and there was maybe
21 three inches of sewer water coming up. Not
22 leaking through the walls, not coming
23 through windows, but coming up out of the
24 sewer bubbling.

25 So I got on the phone and I

1 started calling around, and I got ahold of
2 customer service for American Water. And
3 they said, I'm taking your information, and
4 we're going to have someone get ahold of
5 you. Well the water's still coming up,
6 coming up, coming up. So when the gentleman
7 did call me about this, I said, what's going
8 on, we're getting sewer back up. Yeah, we
9 had to leave the area. Didn't explain it or
10 whatever. I said, well, do you have a pump
11 I can use? No, we don't have any pumps,
12 click. I'm glad he wasn't in my house. I'm
13 really glad he wasn't in my house.

14 Now carrying the customer service
15 a little bit further, which is irritating in
16 itself -- I wish I would have printed them
17 out, I could have brought them -- for the
18 last several months I've had to e-mail, call
19 or e-mail -- in this case I e-mailed -- the
20 customer service department, where is my
21 bill? Where is my bill? Because I've been
22 receiving bills to the point where if I
23 receive it and mail it back in and I check
24 when I mail it back in against when my check
25 is cashed, my payments would be posted late.

1 What happens with that? My water gets shut
2 off. I call that very, very poor customer
3 service, jeopardizing me and my family. And
4 that's all I have to say.

5 JUDGE JONES: Thank you, Mr.
6 Horn.

7 COMMISSIONER STOLL: I guess my
8 -- my only comment would be, you may want to
9 talk to --

10 LES HORN: I don't need to talk
11 to them.

12 COMMISSIONER STOLL: Well, we
13 have Public Service Commission staff.
14 There's a lady back here who is raising her
15 hand, she would be happy to talk to you to
16 maybe answer a couple of your questions.

17 LES HORN: I don't -- inasmuch as
18 what has occurred is in the past, you can't
19 resolve that issue. You know, I think that
20 the issue is -- here's another point. There
21 is so much I could bring up. Again, I live
22 in a home that received tremendous amount of
23 sewer backup water. I can understand that
24 they may have problems. What I don't
25 understand, and this is -- if anybody else

1 is in my subdivision, you can verify this --
2 what I don't understand is the pumps that
3 they were using, where were they pumping
4 that sewer water to?

5 Second point, if that pump was
6 overtaken, okay, benefit of the doubt --
7 however, within a day or two -- we was in
8 our home for over a week, no electricity,
9 nothing. I wasn't about to leave my home.
10 A day or two after everything calmed down
11 and there was no more river rising, I see
12 roll past my house this huge, huge, enormous
13 pump. Within just a matter of a couple
14 hours the sewers were empty. And the way I
15 got the clue of that is, and I -- by the
16 way, I forged the entrance to my subdivision
17 with a Ford Escape. And I know they got
18 vehicles that are much higher off the ground
19 that they could have forged the water that
20 was at the entrance to be running a pump to
21 make sure that homes that would not -- and I
22 feel sorry for people that got both flood
23 water and sewer water. We were one of the
24 lucky ones -- we call it that.

25 But my point here is, if I could

1 forge that water myself with just a Ford
2 Escape, they have utility vehicles that are
3 much higher up off the ground, and certainly
4 that trailer that they used to bring in that
5 huge humongous pump could have been brought
6 in originally to keep the sewers clear from
7 the possibility of receiving sewer backup.

8 COMMISSIONER STOLL: Thank you
9 for your testimony.

10 JUDGE JONES: Gentleman in the
11 second row. Will you solemnly affirm that
12 the testimony you're about to give is the
13 truth?

14 DOYON MEKAN: Doyon, D-o-y-o-n,
15 Mekan, M-e-k-a-n

16 JUDGE JONES: I'll take that as a
17 yes.

18 DOYON MEKAN: Okay. I have a
19 couple questions. On the money situation
20 that they're talking about, nobody could
21 answer. Are these people being audited to
22 the State or Federal Government on the money
23 problems or whatever? And then another
24 thing, can they show cause and basic cause
25 for why they want this increase? You know,

1 they was just saying it's due to maybe the
2 problems they had or whatever, you know, but
3 you would think that, you know, if they
4 needed an increase, they could show a better
5 cause than what they have. That's all I
6 have.

7 JUDGE JONES: Thank you, sir. I
8 think there was one more hand I saw earlier.
9 Will you raise your right hand, sir? Do you
10 solemnly affirm that the testimony you are
11 about to give is the truth?

12 TERRY POGORZELSKI: Yes, sir.

13 JUDGE JONES: Thank you.

14 TERRY POGORZELSKI: Do you need
15 me to spell it?

16 COURT REPORTER: Yes, please.

17 TERRY POGORZELSKI: T-e-r-r-y,
18 Terry, P-o-g-o-r-z-e-l-s-k-i.

19 COURT REPORTER: Thank you.

20 TERRY POGORZELSKI: And I just
21 kind of going over the same thing that they
22 went over before, but I live out in Cedar
23 Hill, and when Missouri American Water took
24 over it was \$18 a month for sewer. I'm
25 still paying for water separate bill. They

1 had it for three years at \$18. Then in 2008
2 they went up, started their increases, and
3 by 2012, which is five years, they had a 362
4 percent increase in fees. And I don't know
5 any place you can afford to pay 362 percent
6 increase. It's just ridiculous.

7 They haven't had an increase for
8 a while, but if they say that they needed
9 that increase for infrastructure, whatever
10 they needed back then, what did they do?
11 What did they spend it on. Now that -- if
12 it has been addressed, why can't we get a
13 decrease in what we're doing?

14 There's no way to regulate what I
15 use out there. There's no meters or
16 anything. They just flat out stick you with
17 65.22 a month. If you're not there for a
18 month, you still pay 65.22, if you go on
19 vacation for a month. If you got 10 kids,
20 they don't pay anymore than I do just being
21 by myself.

22 And my water bill back in 2012
23 was 19.88 on 8/10/2012. 4/21/15 I had a
24 bill of \$7.78, because I was out of town.
25 So it was regulated, you know, they did it

1 by meter. 12/14/15, just last month it was
2 12.99. I got no problem with paying for
3 water usage, but paying \$65.22 a month for
4 something you're not using or, it's just way
5 excessive. And then they want an increase
6 on that?

7 If they're going to take over the
8 whole State, which it seems like they're
9 doing, why can't they -- well, the City of
10 Arnold here at 5,000 cubic gallons, or 5,000
11 gallons of usage, they pay 24.33. I'm not
12 going to use that much in four or five
13 months. You know, I'm paying \$65 a month.

14 If they're going to take over the
15 whole State, why don't they average it out
16 then. Make it -- you know, because they're
17 trying to make it for the good of the public
18 or something. If they're going to do that,
19 why do they stick one section so bad? And
20 they haven't come up with a reason that I
21 know of why they jumped that much, 362
22 percent increase in five years. Other than
23 that, I -- I don't know what else to ask
24 you. There's just got to be some fairness
25 in it.

1 JUDGE JONES: Commissioner Stoll?

2 COMMISSIONER STOLL: Thank you
3 for your testimony.

4 JUDGE JONES: Gentleman here in
5 the leather jacket.

6 JERRY BUCHANAN: Jerry Buchanan,
7 J-e-r-r-y B-u-c-h-a-n-a-n.

8 JUDGE JONES: Would you raise
9 your right hand, sir? Do you solemnly
10 affirm that the testimony you are about to
11 give is the truth?

12 JERRY BUCHANAN: Yes.

13 JUDGE JONES: Thank you. You may
14 proceed.

15 JERRY BUCHANAN: I live here in
16 Arnold. And like everybody else, you know,
17 they promise you everything and give you
18 nothing. I don't know where they get these
19 other percentages. Here you got 24.33 in
20 the paper, monthly rate, going up to \$30.50.
21 That's a 25.359 percent increase. Now other
22 than a president or CEO, who in the heck in
23 this country gets that kind of increase?

24 I've talked to the employees on
25 the street, the ones cleaning my sewers the

1 other day, just running their lines through
2 it to making sure they're open, I asked
3 them, 1 percent increase last year.

4 Now if they're going to charge me
5 15 percent increase, shouldn't their
6 employees get some of it? I mean, you know,
7 I mean there's so much wrong with this on
8 every level. And anytime a public company
9 is sought by a private company -- public
10 entity is sought by a private company, it's
11 for one reason, to fleece the people.
12 People never come out better.

13 You know, they say competition
14 drives it down, it never does. Look at your
15 cable bills, from \$29.00 up to 200 bucks
16 now. It never helps. And in my 65 years
17 I've never really seen a public service
18 commission -- pardon me for this -- but tell
19 them no. Slap their hand, no. You got your
20 hand in the cookie jar too much. Draw it
21 back.

22 But they try to fast-track
23 everything. Our VA hospitals, real good
24 example. Before you had military doctors
25 taking care of military people. WAVES and

1 WACS taking care of the guys. Now you got
2 private entity comes in like Halliburton,
3 you've got our soldiers laying at Walter
4 Reed Hospital with drywall with mold on it,
5 with open wounds, because private industry
6 wants the profit, and a guaranteed profit,
7 at what is it, 10-something percent.

8 I mean, how ridiculous is this.
9 How long are the people going to sit by,
10 well, I guess until it's to the point where
11 they can't take it anymore and they go after
12 the large corporations, the people on the
13 ivory hills, and take it back like in all
14 third world countries. The people hit the
15 street when something happens and people
16 die. Is that what this country's coming to,
17 a third world? I mean, they want to --
18 doing all this -- this is just totally
19 ridiculous.

20 I would like to see the Public
21 Service Commission come up and say, that's
22 enough, no, you're not getting it. If they
23 don't like the business they're in, the
24 obligation they took on, sell it back to
25 Arnold. Sell it back to High Ridge. Sell

1 it back to everybody else. And just because
2 it's High Ridge -- I told the old, the
3 Arnold Board, I don't care what St. Ann
4 does. We're Arnold, we're not St. Ann. We
5 don't have to raise our rates just because
6 they do.

7 See, I mean, it's just totally
8 ridiculous. I'm just wondering, you know, a
9 15 percent raise, come on. I would have
10 loved to have that in any business I was in.
11 By the way, I've been a manager most of my
12 entire, my adult life, and I never got
13 raises like that. Thank you.

14 JUDGE JONES: Thank you, sir.

15 COMMISSIONER STOLL: Thank you
16 for your testimony, sir.

17 JUDGE JONES: Is there anyone
18 else who would like to make a statement on
19 the record? Yes, sir. Would you raise your
20 right hand. Do you solemnly affirm that the
21 testimony you are about to give is the
22 truth?

23 ROBERT TRIBBLE: Yes, I do.

24 JUDGE JONES: Thank you. State
25 your name.

1 ROBERT TRIBBLE: Robert Tribble,
2 T-r-i-b-b-l-e. I just have a question for
3 the sewer company, what they're going to do
4 to keep the homes from backing up with
5 sewer. This past winter -- I've lived here
6 for 55 years and never had one drop in my
7 basement. Five floods I went through. They
8 buy the sewer company, I get flooded. I got
9 12 inches, 15 inches of water, sewer water,
10 I'm talking about crap in my basement. I'd
11 like to know what they're going to do to
12 help us if they get the raise so this don't
13 happen.

14 We had over 65 homes had backup
15 in the sewer. That's never happened before.
16 Flood, yes, but not sewer backup. And it's
17 all because these are inexperienced with the
18 floods or they didn't know what the heck
19 they was doing. And I'd like to know what
20 they intend to do for the people that did
21 have sewer and have all those germs in their
22 houses we got to try to get rid of. Plus
23 all the things we lost, our pictures and
24 different things we saved over the years
25 from our families. That's all I have to

1 say.

2 JUDGE JONES: Thank you, Mr.
3 Tribble.

4 COMMISSIONER STOLL: Thank you
5 for your testimony.

6 JUDGE JONES: Anyone else would
7 like to -- Mr. Horn. I'll remind you, you
8 remain under oath. Go ahead you may
9 proceed.

10 LES HORN: I just want to make a
11 comment about what this gentleman just said
12 about what they're going to do to help
13 protect the homeowners from sewer water.
14 There was an article in the local newspaper
15 about it was suggested that homeowners
16 consider installing a backwater or backflow
17 valve.

18 I did some research into that on
19 the internet, and FEMA had a website, and
20 there was a number of different valves
21 available. It's talked about a flapper
22 valve, a check valve, and they talked about
23 a knife valve. The difference between the
24 two, and the reason for inspection of these
25 is that a flap valve is no guarantee.

1 They're faulty. They're not going to work a
2 hundred percent of the time.

3 The knife valve on the other hand
4 seems to be, according to that website, plus
5 the one that they give you a link to, pretty
6 secure. It's going to close off that sewer
7 line a hundred percent. Why then can't
8 American Water in different communities -- I
9 understand there's different communities --
10 why can't they not put a knife valve in the
11 sewer lines so that people across the entire
12 region can feel safe that we're not going to
13 get sewer backup.

14 And I did a little more research.
15 I called out two professional licensed
16 bonded plumbers about coming in to put
17 either/or of these valves in my home. The
18 cheapest estimate was \$5,700. And then I
19 would still be responsible to ensure that
20 they're inspected annually, and report the
21 findings of that to the Public Water
22 District Number 1, and I'm assuming the
23 sewer company as well. So there would be an
24 ongoing cost.

25 If we could afford to have that

1 work done to our home so that we'd have the
2 security or peace of mind that we're
3 blocking at least some of the water, and
4 hopefully all the water from backing up
5 through the sewers. The question is so if
6 we can do it to our homes, they can
7 definitely do it to the sewer lines. They
8 have massive ones where you just turn the
9 handle like this, and they can close off the
10 sewer line and prevent backup.

11 I do understand that if
12 individuals above that backup are using the
13 sewers, they may get some debris or whatever
14 on the back side of that knife valve. But
15 it certainly is not as much as what come up
16 in people's homes. I know of individuals in
17 my community that it filled up their entire
18 basement and was up on the first floor.
19 They're lower down on some of the streets
20 than what my home is located. So I feel
21 very fortunate.

22 And by the way, I forced that
23 water to go out in my sump pump. I went out
24 and bought a generator. And I also called,
25 and when I got ahold of American Water and

1 filed a claim, a gentleman come from
2 Travelers Insurance Company who represents
3 them on the insurance end. He took the
4 information and told me, we'll do some
5 research on this. And he didn't call me
6 back in a quick timeframe, a quicker time
7 frame from what he originally had told me.

8 And I said, okay, what's going
9 on? And he told me, well, his report was it
10 was a flood of historical significance.
11 What? I mean you don't have to live down
12 here to know that. We live in St. Louis,
13 you can live in Michigan. The question here
14 is the responsibility factor. You left the
15 community no protection. Thank you.

16 JUDGE JONES: Thank you, Mr.
17 Horn.

18 COMMISSIONER STOLL: Thank you.

19 JUDGE JONES: Is there anyone
20 else who'd like to make a statement? Yes,
21 sir.

22 DOMINIC: Yes, sir. My name is
23 Dominic Banister. I'm a resident of Arnold.

24 JUDGE JONES: Can you raise your
25 right hand first? Do you solemnly affirm

1 that the testimony you're about to give is
2 the truth?

3 DOMINIC BANISTER: I do.

4 JUDGE JONES: Thank you. Can you
5 spell your last name for the court reporter?

6 DOMINIC BANISTER:

7 B-a-n-i-s-t-e-r. I just have a couple
8 things. First off, Arnold's sewer system
9 was bought less than a year ago. Most
10 businesses look at least one year into the
11 future. And we were promised that they had
12 bigger and better equipment to get it done
13 cheaper. Which would make sense, a huge
14 construction company would be able to
15 operate easier than a small construction
16 company. And a year later they're asking
17 for a rate increase.

18 This happened to Arnold, Ceder
19 Hill, St. Louis County. Why are they
20 allowed to keep buying these sewer and water
21 systems and then over the, then after every
22 one they buy, they say, oh, well, there's,
23 there's a cost we didn't see or an
24 inconvenience that we didn't see, so they
25 just move on and buy the next one and hope

1 they hit the lottery until they find one
2 that there's not a cost increase that they
3 have to encounter or a sewer system that's
4 just been installed? That's about all I
5 have. Thank you.

6 JUDGE JONES: Thank you, sir.

7 COMMISSIONER STOLL: Thank you
8 for your testimony.

9 JUDGE JONES: Anyone else who'd
10 like to make a statement on the record?

11 TERRY POGORZELSKI: Just one more
12 thing.

13 JUDGE JONES: Okay.

14 TERRY POGORZELSKI: I was already
15 up here. I guess I'm still sworn in.

16 JUDGE JONES: You are.

17 COURT REPORTER: Can you tell me
18 your name one more time?

19 TERRY POGORZELSKI: Terry
20 Pogorzelski.

21 COURT REPORTER: Thank you.

22 TERRY POGORZELSKI: Yeah, I'm out
23 there in Ceder Hill. We have no meters on
24 our sewers, and so there's no way supposedly
25 to decide how much, they just give us a flat

1 rate, which is about the highest in the
2 State I guess, 65.22 a month, whether you
3 use it or not.

4 Water company, they've got a
5 meter there. I'm not -- I'm only paying --
6 well, last month was 12.99 for water
7 compared to 65.22 for sewer. The water
8 company doesn't want to have anything to do
9 with the sewer company, but I'm sure the
10 water company would be happy to take \$2, \$3,
11 \$4 a month from the sewer company to get a
12 reading of what I use. That way I think I'd
13 get a fair amount of product for what I'm
14 paying for.

15 If they can't install meters,
16 which they should have known that when they
17 come in there, they should be able to find
18 some way to regulate for a person to pay for
19 what they use. I'm not opposed to paying
20 for what I use. I'm happy to pay for what I
21 use. But this is arbitrarily just jacking
22 the rates up like crazy. Let them pay the
23 -- they'd have to get an agreement with the
24 water company, but they could pay them \$2 or
25 \$3 a month. The water company would be

1 happy get it for the extra income. They
2 don't have do anything but read it right off
3 their meters. And that way the people who
4 are out there would be paying for what they
5 use, not some arbitrary thing.

6 And if they needed that money in
7 the past, the \$362, the 362 percent increase
8 in five years to fix something, it should
9 have been fixed by now, and our rates should
10 be going down. That's all I've got to say.

11 JUDGE JONES: Okay. Thank you.
12 Did you want to come up again?

13 TERRY BUCHANAN: Yeah, I already
14 been up before. I forgot a couple things.

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

17 TERRY BUCHANAN: Terry Buchanan.

18 COURT REPORTER: Thank you.

19 TERRY BUCHANAN: Okay. In the
20 paper it also says about, you know, not only
21 the 15 percent increase in Arnold, but the
22 PSC approved Missouri American Water's
23 increase request, and the cost to those
24 companies to buy water will go up too
25 according to a Mr. Dennem (phonetic). So

1 our water rates are going to go up. Nobody
2 said how much, what percentage.

3 But then the guy from, this
4 gentleman over here, Public Service
5 Commission, a couple things he said -- you
6 know, the words he used was like an
7 equalization across the State. Not just the
8 County, across the State. So does that mean
9 the people that's going to be at \$69.50 are
10 coming down to 45, and the people at 24 are
11 going to go up to 35, 40?

12 Eventually with equalization
13 they're going to bring us in line with
14 everybody else. Now like others have
15 mentioned here, when they bought Arnold it
16 was one entity us, nobody else. And most
17 people in most communities don't mind paying
18 for what they get, what they use, like that
19 gentleman said. But to paint them all with
20 a broad brush, no. If they buy it, if
21 nothing else break them up into small little
22 companies, keep it that way.

23 I think you're in like 30 states.
24 So are they getting like the banks, a little
25 too big to fail? Maybe it should be just

1 broken up. Thank you.

2 JUDGE JONES: Thank you.

3 COMMISSIONER STOLL: I might just
4 add one quick thing. You might double check
5 with the folks in the back regarding the
6 comments about a statewide rate.

7 TERRY BUCHANAN: They used the
8 word --

9 COMMISSIONER STOLL: Equalization
10 -- you might check.

11 TERRY BUCHANAN: -- equalization.
12 It means one thing. Mix the lower rates
13 with the high rates.

14 COMMISSIONER STOLL: Yeah.
15 That's not quite the case. You might talk
16 to them back there.

17 TERRY BUCHANAN: Well, one other
18 thing real quick. It seemed like when the
19 public, representatives of the Public
20 Service Commission are talking, it seems
21 like they have a real, what do you say,
22 cordial ear for the other side. The one
23 gentleman -- they oppose, they oppose, they
24 oppose. But when you hear them talk it's
25 like you're almost taking up for American

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Water. Thank you.

JUDGE JONES: Thank you. Is there anyone else who'd like to make an on-the-record statement? Okay. I don't see a show of hands, with that then we will go off the record and conclude this local public hearing. Thank you all for coming out?

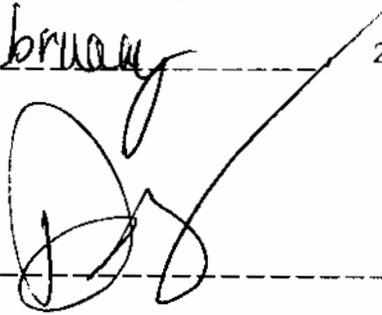
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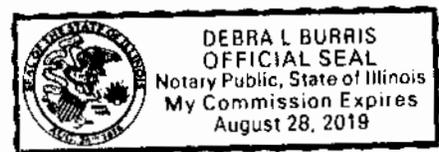
REPORTER'S CERTIFICATE

I, DEBRA L. BURRIS, a Certified Court Reporter in and for the States of Missouri and Illinois, do hereby certify that, pursuant to agreement, the witnesses named above came before Judge Jones and were sworn to testify to the truth and nothing but the truth; that the said examination was thereafter caused to be transcribed into typewriting; that this is a true and accurate transcription of the testimony given by the witnesses as aforesaid.

BY THE AUTHORITY BESTOWED UPON ME, I have hereunto set my hand on this 11th DAY OF February 2016.



DEBRA L. BURRIS, MO CCR #789,
IL CSR #084.004545



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