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A P P E A R A N C E S

DEAN L. COOPER, Attorney at Law
Brydon, Swearingen & England
312 East Capitol Avenue
Jefferson City, Missouri 65102
573.635.7166
dcooper@brydonlaw.com
FOR: Missouri -American Water Company

TIMOTHY LUFT, Vice President - Legal
Missouri -American Water
727 Craig Road
St. Louis, Missouri 63141
314.996.2279
timothy.luft@amwater.com

KEVIN THOMPSON, Chief Staff Counsel
Public Service Commission
200 Madison Street
P.O. Box 360
Jefferson City, Missouri 65102
573.751.6514
FOR: The Staff of the Missouri Public Service
Commission

STEVE KRETZER, Attorney at Law
Office of Public Counsel
200 Madison Street
P.O. Box 2230
Jefferson City, Missouri 65102
573.751.5565
FOR: Office of Public Counsel and the public

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PROCEEDINGS

JUDGE WOODRUFF: Good evening, everyone. Welcome once again. To the people who work here at 5 o'clock, let me introduce myself. My name is Morris Woodruff, I'm the chief regulatory law judge for the Public Service Commission, and I'll be the presiding officer today.

This is your chance to talk to the Commission about proposed rate changes or about the service you receive from Missouri-American in general, and in a moment I'll call you up here to testify at the podium here, and I'll swear you in and your testimony will be recorded and will become part of the case record. It will be preserved so all the commissioners will have a chance to read it and consider it.

I have two commissioners here with me this evening. To my left is Chairman Daniel Hall. Commissioner Hall, do you want to make any statements.

CHAIRMAN HALL: Very briefly. Good evening, I just want to thank you for coming out tonight. Your participation in this event is a very important part of the process. Commission takes your comments seriously. As the judge indicated, your comments are in the record, they are reviewed by the commission at the hearing on this matter. The

1 attorneys will frequently reference comments at the
2 local public hearings, so again, thank you. I look
3 forward to hearing your comments.

4 JUDGE WOODRUFF: And to my right is
5 Commissioner William Kenney.

6 The first step we have to take tonight is
7 just a matter of determining which attorneys are here
8 for the parties. So it's called taking the entries of
9 appearance. So I'll start with the company, for
10 Missouri-American, who's here?

11 MR. LUFT: Tim Luft on behalf of
12 Missouri-American Water.

13 JUDGE WOODRUFF: Thank you. And for the
14 Staff of the Commission?

15 MR. THOMPSON: Kevin Thompson for the
16 Staff of the Missouri Public Service Commission, Post
17 Office Box 360, Jefferson City, Missouri 65102.

18 JUDGE WOODRUFF: Thank you. Office of
19 Public Counsel?

20 MR. KRETZER: I'm Steve Kretzer from the
21 Office of Public Counsel.

22 JUDGE WOODRUFF: Thank you very much. I
23 believe that's all the parties who are represented
24 here.

25 In a moment, I'll call your name from the

1 list that was out front here, and I'll ask you come up
2 here to the podium and testify for me, and I'll swear
3 you in and you can give me your -- you can tell the
4 commission what you want to tell them.

5 And I ask you to keep your testimony
6 brief and to the point, just in consideration of the
7 other people who want to testify after you. We have a
8 little bit of a technical difficulty in that this is
9 the only working microphone in the room at the moment,
10 so I'm going to hand the microphone back to Kevin Kelly
11 here and he's going to put it on the podium and I'm
12 just going to try to talk loud. Fortunately, I have a
13 nice loud voice.

14 All right. The first person on the list
15 is Jeff Findlay.

16 MR. FINDLAY: It's Jim, actually.

17 (The witness was sworn.)

18 JUDGE WOODRUFF: And could you start by
19 telling us your name?

20 MR. FINDLAY: It's Jim Findlay.

21 JUDGE WOODRUFF: Can you spell your last
22 name for the benefit of the court reporter?

23 MR. FINDLAY: It's F-i-n-d-l-a-y.

24 JUDGE WOODRUFF: What would you like to
25 tell us?

1 MR. FINDLAY: I live in Legend Court,
2 which is just southeast of Jeff City. We've been
3 Missouri-American, we were there approximately when
4 they were AquaSource as well.

5 The point that I've got is I used to
6 install sewer. The fact that we're paying a rate
7 that's 300 percent over what they're paying in
8 Jefferson City, and it's basically telling me is due to
9 their basic flat costs, their rate costs. I'm having
10 trouble buying that our rates, our costs are that much
11 higher than all the other -- they've got a large
12 population base to draw from. It seems to me that they
13 need to supplement other districts a little bit more to
14 get this down.

15 The second issue that I've got is that in
16 my neighborhood, we are all forced to maintain septic
17 tanks. So we're maintaining a septic tank. All this
18 pipe is at the bottom of the house is just taking the
19 affluent water from our tanks. The rates for that tank
20 is 100 percent on us. Several of my neighbors have
21 been replacing tanks in the last two or three years.
22 That's four or five grand a piece, plus we pay a year,
23 every two years to have them pumped out. Anything
24 that's done, we're totally responsible for, yet we're
25 still paying the highest sewer rates that I've ever

1 heard of, and I couldn't even find anyone else in the
2 country that's paying more than what we're paying right
3 now.

4 JUDGE WOODRUFF: How much are you paying?

5 MR. FINDLAY: \$65.22, I think is what it
6 is. But in Jeff City, we're 300 percent over them. My
7 friends in St. Martin's, we're 50 percent over them and
8 they don't have to maintain a septic tank. Something's
9 not right here.

10 You know, if they were maintaining our
11 septic tanks, I'd feel a little bit better about that,
12 but I would just rather see a rate decrease to offset
13 what we're doing here and let some of these other
14 places that have the new equipment, let them foot more
15 of that bill.

16 It seems to me that the way this is
17 going, with the way the rural sewer is going, it's time
18 for this stuff to be regulated in Missouri. I think
19 that's my main point at this time, because these guys
20 can charge whatever they want and they're getting it,
21 and we really don't have any choice unless we decide to
22 move. I think that's about all I have.

23 JUDGE WOODRUFF: Okay. Which system do
24 you work -- or served by? Which system?

25 MR. FINDLAY: The subdivision is Sleepy

1 Hollow.

2 JUDGE WOODRUFF: Sleepy Hollow. Okay.

3 Thank you.

4 Mr. Chairman, do you have any questions?

5 CHAIRMAN HALL: No.

6 COMMISSIONER KENNEY: I have a question.

7 Do you have underground or above-ground tanks?

8 MR. FINDLAY: Septic tanks are all
9 underground.

10 COMMISSIONER KENNEY: Are they only
11 storage tanks? They don't leak out?

12 MR. FINDLAY: Yeah, they're the typical,
13 standard septic tank where you have the sledge field at
14 the top, water in the middle, all the heaviest go to
15 the bottom, and the affluent water runs out of the top,
16 down to this tank.

17 COMMISSIONER KENNEY: Thank you.

18 MR. FINDLAY: And some of my friends --
19 excuse me, some of the neighbors with their new tanks
20 actually have additional filters put on. There
21 shouldn't be anything going there, but they have to --
22 now they've taken upon themselves, they have to deal
23 with these filters as well. So all they're getting is
24 a flow of water.

25 COMMISSIONER KENNEY: Thank you.

1 JUDGE WOODRUFF: Just a moment. Did any
2 of the parties -- attorneys have any questions?

3 MR. THOMPSON: No, thank you, Judge.

4 JUDGE WOODRUFF: Okay. Thank you. Next
5 name is Jeff Holzem. Good evening.

6 MR. HOLZEM: Hello.

7 (The witness was sworn.)

8 JUDGE WOODRUFF: Thank you. Could you
9 spell your last name for us?

10 MR. HOLZEM: H-o-l-z-e-m.

11 JUDGE WOODRUFF: Thank you. And what
12 would you like to tell the commission?

13 MR. HOLZEM: First off, I appreciate the
14 opportunity to talk to you about this, I appreciate you
15 guys listening to that. I want to make maybe three
16 points regarding each of the items that you tend to
17 hear from are the letter from the Public Counsel.

18 First is the -- the amount of the
19 increase, 51 million. The gentleman from
20 Missouri-American said the prudency cost is \$7,000,000.
21 With that alone, they would recover it in about two
22 months time, this increase that they're asking for, so
23 that really seems to be unconscionable and too large.

24 Second point is regarding the cost
25 adjustment mechanism. To me, if that were permitted,

1 that would just give them a free range to raise rates
2 as they choose. That seems to be totally inappropriate
3 and bypassing the function of the Commission, really,
4 to regulate rates.

5 The third point is regarding the -- us
6 covering St. Louis. It seems like that's totally
7 unfair. If there's a problem with management or rates
8 in St. Louis, whole state shouldn't be responsible for
9 covering that.

10 The next point I want to make is the size
11 of the increase in terms of potential profit it would
12 yield. It's about a 10 percent profit. Who else makes
13 that kind of a profit? I don't know of anybody in
14 private that's justified to make that much money from a
15 public business. Social security recipients like
16 myself got no increase this year, Medicare is actually
17 going up, so we're losing about 15 percent of our
18 buying power. So what in the world would justify
19 asking for 10 percent. I don't get it.

20 JUDGE WOODRUFF: Thank you, sir.
21 Questions?

22 CHAIRMAN HALL: No questions, thank you.

23 COMMISSIONER KENNEY: Thank you, sir.

24 JUDGE WOODRUFF: Thank you.

25 Next name on the list is Leonard Steinman

1 [phonetic].

2 Good evening, sir.

3 (The witness was sworn.)

4 JUDGE WOODRUFF: Thank you very much.

5 MR. STEINMAN: To begin with, Disability
6 Act says I'm supposed to have somebody in here for
7 hearing impaired so I can read what sign language is,
8 that's under the Disabilities Act. You're breaking the
9 law there. That's federal law. It's a federal law.

10 JUDGE WOODRUFF: Okay.

11 MR. STEINMAN: Number 2, why do we have a
12 Public Service Commission when it can come up to the
13 people for a vote instead of you people. You know,
14 you're not voted in. You're appointed. We need to get
15 rid of the Public Service Commission. That's the
16 biggest problem with the utilities in the state of
17 Missouri is the Public Service Commission because the
18 people don't have the right to vote.

19 It's just about eight or nine people say
20 yeah, we can do it, we can do it. I've had it with
21 Public Service Commission and utilities of all kinds.
22 Utilities got the right to put their \$34,000 on the
23 ballot and say, hey, let people vote for it. Not you
24 people. You're not elected. Our forefathers said
25 there's no taxation without representation. No matter

1 what you do, it's taxation because all entities,
2 county, state, and city get tax off of the increase.
3 So let's get it straightened out. Thank you.

4 JUDGE WOODRUFF: Thank you. Any
5 questions?

6 CHAIRMAN HALL: No questions.

7 COMMISSIONER KENNEY: Thank you, sir.

8 JUDGE WOODRUFF: Thank you.

9 MR. STEINMAN: Thank you.

10 JUDGE WOODRUFF: Next name on the list is
11 Stacy Bushman [phonetic].

12 JUDGE WOODRUFF: Good evening.

13 MS. BUSHMAN: Hello.

14 (The witness was sworn.)

15 MS. BUSHMAN: Okay. So I live on a
16 street. It's between Holts Summit and Jeff City by the
17 bluff there, the winery on the bluff there. There is
18 five streets off our main street. We are all on one
19 lagoon and we -- not all of us pay, that's because they
20 still haven't found out who their customers are, and
21 it's been since -- I don't know when the last hearing
22 was, whenever, they told us that they don't know who
23 they're supplying service to.

24 To me, if I was -- okay. I'm a teacher,
25 so if I don't know who I'm supplying my service, which

1 is educating students to, then I'm held accountable for
2 that in order to do my job. Correct? Yes.

3 So they still don't know who their people
4 are that are using their service, but they still want
5 to raise my rate. I can't afford a raised rate. I pay
6 \$65.22 for myself. My water bill every month is \$9 to
7 \$10 a month. I just don't understand why they would
8 ask for a higher rate when they don't even know who's
9 on their systems.

10 They say it's not very easy to find that
11 out, but I find it really easy to drive up and down the
12 streets and look at the addresses, because we all the
13 have them on our mailboxes for ambulance reasons. Why
14 can't you just check this off? I don't get it.

15 Seven or eight years ago, my grandmother
16 lived at Lost Valley Lane, it's towards Taos area off
17 of Highway 50. Her rate doubled, so we actually had --
18 she couldn't afford that, so she went from \$30 to \$60
19 in a month just for sewer. So she had to move.
20 So I think that has made her -- or made her, she died,
21 feel less independent because we had to put her in an
22 assisted living home so she kind of just went downhill
23 so fast, so.

24 And if I can't afford my bills and I'm
25 not upgraded anything because I have a lagoon, don't

1 really upgrade a lagoon, you look over and see if
2 there's still water in there; correct? Yes. So if you
3 can't afford your bills, why not file Chapter 11
4 bankruptcy.

5 There's a sunshine law, so I would like
6 to know what improvements are with my extra money. And
7 they say they have taken care of people not paying
8 their bill because they never knew about them, but I
9 know for a fact my friend, we're, like, good friends, I
10 ask her all the time, hey, have you got a back payment
11 bill yet? Nope, nope, nope. So I just want to know
12 what improvements are that they're going to do to my
13 lagoon, so...

14 JUDGE WOODRUFF: Can you tell me what
15 subdivision you live in?

16 MS. BUSHMAN: It's Summit View Drive.

17 JUDGE WOODRUFF: Okay. And is that the
18 name of the system?

19 MS. BUSHMAN: It's a lagoon. I can show
20 it to you.

21 JUDGE WOODRUFF: That's okay.

22 MS. BUSHMAN: Any other questions?

23 JUDGE WOODRUFF: Any questions from
24 Commissioners? Parties?

25 MS. BUSHMAN: I'm a teacher. Sorry.

1 JUDGE WOODRUFF: Thank you. Ms. Bushman
2 was the last name on my list. Is there anyone who
3 didn't sign up that would like to testify now?

4 MR. ALLEN: I would.

5 JUDGE WOODRUFF: Come on forward, sir.
6 Could you tell us your name?

7 MR. ALLEN: My name is Richard Allen.

8 JUDGE WOODRUFF: Richard Allen. Okay.
9 A-l-l-e-n?

10 MR. ALLEN: That's correct.

11 JUDGE WOODRUFF: All right. Please raise
12 your right hand.

13 (The witness was sworn.)

14 JUDGE WOODRUFF: Thank you. What would
15 you like to tell us?

16 MR. ALLEN: I'd like to talk about the
17 sewer part of Missouri-American Water. And I was on
18 the same stand a few years back when the last rate
19 increase request was -- was before the Commission. And
20 I gave a very -- well, a very detailed accounting of
21 why I didn't think that rate should be increased to
22 that extent. I'm not going to do that tonight. I
23 haven't had time to look this over.

24 I've since retired, my health has been
25 failing me. My income has been cut 60 percent. And I

1 see these requests again. I don't think this one is as
2 steep for the sewer as it was the last time, but it's
3 still an increase. And the sewer, the amount we pay
4 for sewer is astronomical compared to most locations in
5 Missouri already.

6 To be owing 70 bucks a month is just
7 outrageous. And one of the reasons -- and I'm not sure
8 if -- if this is going to apply to the sewer part, I'm
9 sorry I wasn't here at 5 o'clock informational session,
10 but one of the things they talk about is -- is
11 implementing regulatory mechanisms, revenue
12 stabilization mechanism. I don't know if this applies
13 to the sewer or just applies to the water aspect.

14 But these kind of things remind me of
15 what Ameren did with their fuel adjustment sewer charge
16 and things like that, which is just a way to pad the
17 amount that the company's getting. And when they say
18 here that they could adjust future rates up or down, I
19 testified on the Ameren hearing, I said the same thing,
20 it will never go down. And you know what, it never
21 has. It's always up. And so I think the same thing
22 would apply here.

23 Now, I don't know who put out this notice
24 that came in the mail, whether it was PSC or whether it
25 was Missouri-American, but -- and this is just a small

1 gripe, but in the first paragraph, they use an acronym,
2 they don't explain what the acronym is. You don't do
3 that. I worked for state government for 27 years. I
4 know that the first time you use an acronym, you define
5 what that is. ISRS. It's not defined. First
6 paragraph. It's pathetic.

7 Another thing I notice in this
8 information sheet about the sewer rates, and I get so
9 tired of hearing this, they say new environmental
10 mandates. Most of these sewer system improvements are
11 driven by more stringent environmental regulations.
12 Well, you know what, they always say that. And to my
13 knowledge, there haven't been any new ones in the last
14 couple years that apply to the extremes here.

15 I used to work for the Missouri
16 Department of Natural Resources and I worked for the
17 Water Pollution Control Commission, now it's been a lot
18 of years, but certain streams required higher levels of
19 treatment. I don't believe the streams that these
20 sewage facilities are releasing to are any of those
21 streams.

22 Now, I haven't kept up with it recently,
23 but that's just a generic way when they blame -- let's
24 blame it on the state regulations or federal
25 regulations, I'm tired of hearing that when that's not

1 the case. It may have been the case at some time back,
2 but to use that over and over again for a -- for
3 another increase is outrageous. Thank you.

4 JUDGE WOODRUFF: Thank you, sir. Any
5 questions?

6 COMMISSIONER KENNEY: Thank you, sir.

7 CHAIRMAN HALL: Thank you.

8 JUDGE WOODRUFF: I saw another hand go up
9 back here. Yes, sir. Good evening, sir. Tell us your
10 name.

11 MR. BORGMAYER: My name is Bill
12 Borgmeyer, it's B-o-r-g-m-e-y-e-r, and I am a --

13 JUDGE WOODRUFF: Let me swear you in
14 first.

15 (The witness was sworn.)

16 JUDGE WOODRUFF: Thank you. Now you can
17 tell us what you'd like to tell us.

18 MR. BORGMAYER: I am a wastewater user of
19 Missouri-American Water and I live in a small district
20 across the river in Callaway County. I recently moved
21 there. I have had experience with the Jefferson City
22 providers in the past, and going back in history, I've
23 worked with major water and wastewater users, or I
24 guess you'd say customers, by working with the
25 Department of Economic Development and working with

1 companies who are the largest users of water and
2 wastewater treatment facilities in Missouri. So I have
3 some working knowledge of it. I worked with those
4 companies to get built and to maintain their systems
5 and employ people in the state, some of the very
6 largest.

7 One of the concerns that I have at the
8 local level is the mistreatment by certain entities
9 within the districts of Missouri-American Water. The
10 small area that I moved into has about ten users of a
11 modern facility, which was provided by the developer of
12 the property. In the past several years, that new
13 system was provided to a Missouri-American Water at no
14 cost to them. A brand new facility. And we're still
15 paying the same rate at \$65.22.

16 No consideration was given for the lack
17 of investment that they would have to make in a
18 facility as opposed to the purchase of a system within
19 a community somewhere in the state where in order to
20 get that facility, I'm sure they've entered into many
21 agreements in order to upgrade the system and provide
22 new facilities and a lot of other things that had to go
23 into that system as opposed to a small system that has
24 a greater capacity to treat a lot more sewage than what
25 it's doing right now. It has some 10 to 12 providers

1 or users of that system that's being provided.

2 And there was no consideration given when
3 that was turned over or future considerations for the
4 lack of investment that would have to necessarily be
5 made on a new system as opposed to one that they're
6 purchasing that needs a lot.

7 And looking over their -- their annual
8 reports and information provided on the Web site on
9 either communities in terms of what they've done in
10 those communities and upgrading systems and the dollars
11 that have been spent, it's been large in many cases.

12 So my real concern is the breakdown of
13 the rate -- of the different zones that are going to be
14 established, and I just happened to count a couple of
15 them. One of them probably has less than 3,000
16 customers in the zone. The zone that I would be in, it
17 looked to me like it was in the neighborhood of less
18 than a 100,000 customers as opposed to the one large
19 district that has the St. Louis area in it, and it
20 looked to me like it may have over a million customers.
21 And that's just looking at it from, you know, just a
22 quick count of what was provided on the map.

23 So I guess the real concern is -- and I
24 think based upon the questions and the answers that
25 were provided previously, many of the people here are

1 in the very small systems, feel that they're not
2 getting the service provided for what they have put
3 into their system and there's been no consideration
4 given to those people when they are brought into the
5 system.

6 So it would be my concern that \$51
7 million increase without having a well laid-out plan,
8 they're in front of you, would not justify a \$51
9 million increase plus the fact that the automatic
10 increases would be coming along if the adjustment
11 factor were provided to this company -- to this
12 company. That's it.

13 JUDGE WOODRUFF: Thank you, sir. Can you
14 tell me which subdivision you live in?

15 MR. BORGMEYER: I live in Back Nine
16 Townhouse Development across in Callaway County.

17 JUDGE WOODRUFF: Thank you, sir.

18 Questions?

19 COMMISSIONER KENNEY: Thank you, sir.

20 CHAIRMAN HALL: Thank you.

21 JUDGE WOODRUFF: Thank you. I saw over
22 here.

23 Good evening.

24 MS. BEACH Good evening.

25 JUDGE WOODRUFF: Would you tell us your

1 name, please?

2 MS. BEACH: Yes. My name is Carol Beach,
3 B-e-a-c-h.

4 JUDGE WOODRUFF: Okay. Raise your right
5 hand, I'll swear you in.

6 (The witness was sworn.)

7 JUDGE WOODRUFF: Thank you. What would
8 you like to tell us?

9 MS. BEACH: All right. I live in
10 Shagmeyer Woods [phonetic] subdivision. This is in
11 Cole County, about six miles southwest of Jeff City off
12 Highway 54.

13 This subdivision is 38 years old. Our
14 little sewer treatment machine, I will call it a
15 machine because it's hardly big enough to be a plant,
16 and we have no lagoon. I assume that the water is
17 treated and then goes into the ground or into a nearby
18 creek or something like that.

19 In the 38 years that the subdivision has
20 been there, to my knowledge, and we've lived there
21 about 36, this sewer treatment machine has only been
22 upgraded once. And that was not by American Water.
23 American Water is probably -- I can't say for sure, but
24 probably the third entity that has owned this little
25 machine.

1 We are paying the \$65.22 a month for
2 sewer treatment. There are 13 homes that I know for
3 sure, approximately 13, I'll say, 12 or 13, that are
4 connected to this sewer treatment. We're a
5 single-family dwelling. There's no apartments in the
6 subdivision. The people on the other side of our
7 circle have septic.

8 Now, I don't know whether the septic goes
9 into the sewer treatment or not, but I do know that the
10 people on the inside of the circle, which is
11 approximately 13 houses, are connected to it. We
12 maintain our own piping and everything. If anything
13 happens between the main line and us, we are
14 responsible. That does not include our water. We pay
15 on the average maybe \$15, \$20 a month, depending on the
16 month for water in addition.

17 Again, we are retired, we're seniors.
18 And this just seems exorbitant to me. And it did when
19 it went up several years ago when American Water
20 acquired this and almost doubled our sewer payment. It
21 seems that no consideration is given to where you are
22 -- this seems really odd to me because Jefferson City
23 pays less than we do, and that includes their water.
24 So this is something I do not understand.

25 You cannot tell me that it costs \$800 a

1 month or something like that to maintain that little
2 sewer treatment machine at the end of our block, which
3 would be approximately what is brought in from all the
4 people that are paying the \$65.22 a month. I have a
5 suspicion that this company is endeavoring to install
6 lots of new ones in new subdivisions. If they would
7 pass the total cost that have on to other customers,
8 they would not stand for it, and so they're passing it
9 on to everybody, even those of us who have been on this
10 system for years and years and years and years. And I
11 resent that. This doesn't mean anything, but when I
12 write my checks, I put a note on the bottom, corporate
13 greed. Thank you very much.

14 JUDGE WOODRUFF: I have a question for
15 you. Do you get your water from Missouri-American
16 Water?

17 MS. BEACH: No, we do not. We get it
18 from Water District Number 2.

19 JUDGE WOODRUFF: Okay. Any other
20 questions?

21 COMMISSIONER KENNEY: Thank you,
22 Ms. Beach.

23 CHAIRMAN HALL: Thank you.

24 JUDGE WOODRUFF: Yes, sir. State your
25 name, please.

1 MR. KAYSEN: Scott Kaysen, K-a-y-s-e-n.

2 JUDGE WOODRUFF: Okay. And if you'll
3 raise your right hand.

4 (The witness was sworn.)

5 JUDGE WOODRUFF: What would you like to
6 tell us?

7 MR. KAYSEN: I'm a neighbor of Jim
8 Findlay who spoke earlier. I'm just here to support
9 that. I live in the Sleepy Hollow subdivision. I've
10 been there for 20 years, pretty much from the
11 beginning.

12 I just want to iterate what he had said.
13 They talk about service. I live on a system that I
14 might see a truck go down my street, because I actually
15 live on the street where the storage unit is where they
16 collect our run-off water, maybe once a month, if I'm
17 lucky. So service is kind of a nice name for what they
18 provide, and we're paying \$65 a month for very little.
19 So that is an issue with me.

20 The other issue is the fact that they --
21 I understand that they have costs and they've spent
22 some money to do improvements in areas other than our
23 area, yet those costs are getting passed to us. So in
24 addition to the fact that I think our rates are too
25 high for no service, plus we are absorbing some of the

1 costs for the expenditures that they've made is also a
2 problem.

3 I have -- I don't know that Jim has, but
4 I have had to replace my septic tank and it cost me
5 \$3,000 to do so and have had it pumped out several
6 times in the 20 years that I've been there. And again,
7 no sign of Missouri Water. So that's all I wanted to
8 say.

9 JUDGE WOODRUFF: Thanks. Questions?
10 Thank you.

11 COMMISSIONER KENNEY: Thank you, sir.

12 JUDGE WOODRUFF: Any other people out
13 there wish to testify?

14 Yes, sir. And could you tell us your
15 name, sir?

16 MR. ILLSTON: Walter Illston, that's
17 spelled I-I-I-s-t-o-n.

18 JUDGE WOODRUFF: All right. Please raise
19 your right hand.

20 (The witness was sworn.)

21 JUDGE WOODRUFF: Thank you. What would
22 you like to tell us?

23 MR. ILLSTON: Well, this just has to do
24 with sewer rates, because I get my water from another
25 source. When I look at these sewer rates, I don't

1 understand, the sewer I thought was a usage utility.
2 It should be based on how much is used, how much water
3 -- wastewater goes into it. Well, they got these flat
4 rates here, which mean nothing. It could be anything.
5 And they're more than double what the usage rates are.
6 I'd call usage rate where they put how many gallons is
7 going down into the sewer.

8 So it seems obvious to me that these flat
9 rates are way out of line. I mean, people should be
10 treated the same way. If I -- if I'm using 3,000
11 gallons a month, whatever, I should be paying at least
12 pretty close to what my neighbor is paying for 3,000
13 gallons. Why am I paying more than twice?

14 Now, I know there's probably some
15 irregularities here, but that just seems to me
16 outlandish to me. And it's been that way for years.
17 And now they're wanting to raise them another 20
18 percent. Well, I wasn't born yesterday. I know
19 they're not going to get 20 percent, but they'll
20 probably get an increase, but this \$65.22 compared to
21 Rock Creek or Meramec is \$20.93, makes no sense to me
22 whatsoever. That's all I have to say.

23 JUDGE WOODRUFF: Questions?

24 COMMISSIONER KENNEY: No.

25 CHAIRMAN HALL: Thank you.

1 COMMISSIONER KENNEY: Thank you very
2 much.

3 JUDGE WOODRUFF: Anyone else wish to
4 speak? Back there. Good evening. Could you tell us
5 your name?

6 MS. HULL: Greta Hull, H-u-l-l.

7 JUDGE WOODRUFF: Okay.

8 (The witness was sworn.)

9 MS. HULL: So I live in the Sleepy Hollow
10 neighborhood. You've heard from a couple of my
11 neighbors. I'm really just here to echo their
12 sentiment that our -- the amount that we're paying is
13 disproportionate for the service that we're receiving.

14 We're not perpetually disgruntled people
15 in the neighborhood, but it's just that, you know, we
16 pay to have our sewer maintained and to make sure that
17 it's working and it's what we have -- we're responsible
18 for all of that, and then -- so we pay for our water,
19 we pay for our own sewer, and on top of that, we have
20 this fee that is rising. And so we just wanted to say
21 that we're happy with paying for a service, but it
22 seems like it's disproportionate with the amount that
23 we're getting in return.

24 And so I just wanted to support the
25 people. We have about 55 homes in our neighborhood.

1 We all are responsible for our own sewer plus the
2 American Water bill on top of that. Any questions?

3 JUDGE WOODRUFF: Questions?

4 COMMISSIONER KENNEY: Thank you.

5 JUDGE WOODRUFF: For all the people from
6 Sleepy Hollow, I'm going to volunteer Jim Busch
7 [phonetic] back there in the back. If you have
8 questions, you might want to find him after the hearing
9 and you might be able to get some -- ask him some more
10 questions --

11 MS. HULL: Okay.

12 JUDGE WOODRUFF: -- about your specific
13 situation.

14 MS. HULL: Let's see what he looks like.

15 JUDGE WOODRUFF: Pink shirt.

16 MS. HULL: Okay. Thank you.

17 JUDGE WOODRUFF: Anyone else? I'll come
18 back to you.

19 Yes, ma'am. Good evening. Could you
20 tell us your name, please?

21 MS. BUSCHMAN: Debra Buschman,
22 B-u-s-c-h-m-a-n.

23 JUDGE WOODRUFF: Okay.

24 (The witness was sworn.)

25 JUDGE WOODRUFF: Thank you.

1 MS. BUSCHMAN: Hi. This is deja vu for
2 me. I've done this before with my mom. She lived east
3 of Jeff City at Lost Valley Lane and had the same sewer
4 company. And when she moved in to her home there,
5 there was only maybe ten houses on that block, on that
6 street because it came up to Highway 50 and it
7 dead-end. And her sewer bill was under \$20.

8 In the course of her living there for 25
9 years, it went from under \$20 to over \$60. And when it
10 was around \$30, we came to a hearing, testified along
11 with other people, there were businesses here, there
12 were, you know, people in a family. She was a widow
13 person by herself and still had to pay the same rate as
14 businesses or big families.

15 And they didn't raise the rate all at one
16 time, they did it over a couple of years, but
17 basically, it more than doubled in that length of time.
18 That was, I'm trying to remember, back in, like, 2007
19 or '8. So here we are again.

20 Now my daughter lives -- when she found
21 the perfect house, 23 years old, school teacher, good
22 head on her shoulders, wants to buy this house in
23 Summit View subdivision and I saw the sewer company. I
24 said oh, my God, not again. We're going to go through
25 the whole same thing. You have \$60-something a month

1 for sewer. She's, like, it's okay. I love the house.
2 Here we are again.

3 And same thing back when we testified for
4 my mom, there's people that said they had never paid a
5 sewer bill. Never. To American Water. And she has
6 friends on the -- in the subdivision where she lives,
7 my daughter, and she's checked with them, never paid a
8 sewer bill. Never.

9 So they're treating the people that are
10 paying their bills horrible and it's the ones that
11 aren't that say, well, we can't keep track of everyone.
12 Yes, you can. You can keep track of your customers.
13 If you can't, then you need to lower the rate. None of
14 it is increasing the rate by 10 to 19.6 percent.
15 Decrease it for the ones that have been loyal customers
16 and pay their bills.

17 I don't know what else to say. I mean, I
18 don't understand what the Commission is for if you're
19 not listening to every testimony that's up here.
20 Unless they can show papers to why they're going to
21 raise these rates, what huge system they're going to
22 put in that can make a difference, at least your water
23 bill, you have a meter. They don't have meters, so
24 what expense do they have? They don't have to keep
25 those meters up-to-date, change them out. Half the

1 time, they don't have to get out of their car, they can
2 just link it with the meter. We're not talking
3 technology here. We're talking about a little machine
4 or sewer system. There's no meter. It's a flat rate.
5 There's nothing to keep upgraded as far as the
6 technology part goes. I think that's it.

7 JUDGE WOODRUFF: Any questions?

8 COMMISSIONER KENNEY: Thank you.

9 CHAIRMAN HALL: Thank you.

10 JUDGE WOODRUFF: Anyone else wish to
11 testify?

12 Yes, ma'am. Would you tell us your name,
13 please?

14 MS. ADAMS: My name is Shirley Adams.

15 JUDGE WOODRUFF: Would you spell the last
16 name?

17 MS. ADAMS: A-d-a-m-s.

18 JUDGE WOODRUFF: All right.

19 (The witness was sworn.)

20 JUDGE WOODRUFF: What would you like to
21 tell us?

22 MS. ADAMS: Well, I guess my concern is
23 -- we purchased a house in 1976 on Shamrock Road. We
24 have a lagoon there and so we pay sewage only to that
25 company. We have a separate billing we get from our

1 water.

2 And I guess my concern is when we
3 purchased a house, we were told we would never have a
4 sewer bill there because we had the lagoon. We've went
5 from zero to now if this passes almost \$90 with our --
6 well, it will be \$70 and then we have a \$20 water bill,
7 \$20 to \$25. That's getting up close to the \$100 mark
8 for people on retirement. 67, 68 years old. Like the
9 gentleman said, we haven't gotten a raise from social
10 security this year and I just wanted to be on record
11 for stating that the sewer amount is just ridiculously
12 high, as other people have mentioned here this evening.

13 JUDGE WOODRUFF: Do you know the name of
14 the subdivision?

15 MS. ADAMS: Well, we're on Shamrock Road,
16 so it's out toward Taos.

17 JUDGE WOODRUFF: I know the area. Okay.
18 Thank you. Any questions?

19 COMMISSIONER KENNEY: Thank you very
20 much, ma'am.

21 CHAIRMAN HALL: Thank you.

22 JUDGE WOODRUFF: Anyone else wish to
23 testify?

24 MR. ALLEN: I'm still Richard Allen, I'm
25 still under oath.

1 JUDGE WOODRUFF: Okay.

2 MR. ALLEN: I -- I did mention that the
3 subdivision that I'm in is Sleepy Hollow. I've heard
4 from some other folks. We bought our house there
5 almost 20 years ago. At that time, this house did not
6 -- was not connected to the system. It had its own
7 individual septic tank in the drain field which was
8 failing miserably. And I explained this on the last
9 rate hearing.

10 I wanted to do the right thing. I would
11 like to have sewage servicing. I could have put in a
12 new drain field, but with the clay soil there, it might
13 not have worked. So spend money to connect to the
14 Sleepy Hollow system. Had to run a long line, had to
15 put in a new septic tank.

16 The reason they have every house in that
17 system on a septic tank before it gets to the main line
18 is the main line is a small diameter line and it can't
19 handle a lot of solids. They have to be collected from
20 the septic tanks before it hits the main line. And
21 yes, we are responsible to maintain our septic tanks
22 and our lines all the way out to the main line, which
23 as other people have said, I think it's outrageous that
24 we have to pay \$70 on top of all we have to do for our
25 own part.

1 Although I will say, I mean, I've got to
2 tell both sides of it. I will say that at least last
3 summer, I saw their truck about once a week go down the
4 street. I don't know how much time they were spending
5 or what they were doing. And one time when I had
6 blockage in my line going down to the main line, I
7 wasn't sure where it was, I thought it might have been
8 the main line and I called them and one of their
9 technicians came out. And he determined it wasn't in
10 the main line, it was in on my property. Joy, joy.
11 But he did try to clear it. Free. So I got to say
12 some good things where there are good. There's not
13 much, but I've got to say that he did try. It wasn't
14 successful. I had to hire somebody.

15 But yes, we do have to -- for that system
16 and all the pretreatment we have to do with our septic
17 tanks first, we should catch a break. Come on, folks.
18 Thank you.

19 JUDGE WOODRUFF: One question for you.
20 Do you know when Missouri-American bought your system?

21 MR. ALLEN: I think it's about four or
22 five years ago. It's been owned by several companies.
23 Go way back to this Capital Utilities way back and then
24 it was -- it was some other company and every company's
25 asked for an increase in rates.

1 JUDGE WOODRUFF: I think you mentioned
2 AquaMissouri?

3 MR. ALLEN: Yeah, Aqua was one of them.
4 I think they were in between Capital and
5 Missouri-American.

6 JUDGE WOODRUFF: Okay.

7 MR. ALLEN: So, but anyway, I'm happy to
8 answer any other questions.

9 JUDGE WOODRUFF: Thank you. Anyone else
10 wish to testify?

11 Yes, sir. Can you tell us your name,
12 please?

13 MR. KEMPKER: Keith Kempker, last name is
14 K-e-m-p-k-e-r.

15 JUDGE WOODRUFF: Okay.

16 (The witness was sworn.)

17 JUDGE WOODRUFF: What would you like to
18 tell us?

19 MR. KEMPKER: I would just kind of like
20 to reiterate kind of what we heard a little bit
21 tonight. Just back up a little bit.

22 Four or five years ago, one of the last
23 rate increases that -- that Missouri-American had --
24 had asked for, there was talk specifically about
25 billing issues, talk specifically about people being on

1 their system but not receiving a bill, and people were
2 told back then that -- that it would be addressed. But
3 yet we also hear tonight that there's still an issue
4 tonight with billing issues, people just not getting
5 their bill. Through their question-and-answer session
6 beforehand, you know, yes, you know, we're told that,
7 you know, sometimes those are hard to find.

8 But what I would like to point out to
9 each of you three tonight and even the other Commission
10 members as you-all decide on this rate increase is go
11 back and look, and see how many -- how many billing
12 issues and how many connection issues were resolved
13 within the last four years.

14 David with Missouri-American said that,
15 you know, last fall that they went through and tried to
16 take count of other issues. But I do ask that you
17 members do look into those and make sure -- and ask for
18 a specific list of how many -- how many billing issues
19 have been -- I say billing issues, how many connection
20 issues have been resolved in those last four or five
21 years. And ask, are they good enough? That's all I
22 have tonight.

23 JUDGE WOODRUFF: Mr. Kempker, which
24 neighborhood are you in?

25 MR. KEMPKER: We live in Hidden Valley

1 subdivision in Callaway County.

2 JUDGE WOODRUFF: Okay. I believe several
3 other people have talked about that.

4 MR. KEMPKER: Not tonight, I don't
5 believe, but possibly in past public hearings.

6 JUDGE WOODRUFF: Okay. Thank you, sir.

7 MR. KEMPKER: Thank you.

8 COMMISSIONER KENNEY: Thank you.

9 JUDGE WOODRUFF: Anyone else wish to
10 testify?

11 Ms. Adams?

12 MS. ADAMS: Yeah, I'm still under oath,
13 yes.

14 I forgot to mention awhile ago that my
15 concern I'd like to go on record for is that I guess as
16 many of them here have stated tonight, I'm against the
17 flat rate for the sewer. I feel that it ought to go on
18 by what you use. I don't feel like a family of six or
19 eight people and one or two people ought to have the
20 same rate. I think that's totally unfair.

21 I think with all the computer systems
22 that the different water companies use now, I feel that
23 it wouldn't be a big issue for the company to get a
24 hold of those records and bill accordingly by usage
25 instead of a flat rate. That can be done nowadays in

1 the 21st Century, and I just want to go on record for
2 saying that.

3 JUDGE WOODRUFF: Okay. Thank you, ma'am.
4 Anyone else wish to testify?

5 Mr. Steinman.

6 MR. STEINMAN: I'm still under oath. If
7 you haven't noticed, the stock market's going downhill.
8 They keep talking about employment being up. Great,
9 but it's not. It's just people run out of unemployment
10 insurance. What's going to happen is the same thing's
11 going to happen in 1955 if you don't remember and in
12 1929. You're going to -- you're going to let these
13 people bill and bill and bill and the next thing you
14 know, everybody's going to be looking for a
15 refrigerator box to live in. And that's what's
16 happening now, if you're not paying attention. That's
17 what's the problem is, is nobody's paying attention.
18 They're out here, they're dumping right here in
19 Jefferson City. Any place you walk, you might step
20 into your own stuff. Thank you.

21 JUDGE WOODRUFF: Thank you, sir. Anyone
22 else wish to testify?

23 Yes, sir.

24 MR. DISHMAN: I don't know if I can
25 follow that.

1 JUDGE WOODRUFF: Tell us your name,
2 please.

3 MR. DISHMAN: My name is James
4 D-i-s-h-m-a-n.

5 (The witness was sworn.)

6 MR. DISHMAN: I think the recurring theme
7 that I'm hearing here is we're all individuals. We're
8 all mandated to pay a certain amount with the flat
9 fees. It seems like -- I live in the Sleepy Hollow
10 subdivision as well. Thank you for getting us together
11 come talk to you fine folks this evening.

12 I think what our biggest problem is we do
13 have a septic tank system that then will filter into
14 the treatment facility down below. I just put in a new
15 system two years ago, 2014, that is required now to
16 have a filter before -- so that no solids can go to the
17 treatment facility. So all they're getting is water
18 which would be leached out into a regular leach field
19 if we had one. But since we don't have one, we use a
20 treatment facility. Therefore, that water has to be
21 fairly clean at that point.

22 So we're paying \$65.22 every month to
23 give them fairly clean water. Don't want to drink it,
24 but nothing wrong with that. So I'm not sure, though,
25 why our system isn't looked at compared to differently

1 for other systems. I just want you to come and see
2 what I have.

3 Your inspector came out and was at my
4 house when my septic tank went in. He told me I have
5 to have this filter in the septic tank, otherwise you
6 guys will come out and shut off my system. You'd have
7 to dig up the pipe and cut it off and do things like
8 that, but I guess you could. So I think you need to
9 come out and look at all the variances that people have
10 and find out what their rates should be.

11 The \$65.22 for somebody that belongs in
12 -- or has a lagoon, doesn't make any sense, the -- for
13 the people that have a septic that I think go into
14 water treatment facility, doesn't make any sense
15 either. Thank you for your time.

16 JUDGE WOODRUFF: Thank you. Anyone else
17 wish to testify?

18 Come on back up.

19 MR. BORGMEYER: My name is Bill
20 Borgmeyer. I'm still under oath.

21 I'll make this very brief. You've heard
22 some of the customers refer to the fact that they don't
23 -- Missouri Water -- or Missouri-American takes their
24 water and then does some additional treatment. In our
25 particular case, they don't take the water. The water

1 is treated entirely within the system that is onsite,
2 and the water that comes out of it discharges into a
3 clear creek into a golf course -- or that runs through
4 a golf course. So they're really not doing a whole lot
5 to the treatment of the water that is used within our
6 small district. So -- and we're still being charged
7 \$65.22 a month.

8 JUDGE WOODRUFF: Thank you. Anyone else?
9 All right. Well, I thank you all for coming tonight.

10 COMMISSIONER KENNEY: I wanted to make a
11 statement. Chairman Hall mentioned how important these
12 public hearings are to us. Part of the problem happens
13 sometimes we have conflicting interests, we have three
14 other Commissioners that are not here, but we have a
15 court reporter that takes down all the information and
16 they will read all of your testimony and take it into
17 consideration. Thank you.

18 JUDGE WOODRUFF: Thank you all for coming
19 tonight. We are adjourned.

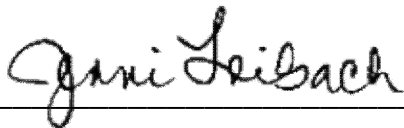
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