1	STATE OF MISSOURI
2	PUBLIC SERVICE COMMISSION
3	
4	TRANSCRIPT OF PROCEEDINGS
5	Public Hearing
6	July 23, 2018
7	Branson, Missouri
8	Volume 3
9	
10	In the Matter of the Application ) File No. of Rate Increase Request for ) WR-2018-0170
11	Liberty Utilities (Missouri Water) ) LLC d/b/a Liberty Utilities )
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15	JOHN T. CLARK, Presiding, REGULATORY LAW JUDGE
16	WILLIAM P. KENNEY, COMMISSIONER.
17	
18	(Starting time of the proceedings: 6:36 p.m.)
10	
19	REPORTED BY: KAREN VEST, Registered Professional Reporter, Certified Realtime Reporter, and Certified
20	Court Reporter within and for the State of Missouri
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25	

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2	PROCEEDINGS
3	IT IS HEREBY STIPULATED AND AGREED that
4	these proceedings may be taken in shorthand by Karen
5	Vest, RPR, CRR, a Registered Professional Reporter,
6	Certified Court Reporter, and Certified Realtime
7	Reporter in the state of Missouri, and afterwards
8	transcribed into typewriting.
9	(Whereupon, proceedings began at
10	6:36 p.m. on Monday,
11	July 23, 2018, with appearances as
12	noted.)
13	JUDGE CLARK: Good evening. We'll go
14	on the record now.
15	Today is July 23rd, 2018, and it is
16	6:36 p.m. The Missouri public Commission has set
17	aside this time for a local public hearing in File
18	Number WR-2018-0170, which is captioned as In the
19	Matter of an Application for Rate Increase Request
20	for Liberty Utilities (Missouri Water) LLC doing
21	business as Liberty Utilities.
22	My name's John Clark. I'm the
23	regulatory judge that will be presiding over this
24	hearing. And with me today is Commissioner Bill
25	Kenney.

1 Commissioner, would you like to make any opening remarks? 2 3 COMMISSIONER KENNEY: Thank you, judge. 4 To each of you ratepayers, I appreciate you coming 5 out tonight. I hope that the Missouri Public Service 6 7 Commission staff, the company, and the Office of 8 Public Counsel were able to answer most of your 9 questions. I am one of five commissioners. 10 The 11 other four will have an opportunity to read the 12 transcripts from tonight's -- any comments that you 13 have tonight. On behalf of the Commission, I would 14 like to thank you for coming out. This is just one part. We have a 15 hearing scheduled for August, of which all the 16 intervenors will participate. And after that 17 hearing, the Commission will make some decisions. 18 19 But again, thank you very much for 20 coming out tonight. 21 JUDGE CLARK: I'm going to begin by 2.2 asking counsel for the parties to make their 23 appearance on record, which will also serve as their production to the public, starting with Liberty 24 Utilities. 25

1 MR. BOUDREAU: Yes. Thank you, Judge Clark. Appearing on behalf of Liberty Utilities, my 2 3 name is Paul Boudreau. I've given my contact 4 information to the court reporter. 5 JUDGE CLARK: Thank you, Mr. Boudreau. From the Commission staff? 6 7 MR. WESTEN: Thank you, judge. My name is Jacob Westen. I am deputy counsel for the staff 8 9 council office of the Public Service Commission, and 10 my contact information has been provided to the 11 court reporter. Thank you. 12 JUDGE CLARK: Thank you, Mr. Westen. 13 And from the Office of the Public Counsel? 14 MR. WILLIAMS: Thank you, judge. My 15 name is Hampton Williams appearing on behalf of the 16 Office of the Public Counsel, and my contact 17 information has been provided to the court 18 reporter. 19 JUDGE CLARK: Thank you, Mr. Williams. 20 Any intervenors? I see no intervenors. 21 The Commission has already scheduled, 2.2 as Commissioner Kenney said, an evidentiary hearing 23 in August to take evidence regarding Liberty Utilities' application for rate increase. 24 25 But it has also scheduled several local

public hearings in some of the counties affected to 1 give members of the public a chance to comment about 2 3 Liberty Utilities' application. And that's the 4 purpose of today's hearing as well. 5 For those of you who would like to 6 provide testimony today, and it appears that there 7 are three people who have signed up to do so, and I'll call people in the order that they are written 8 9 down. 10 When I call your name, please come down 11 front to the podium. I'll ask you to -- I'll place 12 you under oath and I'll ask you to state and spell 13 your name, and then you can offer your comment to 14 the Commission. 15 There's no specific time limit, but I'm 16 going to ask that you try to keep your remarks under 17 five minutes so that anybody who wants to testify 18 gets an opportunity to testify. 19 Also please remain at the podium after your remarks until you have been excused, because 20 21 the Commission or the attorneys may have questions 22 for you. 23 If the attorneys have questions, I'm going to ask that when they stop -- when the person 24 25 stops speaking, that you just go ahead and ask your

1 question. Okay? 2 The Commission won't be able to answer 3 any of your questions today because they have to 4 remain impartial until after the evidence is 5 presented in the evidentiary hearing. If you have questions, please speak to 6 the representatives of the company, the Commission 7 staff, or the Office of the Public Counsel who are 8 9 here today. 10 And my final request before we start 11 the public comment portion is to -- is that you be 12 polite and courteous to everybody who's speaking 13 here and that you treat them as you would like to be 14 treated. 15 With that in mind, I'm going to call 16 the first person to testify, Denice Bart. Ms. Bart, 17 would you raise your right hand to be sworn? 18 (A witness is called to the stand 19 and is placed under oath by Judge 20 Clark.) 21 JUDGE CLARK: Would you please state 22 and spell your name for the record. 23 THE WITNESS: Denice Bart, D-E-N-I-C-E, 24 Bart, B-A-R-T. 25 JUDGE CLARK: And what would you like

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1 to tell the Commission, Ms. Bart? 2 3 DENICE BART, 4 of lawful age, having been called as a witness and 5 being first duly sworn, was examined and testified as follows: 6 7 THE WITNESS: I would like to make sure 8 that we enter this as an exhibit. I did bring a 9 letter. JUDGE CLARK: Okay. And if you'll hand 10 11 that to the court reporter. THE WITNESS: Can I read it first and 12 13 then can I hand it to her? 14 JUDGE CLARK: Absolutely. I'm sorry. 15 THE WITNESS: Thank you, judge, thank 16 you, Commissioner, for coming. 17 Holiday Hills Condo Association would 18 like to express our concerns about the proposed 31 19 percent water increase that has been made by Liberty 20 Water. 21 Holiday Hills Condo Association has 2.2 244 residents that are retired and on a fixed 23 income. With the rate increase of 31 percent, this will affect many owners financially. 24 25 The Holiday Hills Condo Association

asks the Missouri commissioner to take this in 1 consideration in regards to the proposed water 2 3 increase. 4 Holiday Hills Condo Association also 5 asks the commissioner to be -- to consider that the 6 rate increase, if it's warranted, to only be 7 increased by the annual increase of the consumer's price index. 8 9 We just ask that, you know, you be considerate of owners that are on a fixed income or 10 11 that are retired. 12 We also want to make sure we go on 13 record that we've had numerous times of recent phone 14 calls into Liberty Water, and it is a circle that we can never get a resident or someone on the phone to 15 16 help us in customer service. 17 We had water outage at Holiday Hills 18 yesterday, and we were not notified. I get -- I 19 have 244 owners, so I get calls on my cell phone on 20 a weekend and they're wondering why they have no 21 water pressure, why they don't have water. 2.2 They don't call Liberty because they 23 don't get an answer. They call me. So then I have to then try to, you know, find contact and -- and to 24 25 make contact and then pass it on to the -- to my

1 owners. So it's -- the service has lacked. 2 We 3 also would just like to have better communication, 4 have a phone number that actually gets someone on 5 the phone that we can actually, you know, have 6 some -- some help. 7 Also out of my 244 owners, many of them did not receive notice of this -- of this hearing. 8 9 And whenever I received a notice of it, I put a mass 10 email out to as many owners as had email addresses. 11 Even out of my 244, only about 91 of them have email 12 addresses. 13 So I don't know how many of them 14 actually even received notice of today's meeting. 15 So that is my other concern as well. 16 I did reach out to the Ozark Mountain 17 Resort and talked to the manager over there. And at that point on Friday, she had not received notice of 18 19 this meeting. 20 So that is my concerns at this time and 21 thank you so much for your time. 2.2 COMMISSIONER KENNEY: Ma'am, are you 23 the manager? 24 THE WITNESS: I am. I'm the manager 25 for the Holiday Hills Condo Association.

1 COMMISSIONER KENNEY: Okay. May I ask you a question? Have you -- did you discuss any of 2 these issues with the staff or the company this 3 4 evening? 5 THE WITNESS: This evening we had the question and answering. Yes, we brought up all of 6 7 these things. And they tell me now that there's 8 been a new phone number change to their website and 9 also to their billing. 10 But yet I had an owner call them today 11 and they were trying to get in contact with them, 12 and they were not able to get in contact with them. 13 They ended up calling us back and 14 saying, "Do you have another number for them because 15 I've not been able to reach them." 16 COMMISSIONER KENNEY: Was that because 17 the number was not going through or that no one was 18 answering? 19 THE WITNESS: They didn't answer. No 20 one answers the phone number. 21 COMMISSIONER KENNEY: So it doesn't 2.2 even go to a recording? 23 THE WITNESS: I don't know what they 24 experienced, but they did not ever experience anyone 25 to answer the phone.

1	I know when I have tried in the past to
2	call, I get routed to an extension that doesn't have
3	voicemail set up or I get to an operator and they
4	tell me that they don't handle the Missouri company,
5	and so then they tell me another number to call and
б	then I'm on another route.
7	For instance, we had a water outage
8	that was in a boil order. And the Liberty company,
9	they did notify the association. However, I've got
10	244 owners. And they left it in my hands then to
11	contact my owners.
12	COMMISSIONER KENNEY: Do those owners
13	have individual meters?
14	THE WITNESS: They do. They have
15	individual meters, yes. They were billed
16	individually.
17	COMMISSIONER KENNEY: But they failed
18	to notify them and just notified you?
19	THE WITNESS: That's right. And then
20	whenever the boil order on the second day of the
21	boil order, all the owners were calling me saying,
22	"Can we drink our water?"
23	And I said, "I don't know. I've been
24	trying to get a hold of Liberty, and I have not been
25	able to reach them. All I get is it just rings

1 or, you know, voicemail. I don't get a live person." 2 3 Commissioner, it took me an hour one 4 day to get somebody to answer the phone whenever we 5 had the boil order. COMMISSIONER KENNEY: I'm sure that's 6 7 frustrating. 8 THE WITNESS: Very frustrating when you 9 have that many customers, yes. 10 COMMISSIONER KENNEY: Okay. Thank you 11 very much. 12 THE WITNESS: Thank you. 13 JUDGE CLARK: How long ago was the boil 14 order? 15 THE WITNESS: I think it was about a 16 month or six weeks ago. I don't -- I don't have an 17 exact date. 18 JUDGE CLARK: Okay. Thank you very 19 If you'll give your letter to the court much. 20 reporter. 21 THE REPORTER: Thank you. 2.2 JUDGE CLARK: If you'll mark that as an 23 exhibit. 24 (Upon request of the Regulatory 25 Law Judge, Exhibit 1, Letter, was

1 marked for identification by the 2 court reporter.) Jan Fischer? 3 JUDGE CLARK: Mr. 4 Fischer, would you please raise your right hand to 5 be sworn? (A witness is called to the stand 6 7 and is placed under oath by Judge 8 Clark.) 9 THE WITNESS: Would you please state 10 and spell your name. 11 THE WITNESS: My name is Jan Fischer, 12 J-A-N, F-I-S-C-H-E-R. 13 JUDGE CLARK: And what would you like 14 to tell the Commission? 15 16 JAN FISCHER, 17 of lawful age, having been called as a witness and being first duly sworn, was examined and testified 18 19 as follows: 20 Well, I just wanted to THE WITNESS: 21 make a general comment with respect to I -- from my 2.2 perspective the rate increase would be unwarranted, 23 simply because of the fact I've lived in my home for less than a year. 24 25 And in that year's time, or slightly

1 less than a year; it will be -- August 15th will be a year, my -- my water has been out four separate 2 3 times. 4 And you know, whether it's for one hour, two hours, or all day long, sometimes I don't 5 6 know. I simply have to go to work. You know, 7 typically unshaven or whatever, you know, that kind 8 of thing. 9 It's not -- it's not necessarily an 10 enjoyable thing. You just come home and hope that 11 your water is back on, and sometimes it is -- or 12 most of the time it is. 13 But it's just one of those things that 14 the communication -- it's always me making the call, 15 "Hey, what's going on here?" It's never coming from 16 Liberty to me. 17 Yesterday, I called and -- and the woman that I spoke with said that somebody will be 18 19 getting back with me, and he did. I don't know if 20 that was you. I'll assume so. But you know, very 21 prompt and such. 2.2 But the prior time, whenever it was, 23 five, six weeks ago, whenever it went out, you know, I called in again saying, "What's going on in this 24 situation?" 25

1 And they said, "Well, we've got a boil advisory or boil order," you know, whichever one it 2 3 It doesn't matter; it just means you're not is. 4 supposed to drink it without, you know, preparing 5 it. 6 In that situation somebody will be 7 calling you back, and nobody ever called back. 8 And so those are just the kinds of 9 things that I think we just need to take care of business first before we increase our rates. 10 11 JUDGE CLARK: Okay. Thank you for your 12 comments. 13 COMMISSIONER KENNEY: Thank you very 14 much, sir. 15 JUDGE CLARK: Sally Chowning? Ms. Chowning, did I say your name right? 16 17 THE WITNESS: Yes. 18 JUDGE CLARK: Would you please raise 19 your right hand to be sworn? (A witness is called to the stand 20 21 and is placed under oath by Judge 2.2 Clark.) 23 JUDGE CLARK: Would you please state 24 and spell your name. 25 THE WITNESS: Sally Chowning,

1 S-A-L-L-Y, C-H-O-W-N-I-N-G. JUDGE CLARK: And Ms. Chowning, what 2 3 would you like to tell the Commission? 4 5 SALLY CHOWNING, 6 of lawful age, having been called as a witness and 7 being first duly sworn, was examined and testified 8 as follows: 9 THE WITNESS: I would like to tell the 10 Commission that if Liberty is awarded this increase, 11 that they use some of that money to be better 12 communicators with their customers. 13 I have never personally been notified 14 of a water outage or a boil advisory or of this 15 hearing tonight. I find them all out some other 16 way, like turning my water on and nothing happens. 17 JUDGE CLARK: And how were you informed about this hearing tonight? How did you find out 18 19 about it? 20 The manager of our condo THE WITNESS: 21 association, who also didn't hear till a week ago 2.2 and then informed those of us who had email. Those 23 of us who didn't, didn't get informed because not that many have email. 24 25 JUDGE CLARK: And what has -- have you

1	tried to contact the company perhaps?
2	THE WITNESS: I did when we had the
3	boil order to see when we would be able to drink our
4	water again, but I wasn't able to reach anybody who
5	knew anything.
6	JUDGE CLARK: Did you have anything
7	else you wanted to tell the Commission?
8	THE WITNESS: No.
9	JUDGE CLARK: Thank you for your
10	comments.
11	COMMISSIONER KENNEY: Thank you.
12	JUDGE CLARK: Okay. Those are all the
13	people that signed up to speak tonight.
14	Is there anybody, having heard people
15	speak, who realized that they would like to make a
16	public comment to the Commission for us to consider?
17	If you get home and you decide that you
18	do want to make a comment or if you have a friend
19	who wanted to make a comment but couldn't be here
20	tonight, I want to remind you that you can always
21	make a comment anytime before the evidentiary
22	hearing by contacting the Office of Public Counsel
23	or by going to the Public Service Commission's web
24	page. There is a spot that you can leave a comment.
25	The Commission does take the comments

1	
1	very seriously and they do look at all of them, so I
2	would encourage you to do so if you have additional
3	comments you want to make.
4	With that in mind, thank you all for
5	coming out tonight. This hearing is now adjourned
6	and we will go off the record.
7	(Whereupon, the proceedings were
8	concluded at 6:49 p.m. on Monday,
9	July 23, 2018.)
10	(Exhibit 1 was left in the custody
11	of the court reporter and will
12	accompany the original transcript
13	upon completion.)
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1	CERTIFICATE OF REPORTER
2	
3	I, Karen Vest, Registered Professional
4	Reporter, Certified Realtime Reporter, and Certified
5	Court Reporter within and for the State of Missouri,
6	do hereby certify that I was personally present at
7	the taking of the proceedings as set forth in the
8	caption sheet hereof; that I then and there took
9	down in stenotype the proceedings had at said time;
10	and that the foregoing is a full, true, and accurate
11	transcription of such stenotype notes so made at
12	such time and place, all to the best of my skill and
13	ability.
14	Haven Vest
15	green Vest
16	Karen Vest, RPR, CRR,
17	Missouri CCR No. 846
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