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BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

Public Hearing
VOLUME II

Wednesday, June 14, 2023
7:17 p.m. - 8:16 p.m.

In the Matter of Confluence Rivers)
Utility Operating Company, Inc.'s)
Request for Authority to Implement)
A General Rate Increase for Water) File No. WR-2023-0006
Service and Sewer Service)
Provided in Missouri Service Areas.)

CHARLES HATCHER, Presiding
SENIOR REGULATORY LAW JUDGE

SCOTT T. RUPP, Chairman
MAIDA J. COLEMAN
GLEN KOLKMEYER,

COMMISSIONERS

Stenographically Reported By:
Beverly Jean Bentch, RPR, CCR No. 640

1 APPEARANCES:

2 On behalf of Confluence Rivers Utility
3 Operating Company, Inc.:

4 1650 Des Peres Road, Suite 303
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8 On behalf of the Staff of the
9 Public Service Commission:

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20 BY: JOHN CLIZER, ESQ.
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23

24

25

1 The following proceedings began at 7:15 p.m.:

2 JUDGE HATCHER: Let's go on the record. First
3 I would ask that everyone please mute themselves unless
4 speaking. That will hold down on the noise level and
5 prevent any audio feedback. One thing to note if you
6 are experiencing any type of lag, one solution that the
7 Commission has found in doing these WebEx online
8 hearings is to shut off your video. We do appreciate
9 when you're speaking having the video on. That helps
10 tremendously for the court reporter to identify who's
11 speaking.

12 And we have Commissioner Coleman joining us.

13 COMMISSIONER COLEMAN: I am here.

14 JUDGE HATCHER: Thank you, Commissioner. I
15 appreciate hearing from you. We were just getting
16 started. The Commission, Public Service Commission, has
17 set this time for a local public hearing to give members
18 of the public a chance to comment about Confluence
19 Rivers Utility Operating Company's General Rate
20 Increase. That is File No. WR-2023-0006. If I did not
21 say it already, today is June 14, 2023.

22 The Public Service Commission regulates the
23 rates charged by public utility companies in Missouri to
24 ensure that those rates are just and reasonable. The
25 Commission also regulates the quality of service and

1 safety of the operations of public utilities. There are
2 five Commissioners. They are appointed by the Governor
3 and confirmed by the Senate.

4 The Commissioners employ a staff of engineers,
5 accountants, attorneys, financial analysts and other
6 specialists in the field of utility regulation. My name
7 is Charles Hatcher. I am the Regulatory Law Judge and
8 will preside over this hearing.

9 As I stated before and I'll state for the
10 record, with me today are Chairman Scott Rupp and
11 Commissioners Maida Coleman and Glen Kolkmeyer.

12 This is an official hearing of the Missouri
13 Public Service Commission and statements and testimony
14 of witnesses will be recorded by the court reporter and
15 are given under oath. The Commissioners have not made
16 any decisions in this case and cannot answer any
17 questions today because they do have to remain impartial
18 until after all of the evidence is presented.

19 Brandy, I see that your hand is up. If you
20 could hold on for just a moment, I will come around and
21 address any questions.

22 Let's go ahead and get our counsel to
23 introduce themselves and make their entries of
24 appearance. Counsel for Confluence Rivers.

25 MR. WOODSMALL: Thank you, Your Honor. Good

1 evening. David Woodsmall on behalf of Confluence Rivers
2 Utility Operating Company, 1630 Des Peres Road, Suite
3 140, St. Louis, Missouri 63131.

4 JUDGE HATCHER: Thank you, sir. And for the
5 Commission Staff.

6 MR. GRAHAM: Yes, this is Paul Graham for the
7 Staff of the Missouri Public Service Commission, and our
8 address is on record in this file.

9 JUDGE HATCHER: Thank you, sir. And for the
10 Office of the Public Counsel.

11 MR. CLIZER: John Clizer on behalf of the
12 Missouri Office of the Public Counsel. My contact
13 information can be found in the record. Thank you.

14 JUDGE HATCHER: Okay. Just in case, this is
15 going to answer the next couple questions, I am going to
16 call the names that I have listed. We requested anyone
17 that wanted to testify to please email us.

18 I have two names on my list. I'll call those names in
19 order for testimony. I will also call for anybody that
20 did not preregister if they would like to offer any
21 testimony.

22 And the last thing is *6 to unmute. If you're
23 on a telephone, the unmuting is a little bit different
24 and you press *6. Okay. Let's go to one of our
25 participants, Brandy. You have your hand up. I don't

1 know if that is an error or if you have a question. So
2 Brandy.

3 MS. McINTIRE: Yes, I was just ready to make a
4 statement. So I didn't know if that was the time to do
5 this or not.

6 JUDGE HATCHER: It will be in just a few
7 moments. Let's go ahead and go through, I have two
8 prelisted customers that would like to speak. First
9 I'll call Kelly Meyer. I just got a question in the
10 chat from Jon Newman. No, you have not missed your
11 chance. Once again, after I call the two preregistered
12 witnesses, I will then ask for anybody in the audience
13 who would also like to speak up. For right now, I'm
14 keeping track. I'm going to call on Brandy after that
15 and then find that name again, Jon Newman I think it
16 was. Yes, Jon Newman. All right. So we have our list.
17 Let's start with Kelly Meyer. Is there a Kelly Meyer?

18 Meg, I see your hand. For right now I'm going
19 to assume that you also would like to speak. I think
20 that's a good method. If anyone else would like to,
21 they can just hit that button that says raise your hand.
22 Phone users, if you've called in, I'm not quite sure if
23 that will happen. I will still offer that up to
24 everyone. Kelly Meyer.

25 Okay. We're going to put Ms. Kelly Meyer to

1 the bottom of our list. I will call Kelly Meyer once
2 again before we adjourn. The next name I have is Joel
3 Willard. Joel Willard. Okay. I will put Joel Willard
4 to the bottom of our list. Oh, sorry, go ahead. Okay.
5 I thought that might be Joel Willard.

6 Let's go to the list that we have. First I
7 have Brandy who I was just speaking to. She unmuted.
8 Go ahead. Brandy, first, would you please state and
9 spell your first and last name for our court reporter.

10 MS. McINTIRE: My name is Brandy, B-r-a-n-d-y,
11 McIntire, M-c-I-n-t-i-r-e.

12 JUDGE HATCHER: Thank you. And Ms. McIntire,
13 I am going to swear you in. Do you solemnly swear or
14 affirm that the testimony you're about to give is the
15 truth, the whole truth and nothing but the truth?

16 MS. McINTIRE: Yes.

17 JUDGE HATCHER: Thank you. Go ahead and give
18 your comments to the Commissioners, please.

19 MS. McINTIRE: Okay. So I live in the
20 Hillcrest Subdivision in Cape Girardeau, Missouri. We
21 have had Confluence Rivers I think it's almost close to
22 ten years now. What they stated earlier was true. They
23 did make improvements on the water from what we had
24 before. We have been paying now 150 to \$200 per month
25 for this whole entire time. Yes, what they said earlier

1 was true, this particular case they were requesting ours
2 to go down. That's like \$2. The reason why I wanted to
3 state this is because this is our chance.

4 I know how the Public Service Commission works
5 now. I became quite invested in this the past ten years
6 or so. So I know how it works. I know that while
7 they've been asking for an increase that this is our one
8 and only chance while this is open for discussion to try
9 to get the Hillcrest rate down, because it has been now
10 close to so long that we've been paying these extremely
11 high rates.

12 If you look at the other water sources around
13 us, they don't pay anything like we do. I have been in
14 touch with Senator Holly Rehder's office with some help
15 to try to get, you know, what we've experienced here in
16 Hillcrest. I feel like I've been getting a little de ja
17 vu lately when I was on this call listening to some of
18 the new homeowners in the other subdivisions that have
19 been stating what they're seeing with Confluence.

20 This is the exact same thing we went through
21 so many years ago. They're saying all the same things.
22 I'm in the business. I mean, I'm a business person and
23 I don't know how they can say they're not making a
24 profit. Like they're not just doing this out of the
25 goodness of their heart. I feel like that they take

1 companies that are struggling and, you know, residential
2 areas that are struggling and they capitalize on that.

3 And I feel for all of you that are on the call
4 that are asking will our rate go down. No, your rate
5 will not go down until you get the opportunity that
6 we're getting today to talk to the Public Service
7 Commission again about what this company has done.

8 Yes, the improvements have been there. Do
9 they justify the high costs that we're all paying?
10 Absolutely not still at this point. I can't personally
11 still drink the water. It's high in chlorine. It does
12 not taste right. I buy bottled water still. Of course,
13 I cook with it. It's hard water. I've been through
14 three hot water heaters since living here.

15 Gosh, it's Strictland Engineering. That's the
16 people that come and read the meters. I don't know how
17 much of our bill goes towards it. There's a truck here
18 all the time, literally I feel like it's 24/7, driving
19 around the neighborhood. What are they doing this
20 entire time, I have no idea. I feel like that might be
21 an exorbitant cost that we're having to take on.

22 The sewer still smells and reeks in the summer
23 when it's super hot outside. Our bill in March was
24 about \$20 higher than normal, because it said we used
25 8,900 gallons. We normally use 2,400 gallons. We were

1 in the Dominican for a week in March on top of that. So
2 I find that hard to believe. I had a case that I put in
3 to the Public Service Commission for that. So overall
4 basically my goal on tonight's call was to speak on
5 behalf of the subdivision for Hillcrest so other
6 communities don't have to go through what we've been
7 going through, and we hope the Public Service Commission
8 will not only deny their huge rate increase for these
9 other subdivisions but they will also relook at
10 Hillcrest Subdivision to try to get our water and sewer
11 bills down to a more manageable cost.

12 We have a lot of older people in this
13 subdivision, a lot of older homes. And if you had a
14 family larger than mine, they'd be paying even more than
15 we are. I encourage the Public Service Commission to
16 really look closely at this company and what -- You
17 know, Hillcrest could be a poster child for what these
18 other subdivisions could be experiencing. So that's
19 pretty much what I wanted to tell everyone.

20 JUDGE HATCHER: Sure. Thank you. I
21 appreciate your comments, Ms. McIntire. If you could
22 hold just a second, I'll ask if there's any questions
23 from the Commissioners.

24 CHAIRMAN RUPP: Judge, this is Commissioner
25 Rupp. The only question I had was Brandy, thank you for

1 testifying. Who was the water provider, water/sewer
2 provider before Confluence ten years ago?

3 MS. McINTIRE: It was an older gentleman named
4 Bobby Brandon. I'll fully admit he could not take care
5 of what he had.

6 CHAIRMAN RUPP: Okay. Great. Thank you.

7 JUDGE HATCHER: Thank you. Are there any
8 other Commissioner questions? Okay. Thank you, Ms.
9 McIntire. You are excused from our virtual witness box.
10 Please stay on the call if you'd like and listen in as
11 we go through. Mr. Newman. Jon Newman is the next name
12 I have.

13 MR. NEWMAN: I'm here.

14 JUDGE HATCHER: Yes, Mr. Newman. I would like
15 to first ask if you could please spell your first and
16 last name for our court reporter.

17 MR. NEWMAN: J-o-n N-e-w-m-a-n.

18 JUDGE HATCHER: Thank you, Mr. Newman. I'd
19 like to swear you in before you give your statement. Do
20 you solemnly swear or affirm that the testimony you're
21 about to give is the truth, the whole truth and nothing
22 but the truth?

23 MR. NEWMAN: Yes.

24 JUDGE HATCHER: Thank you, sir. Please go
25 ahead.

1 MR. NEWMAN: I am here also a resident of the
2 Hillcrest Subdivision like Brandy. I have not lived
3 here as long as Brandy. I moved to the neighborhood
4 about three and a half years ago. Our water bill here
5 is consistently 160 to \$170. It doesn't matter if we're
6 not home, like Brandy mentioned, the water rate remains
7 the same no matter what. And the water quality, like
8 Brandy mentioned, is not very good. We still buy
9 bottled water in our household.

10 We purchased a water softener. Earlier
11 Confluence Rivers explained -- Somebody asked if they
12 had plans to improve the water quality and that was a
13 no, that they do not plan to improve water quality.
14 They said it was a type one and type two. You're
15 probably more familiar with that than I am. I'm just
16 here to say that -- I'm basically here to back up
17 Brandy's statements.

18 I live right across the street from the
19 lagoon, and you can smell it at night. We've contacted
20 them about that I couldn't tell you how many times. You
21 can smell it. Usually at night I'll let my dog out and
22 it smells like sewage outside about nine o'clock
23 usually. That's not every day. Right now it doesn't
24 stink. But there's been oftentimes where it does. And
25 I'm just here to say that I hope that we can lower our

1 water rates or hopefully lower our water rates and
2 improve the quality of our water.

3 JUDGE HATCHER: All right. Thank you,
4 Mr. Newman. Are there any Commissioner questions for
5 Mr. Newman also of the Hillcrest system?

6 CHAIRMAN RUPP: Judge, this is Commissioner
7 Rupp again. Thank you, Jon, for testifying. Do you
8 find that the smell is usually just in the evening you
9 said around 9:00 p.m. Is it at different times of the
10 day or is it consistently at that time of day?

11 MR. NEWMAN: I usually let my dog out about
12 9:00 before bed. So that's when I smell it. That's
13 when I'm outside. But I also go outside during the day
14 with my son. I don't smell it during the day. I do
15 smell it at night. I've never smelled it during the
16 day, but I do smell it at night sometimes.

17 CHAIRMAN RUPP: Okay. Great. Thanks for
18 clarifying.

19 JUDGE HATCHER: Thank you, Chairman. Are
20 there any other Commissioner questions for Mr. Newman?
21 All right.

22 MR. CLIZER: Your Honor --

23 JUDGE HATCHER: Yes.

24 MR. CLIZER: -- may I pose a question? Clizer
25 from OPC.

1 JUDGE HATCHER: Yes, Mr. Clizer. Go ahead.

2 MR. CLIZER: Mr. Newman, if you're still
3 available, you mentioned concerns regarding the quality
4 of water service. Was that a matter of taste, hardness
5 or some other issue?

6 MR. NEWMAN: Hardness.

7 MR. CLIZER: Thank you. I have no further
8 questions, Your Honor.

9 JUDGE HATCHER: Thank you. Are there any
10 other questions for Mr. Newman? All right. We'll move
11 on. And for everyone that is patiently waiting, the
12 list I have now is going to go to Heather and Thomas
13 Bridges and then Meg I see has their hand raised. And
14 then after I call those two, I will ask if there's
15 anyone else in the audience and then I'll go back up to
16 our two previously-called names of Kelly Meyer and Joel
17 Willard.

18 So Heather and Thomas Bridges, you're next up
19 on our witness list.

20 MR. BRIDGES: We're here, Judge.

21 JUDGE HATCHER: Okay. Thank you. And if I
22 could get one of you to spell your names for the court
23 reporter. Then after that I will swear you in.

24 MR. BRIDGES: Okay. Just to make it easier,
25 I'll just give you my name. Thomas Bridges, T-h-o-m-a-s

1 B-r-i-d-g-e-s.

2 JUDGE HATCHER: Thank you, Mr. Bridges. And
3 do you solemnly swear or affirm that the testimony
4 you're about to give is the truth, the whole truth and
5 nothing but the truth?

6 MR. BRIDGES: I do.

7 JUDGE HATCHER: Thank you, sir. Please go
8 ahead.

9 MR. BRIDGES: Yes, I think Brandy spoke to a
10 lot of good points. I'm also from the Hillcrest
11 community. And to what Jon was saying, we have filed
12 many complaints about the lagoon. There's been nights
13 where we can smell it inside of our house that it was so
14 strong to the point my wife had called so many times
15 that they told her the next time that they have to come
16 out to check the lagoon that we would be charged for the
17 service call. So that kind of covers the lagoon side of
18 it.

19 The water side of it, we moved here in 2019.
20 Of course, whenever we were going through the buying
21 process, when we got the comps to what the water bill
22 would be we were shocked. We were going from paying \$40
23 a month for water, sewer and trash to now 140 to 150 a
24 month for just water and sewer. Having said that, we
25 did purchase. But we've also had friends that have

1 looked at purchasing in this neighborhood. The reason
2 they did not was because of the high fixed costs that
3 water and sewer would be. So I know that Confluence was
4 saying that the improvements they've made have made it
5 to where you can get the Fannie Mae and Freddie Mac
6 loans through here now, which may be true, but there's
7 also another side to the sword where it is driving
8 people away from this community.

9 The water quality, just like Jon and Brandy
10 have said, it's destroyed many of our appliances: The
11 dishwasher, water heaters, coffee pots in particular,
12 coffee makers I should say, which doesn't seem like a
13 big expense but, you know, if you're buying a coffee
14 maker every year, then that adds up. But those are all
15 the points I had.

16 JUDGE HATCHER: Thank you, Mr. Bridges.
17 Before you go, I'd like to see if there's any
18 Commissioner questions for Mr. Bridges. He's our third
19 witness from Hillcrest.

20 COMMISSIONER KOLKMEYER: Yes, Judge, this is
21 Commissioner Kolkmeier.

22 JUDGE HATCHER: Yes, Commissioner. Go ahead.

23 COMMISSIONER KOLKMEYER: Yes, thank you,
24 Judge. Mr. Bridges, just inquiring how many people live
25 in the Hillcrest Subdivision?

1 MR. BRIDGES: I'm not sure exactly. I would
2 say --

3 COMMISSIONER KOLKMEYER: Just a ballpark.

4 MR. BRIDGES: A ballpark of 100 to 150 houses.

5 MS. McINTIRE: There's actually almost 300
6 houses. Sorry.

7 COMMISSIONER KOLKMEYER: Yeah, that's fine.
8 This is for water and sewer --

9 MR. BRIDGES: Yes, sir.

10 COMMISSIONER KOLKMEYER: -- that Confluence
11 Rivers provides. Is there a breakdown on your bill
12 whether a part of it is water and part of it is sewer?

13 MR. BRIDGES: Yes, I have that in front of me
14 if you'd like to hear it.

15 COMMISSIONER KOLKMEYER: Yes, please.

16 MR. BRIDGES: So this is for the month of May.
17 Our water service base is \$40.48. We used 2,370 gallons
18 at 7.35 which comes to a total of \$17.42. Our water
19 service in total was \$57.90. Our sewer was \$83.56. It
20 does not break the sewer down into any other line items.

21 COMMISSIONER KOLKMEYER: Okay. Thank you very
22 much. That's all, Judge. Thank you.

23 JUDGE HATCHER: Thank you, Commissioner. Are
24 there any other Commissioner questions? And I would
25 like to clarify for our court reporter that was Heather

1 Bridges speaking giving the response of the 300 houses.

2 Was that correct?

3 MR. BRIDGES: No, Judge. That was Brandy, I
4 believe.

5 JUDGE HATCHER: Thank you. Our first witness,
6 Brandy McIntire. I appreciate that and our court
7 reporter is going to appreciate that as well.

8 Let's go to Meg.

9 MS. ALLEN: Hi, Your Honor.

10 JUDGE HATCHER: Thank you. Meg, would you
11 please spell your first and last name for our court
12 reporter, and then I will swear you in.

13 MS. ALLEN: Yes, sir. It's Megan, M-e-g-a-n,
14 and Allen, A-l-l-e-n.

15 JUDGE HATCHER: And Ms. Allen, do you solemnly
16 swear or affirm that the testimony you're about to give
17 is the truth, the whole truth and nothing but the truth?

18 MS. ALLEN: I do.

19 JUDGE HATCHER: Thank you. Please go ahead
20 with your comments.

21 MS. ALLEN: Yes, sir. As we knew that this
22 meeting was coming, I kind of did a little research as
23 far as national average compared to what we currently
24 pay. So what I found, and these numbers are per Google
25 so take that as you will, shows the national average for

1 a family of four for water is about \$75. I currently
2 pay a base of 145 for 3,000 gallons a month for a family
3 of two in a one-bathroom, two-bedroom duplex.

4 The neighboring city of Cape Girardeau pays
5 for that same amount of water \$39.03 and a town next to
6 us on the other side, Gordonville, currently pays 32 for
7 that same amount of water. We also do not consume our
8 water. I have a refrigerator with a water filter that I
9 use for myself and my animals. We do cook, of course,
10 with it. That is due to taste and hard water.

11 We have had to replace, as they mentioned,
12 numerous coffee pots, washers, dishwashers, even down to
13 your clothes, the wear and tear on them. So it just
14 seems like Brandy stated this is our one opportunity to
15 get to let you all know exactly what's happening to us
16 in this neighborhood. People are having to move out of
17 the neighborhood to find more accessible, cost effective
18 water and sewer.

19 I don't think that anyone should have to
20 consider that for the normal amenities of water and
21 sewer in this day and age.

22 JUDGE HATCHER: Okay. Thank you, Ms. Allen.
23 And I want to make sure and ask what system are you
24 currently receiving service from?

25 MS. ALLEN: Oh, I'm sorry. I'm in Hillcrest

1 Subdivision as well.

2 JUDGE HATCHER: Okay. Thank you.

3 MS. ALLEN: Thank you.

4 JUDGE HATCHER: Are there any Commissioner
5 questions for Ms. Allen? Okay. Hearing none. Ms.
6 Allen, thank you very much for your comments. As
7 promised, first I'm going to see if our initial
8 preregistered witnesses are here. Kelly Meyer.

9 THE STENOGRAPHER: Judge, could you spell
10 those names for me when you call them.

11 JUDGE HATCHER: Absolutely. Kelly is
12 K-e-l-l-y. Meyer is M-e-y-e-r. No response. And Joel
13 spelled J-o-e-l Willard spelled W-i-l-l-a-r-d. Is there
14 a Joel Willard here?

15 MR. WILLARD: No. This is Matt Willard, her
16 husband.

17 JUDGE HATCHER: Okay.

18 MR. WILLARD: She was called to a meeting. I
19 was wondering if I could speak on her behalf.

20 JUDGE HATCHER: How about you speak on your
21 behalf?

22 MR. WILLARD: Okay. If I can speak on my
23 behalf, that would be fine.

24 JUDGE HATCHER: Absolutely. We've got the
25 spelling of the name and so, Mr. Willard, I'll go ahead

1 and swear you in. Do you solemnly swear or affirm that
2 the testimony you're about to give is the truth, the
3 whole truth and nothing but the truth?

4 MR. WILLARD: Yes, sir.

5 JUDGE HATCHER: Thank you, sir. Please go
6 ahead.

7 MR. WILLARD: We live in a lake division Terre
8 Du Lac and talked earlier and found out that they're
9 taking over our water and the rate is going to jump like
10 200 percent. And there are a lot of elderly people that
11 live on fixed incomes in this area. And I was talking
12 especially my mom and my mother-in-law. And they cannot
13 afford that kind of rate increase.

14 And to go from a \$40 water bill up to a one
15 hundred and some dollar water bill to 200 percent
16 increase on water, which I know the man explained what
17 all was going into this, but listening to all these
18 other people on the water issues that they're having
19 really just kind of, you know, puts a bad thought into
20 my head on what's actually coming into this area and it
21 just doesn't seem right especially for the elderly. And
22 that's really just, you know, what I've got to say on
23 these type of situations for these type of folks, Your
24 Honor.

25 JUDGE HATCHER: Okay. Thank you very much for

1 your statement. Are there any Commissioner questions
2 for Mr. Willard?

3 COMMISSIONER KOLKMEYER: Yes, Judge. This is
4 Commissioner Kolkmeier.

5 JUDGE HATCHER: Commissioner, go ahead.

6 COMMISSIONER KOLKMEYER: Yes, Mr. Willard,
7 where do you live?

8 MR. WILLARD: We live in -- It's Bonne Terre,
9 Missouri.

10 COMMISSIONER KOLKMEYER: Okay. And you live
11 in a subdivision or does Confluence River supply the
12 town?

13 MR. WILLARD: Well, they're going -- it's in a
14 lake development, Terre Du Lac.

15 COMMISSIONER KOLKMEYER: Okay. And about how
16 many people are in your area that's serviced by them?

17 MR. WILLARD: I couldn't really state. Oh,
18 man.

19 COMMISSIONER KOLKMEYER: Just a ballpark.
20 Okay. That's fine.

21 MR. WILLARD: Quite a few. I mean, there's
22 thousands I will say.

23 COMMISSIONER KOLKMEYER: Okay, yep. That's
24 all, Judge.

25 MR. WILLARD: I would agree with what they

1 said in the beginning. Yes, water had not been taken
2 care of, you know, properly.

3 COMMISSIONER KOLKMEYER: Uh-huh.

4 MR. WILLARD: But I just can't see that kind
5 of increase, you know.

6 COMMISSIONER KOLKMEYER: Okay. Thank you for
7 your testimony. We appreciate that.

8 MR. WILLARD: Okay. Thank you.

9 COMMISSIONER KOLKMEYER: Thank you, Judge.

10 JUDGE HATCHER: All right. Thank you,
11 Commissioner. Thank you, Mr. Willard. Are there any
12 other questions for Mr. Willard? Okay. Hearing none.
13 Thank you, Mr. Willard. You're, of course, free to stay
14 on our conference call here.

15 MR. WILLARD: You're welcome.

16 JUDGE HATCHER: I'm at the end of my list. So
17 as promised, I would like to ask if there's anyone in
18 the audience that would also like to speak. I have a
19 hand raised for Lynnette Harrington. Ms. Harrington, if
20 you're on the phone, you'll need to press *6 to unmute.
21 Or perhaps Lynnette Harrington has their hand raised by
22 accident.

23 MR. WRIGHT: Judge, I would like to speak.

24 JUDGE HATCHER: Yes. Who's this?

25 MR. WRIGHT: My name is Kelly Wright. I'm in

1 the Fox Run Subdivision in Kearney, Missouri.

2 JUDGE HATCHER: All right. Kelly Wright, if
3 you could please spell your first and last name for our
4 court reporter. After that, I'll swear you in.

5 MR. WRIGHT: Okay. Kelly, K-e-l-l-y, Wright,
6 W-r-i-g-h-t.

7 JUDGE HATCHER: Thank you. And Mr. Wright, do
8 you solemnly swear or affirm that the testimony you're
9 about to give is the truth, the whole truth and nothing
10 but the truth?

11 MR. WRIGHT: I do.

12 JUDGE HATCHER: Thank you, sir. Please go
13 ahead.

14 MR. WRIGHT: I would like to say that I
15 understand if businesses have to raise rates. I
16 understand that with all public utilities and all that.
17 I do understand that there's maintenance, stuff that
18 needs to be upgraded. I just feel that an 85 percent
19 increase is rather extreme. I know that we only have 40
20 homes in our subdivision here, but Confluence has also
21 bought up a few and started new ones within a five-mile
22 radius from where this subdivision sets. So I do
23 understand that.

24 I just personally think that this kind of an
25 increase, because I know just like any other public

1 utility they will be back, whether it be three years,
2 five years is generally what you see, that I think
3 they'll be asking for another rate increase. I just
4 think that this is a pretty big bite out of the apple to
5 want almost double what we're paying.

6 I understand that we only do sewer here in Fox
7 Run. We do not have water through them. It sounds like
8 we might be lucky in that regards. I just think that an
9 85 percent increase is extreme and would hope that the
10 Public Commission would look at that and see something a
11 little bit more leveling out since the cost of living
12 and people's salaries have not stayed pace with overall
13 costs of food, gas and daily necessities that
14 individuals need whether they're new families starting
15 out right out of college or out of high school or the
16 elderly that live in the area. So I would just please
17 ask the Commission to be prudent. I understand an
18 increase is probably okay. I just think this amount is
19 extreme. And I appreciate your time, Judge, and the
20 Commission to listen to my statement.

21 JUDGE HATCHER: Thank you, Mr. Wright. Are
22 there any questions for Mr. Wright? Okay. Hearing
23 none.

24 The next witness I have E.L. Harrington. Yes,
25 thank you. And unmuted.

1 MS. HARRINGTON: Yes, thank you. I didn't
2 realize a moment ago I was muted.

3 JUDGE HATCHER: It happens to me all the time.

4 MS. HARRINGTON: I use my middle name
5 Lynnette. I did register to testify on the phone.
6 Perhaps they used my full legal name and maybe you don't
7 recognize me on the list.

8 JUDGE HATCHER: The two that I have, and this
9 was the list given to me earlier on today, it certainly
10 might have been updated and I didn't get that, but I
11 only had two names on the list, Kelly Meyer and Joel
12 Willard. I'm happy that you're here and online, and we
13 are happy to have your testimony. First, if I can get
14 you to spell your first and last name. I will then
15 swear you in and then you can give your statement to the
16 Commissioners.

17 MS. HARRINGTON: All right. My full name is
18 Elaine, E-l-a-i-n-e, Lynnette, L-y-n-n-e-t-t-e,
19 Harrington, H-a-r-r-i-n-g-t-o-n.

20 JUDGE HATCHER: Thank you, Ms. Harrington. Do
21 you solemnly swear or affirm that the testimony you're
22 about to give will be the truth, the whole truth and
23 nothing but the truth?

24 MS. HARRINGTON: Yes, I do.

25 JUDGE HATCHER: Thank you. Please go ahead

1 with your statement.

2 MS. HARRINGTON: Well, I know that you're
3 asking our opinion how this rate affects us and whether
4 we support it or not. This rate change proposed I feel
5 is absolutely exorbitant. Aside from whether it's
6 needed, it's exorbitant, I think it's punitive, and I
7 think it does victimize a lot of people and that's where
8 I'm speaking on my behalf as a retired person.

9 I have a fixed income now. I'm newly retired
10 after 48 years. I came from Oregon. I retired from the
11 federal government and the treasury department and
12 bought this new home, and suddenly I'm strapped with a
13 proposal that will increase the water that I've been
14 paying \$55 a month for both sewer and water by 144.9
15 percent, my sewer by 201.7 percent. Mathematically
16 these numbers are staggering. I know they propose the
17 need, the science, the technology.

18 It comes to a fact that literally to make my
19 budget work, their proposed increase will take half of
20 my monthly food allowance. That's my reality. Also,
21 buying the new home, carefully calculated, many years of
22 saving, suddenly I'm realizing from other people that
23 their home doesn't have a value on the resale market,
24 not that I want to sell it, but that it's ruining --
25 it's ruining the financial position that many of us felt

1 we were in month by month immediately but in the near
2 future as they keep wanting more and more and more.

3 My family, my son and his wife live in St.
4 Charles. They have four children, a very large home,
5 and their bill for water and sewer is about \$125 a
6 month. The most expensive in the nation is supposed to
7 be Alaska that happens to be where my first son was
8 born. That's about \$100 a month from 2021. I'm sure
9 it's gone up.

10 This rate change will affect many, many people
11 in many, many ways. And speaking on behalf of the many
12 retired people, the fixed income, this creates a
13 terrifying uncertainty in our life in view of the fact
14 that our social security is being challenged, our
15 pensions are being challenged in the near future. It's
16 hard to sleep at night when suddenly something can grab
17 your whole life like this proposal can do in the
18 beginning a little bit. But we can see it's more and
19 more and more and more and it will continue.

20 I wish we had a way to have public provision
21 of water. That would equalize things. It would be --
22 It would be kinder to -- It would be kinder to humanity
23 to be able to provide water necessary for actual vital
24 living in a more equitable manner than letting a private
25 investor-owned company come in and do their so-called

1 little kind works to help all of us who have really bad
2 water. It's exorbitant. It has a huge impact on many
3 people, a devastating impact.

4 I am hoping that the Public Service Commission
5 will deny this request for this exorbitant rate hike and
6 more closely review this company and especially their
7 bad history which is out there in the public to find and
8 consider these factors in their decision. Thank you.

9 JUDGE HATCHER: Thank you, Ms. Harrington.
10 Before I open this up for questions, I did want to ask
11 what system are you receiving service from?

12 MS. HARRINGTON: Yes. I moved into Glen
13 Meadows Estates. I understand that prior to that we
14 were with another company. The people didn't even know
15 there had been a takeover. I tried to find somebody to
16 pay a water bill to and it was in limbo because of
17 whatever was going on.

18 I'm the one of these 230 homes and the
19 homeowners association who actually found the Confluence
20 Rivers people and got a hold of them and asked send me
21 my bill, I just moved here, I need to pay my utilities.
22 I understand that the owner of the Glen Meadows Estate
23 had our own private well. So the water belongs to the
24 estate through this private well. I don't know very
25 much about private wells. But I do know that there's a

1 big problem because there's an unpleasant odor that
2 comes up from the drains when the water sits stagnant.
3 In between using the dishwasher it putrefies. So I know
4 there's something there. Not to be vain, but it's
5 totally ruined my hair and I don't understand. I hear
6 people are talking about hard water and chemicals, and
7 I'm not confident that all of this money that they want
8 from us will provide the so-called solution that they're
9 presenting.

10 In Glen Meadows Estates, I don't believe
11 there's any kind of a meter here. So I'm by myself. I
12 use very little water compared to a big family. So I
13 know that that rate hike is I feel not logically
14 proportionate to what my use actually is either.

15 JUDGE HATCHER: Okay. Thank you, Ms.
16 Harrington. Are there any Commissioner questions for
17 Ms. Harrington? Okay. Hearing none. We'll go ahead
18 and move on. I have a hand raised but it is from one of
19 our staff, Ms. Walthers. Sorry. I announced an
20 accidental striking of the keyboard. My mistake.

21 Okay. Back to our witnesses. Are there any
22 other witnesses who would like to testify this evening?
23 I don't have any more on my list.

24 MR. PIETERICK: I'd like to.

25 JUDGE HATCHER: Yes. And please spell your

1 name for our court reporter.

2 MR. PIETERICK: It's Raymond, R-a-y-m-o-n-d.

3 JUDGE HATCHER: I believe the caller got
4 muted. Yes, go ahead.

5 MR. PIETERICK: Sorry. It kept prompting me
6 to unmute. It's Raymond, R-a-y-m-o-n-d, and the last
7 name is Pieterick, P-i-e-t-e-r-i-c-k.

8 JUDGE HATCHER: Okay. Mr. Pieterick, I'll
9 swear you in. Do you solemnly swear or affirm that the
10 testimony you're about to give will be the truth, the
11 whole truth and nothing but the truth?

12 MR. PIETERICK: Yes.

13 JUDGE HATCHER: Thank you, sir. Please go
14 ahead.

15 MR. PIETERICK: I'm in Berkshire Glen
16 Subdivision, Kearney, Missouri. We have sewer only
17 service from Confluence. I don't know the exact date
18 when they took over service. When we first built our
19 house, moved here, we had another company. They
20 eventually bought them out. It's maybe like six years
21 ago or something.

22 When they first took over, we had a proposed
23 rate increase, which I think was something similar to
24 what we're seeing now or maybe was more like a hundred
25 percent at the time because there was like a small rate

1 increase approved. At the time when we had the rate
2 increase, we actually lost services from our
3 perspective. We had a yearly inspection on each
4 person's septic system, the individual holding tanks in
5 each person's yard. We lost that, had this small rate
6 increase.

7 We've since had a chance to ask questions. It
8 sounds like there are investments being made. Obviously
9 the 85 percent is steep. The other concern is just
10 around to me the business model is that, you know, we
11 weren't really given assurances that, you know, we're
12 looking at this long term, we're making this investment,
13 this will be your new rate, it will be fairly stable.
14 It sounds like as other systems are taking over we might
15 see more rate increases which, you know, comes across
16 like we're subsidizing these other acquisitions. It
17 also just sounds like the business model is just to
18 acquire these systems kind of aggressively, you know,
19 maybe they're not getting them for the proper price,
20 fair price, because counting on being able to do these
21 rate increases they can pass on. That's one of my
22 biggest concerns is we don't want to set this precedent
23 where yeah, they can justify this rate increase saying
24 it's investments to us but then, you know, it shouldn't
25 turn around and be that there's additional increases

1 because oh, they've got, you know, these investments and
2 other acquisitions or whatever. They should have a
3 viable business model where, you know, they've got a
4 long-term plan and then these things should stabilize
5 more.

6 It also just kind of comes across like the way
7 this was being done is we're talking about we're giving
8 you safe water, we're giving these services. It's like
9 what are you willing to pay for safe water, you know.
10 You know, obviously safe water is important but it
11 should be a fair price for safe water as other people
12 have given their testimony how these rates are comparing
13 to, you know, averages, whether it's national averages
14 or, you know, local communities around them and whatnot.
15 It just seemed like this was kind of exorbitant. And
16 even worse if this is not going to kind of stabilize.

17 JUDGE HATCHER: Okay. Thank you,
18 Mr. Pieterick. Are there any questions for Raymond
19 Pieterick? Okay. Hearing none. Thank you, sir.

20 Once again, I'll call for any persons that are
21 on the call that would like to testify to the
22 Commissioners.

23 MR. EWERT: I'd like to.

24 JUDGE HATCHER: Yes, go ahead. If you could
25 please spell your first and last name for our court

1 reporter and then I'll swear you in.

2 MR. EWERT: My name is Gary Ewert, G-a-r-y
3 E-w-e-r-t.

4 JUDGE HATCHER: Let me swear you in.

5 Mr. Ewert --

6 MR. EWERT: Go ahead. I'm talking over you.

7 JUDGE HATCHER: That's okay. With this little
8 bit of delay, it gets very confusing very quickly. I
9 will swear you in real quickly and then please give your
10 comment. Do you solemnly swear or affirm that the
11 testimony you're about to give will be the truth, the
12 whole truth and nothing but the truth?

13 MR. EWERT: I do.

14 JUDGE HATCHER: Thank you, Mr. Ewert. Please
15 go ahead.

16 MR. EWERT: Yes, sir. I also agree with a lot
17 of the people who have testified that an 85 percent
18 increase seems like an excessive amount. I do
19 understand the upgrades that need to be done. But 85
20 percent all at once and then no assurance that it
21 wouldn't come again in a fairly short amount of time
22 just seems like an awful lot.

23 I am one of the fortunate ones. I get my
24 water from a different source, so my water is actually
25 very inexpensive. I pay -- I checked my average, and

1 over the last three years my average water bill was \$50
2 a month. The sewer bill will go up to \$85 a month.
3 That seems like quite a bit of an increase. One of the
4 things that bothers me about this is we talk about all
5 the different subsidies about one system subsidizing
6 another system.

7 One of the reasons my water bill is as low as
8 it is is I'm retired, my wife and I live alone, there's
9 only two of us. So it seems like we are subsidizing
10 larger families. In the day and age of computers, it
11 seems like it would be easy enough to prorate the bill
12 based on either water usage or the number of people
13 living in a household and even that out a little bit. I
14 think that's probably the main portion of my comment.

15 JUDGE HATCHER: Thank you, Mr. Ewert. What
16 system do you receive your sewer system from?

17 MR. EWERT: We live in Private Gardens and
18 Confluence Rivers supplies the sewer service.

19 JUDGE HATCHER: That is Private?

20 MR. EWERT: Even so, like they pointed out
21 earlier in this meeting, they only take what comes out
22 of our septic tank. We're still responsible for
23 maintaining our own septic tanks.

24 Another gentleman pointed out earlier that
25 even though the rate was much lower when we moved into

1 this house twelve years ago, all the maintenance on the
2 septic system was included in that rate. Now the bill
3 has already gone up once. At the same time they dropped
4 all the maintenance on our septic tanks, and quite a few
5 of the septic tanks in Private Gardens are having
6 issues. And so that's no small expense either.

7 Even though Confluence Rivers never sees that
8 expense, that's an expense that the homeowner does see.

9 JUDGE HATCHER: Okay. Thank you, Mr. Ewert.
10 Are there any questions for Mr. Ewert? Okay. Hearing
11 none. I believe I saw one other person who had unmuted
12 and was trying to speak in order to give their
13 testimony. Is there anyone else on our call who would
14 like to -- there we go.

15 MS. MORGAN: Hi. My name is Debra Morgan,
16 D-e-b-r-a M-o-r-g-a-n.

17 JUDGE HATCHER: And let me swear you in, Ms.
18 Morgan. Do you solemnly swear or affirm that the
19 testimony you're about to give will be the truth, the
20 whole truth and nothing but the truth?

21 MS. MORGAN: Yes.

22 JUDGE HATCHER: Thank you. Please go ahead.

23 MS. MORGAN: I was a negotiator at a water
24 utility in St. Louis County. And I know that you ask
25 for 85 to 200 percent rate increase hoping to get 50

1 percent. And the consumer will think that we have won
2 even though the increase is still an exorbitant amount.
3 I want everyone on the call to remember that. If a rate
4 increase is approved by the PSC, my ask is that the PSC
5 will remember and take into account that as everyone
6 knows the cost of living wage increases of the customers
7 being affected have not been equal to the percentage
8 amount that's being asked, and I don't know where money
9 is going to come from for people who are getting
10 anything over a 1 percent increase. You know, my
11 average wage increase, and this is something that is
12 pretty much the way it is, is 3 percent a year and we
13 are lucky to get that.

14 Now, Confluence Rivers still needs to get paid
15 for the work that they are promising to do. And where
16 is that money going to come from? I don't know. We've
17 had three boil orders since I've lived in this
18 subdivision Majestic Lakes for one year and a half. And
19 where did the money come from prior to now that should
20 have fixed the issues a year ago and still haven't been
21 fixed. So I just wanted to make that statement.

22 JUDGE HATCHER: I appreciate you making that
23 statement. I'm going to ask if there's any Commissioner
24 questions for Ms. Morgan. Okay. Hearing none. Ms.
25 Morgan, I do appreciate you and all of our other

1 witnesses taking time out of your day to participate by
2 phone. The Commission does have these online hearings
3 in order to allow a larger audience to participate.

4 That said, are there any other witnesses that
5 would like to testify? If not, I'm going to be closing
6 the hearing in the next minute or two. One last call
7 for any witnesses that would like to testify this
8 evening.

9 Okay. Before I give my closing comments, I
10 will ask if there's any closing remarks from any of the
11 Commissioners.

12 CHAIRMAN RUPP: Judge, this is Commissioner
13 Rupp. Just wanted to thank everybody for testifying.
14 Appreciate the honesty and the comments. Judge, I
15 appreciate a very well run WebEx hearing. Thank you.

16 JUDGE HATCHER: Thank you, Chairman.

17 COMMISSIONER KOLKMEYER: Yes, Judge, this is
18 Commissioner Kolkmeier.

19 JUDGE HATCHER: Yes, Commissioner.

20 COMMISSIONER KOLKMEYER: I just want to ditto
21 the Chairman's remarks and thank everyone for their
22 comments this evening and well done this evening, Judge,
23 on your part. Thank you.

24 JUDGE HATCHER: Thank you, Commissioner. All
25 right. I do also want to echo the Commissioners'

1 comments. I thank all of the participants. I know that
2 these telephone hearings can be both productive and a
3 little awkward at the same time. I appreciate everyone
4 taking time out of their day. If you do have any
5 additional comments or you know of someone who could not
6 be present and would like to comment, you may make
7 written comments by going to the PSC's web page. That
8 is psc.mo.gov, and I believe the submit comments link is
9 in the upper right-hand corner of that page. You can
10 also submit any questions or comments to the Office of
11 the Public Counsel and that is Mr. Clizer who's been
12 with us here on our hearing today. You can email those
13 questions to mopco@opc.mo.gov. Again, that's
14 mopco@opc.mo.gov.

15 And one last piece of information. If anyone
16 needs the Confluence Rivers customer service line toll
17 free, that is 866-945-3920. Thank you all. The hearing
18 is now adjourned and we are off the record.

19 (Thereupon, the hearing concluded at 8:16
20 p.m.)

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CERTIFICATE OF REPORTER

STATE OF MISSOURI)
COUNTY OF COLE)

I, Beverly Jean Bentch, RPR, CCR No. 640, do hereby certify that I was authorized to and did stenographically report the foregoing Public Service Commission local public hearing; and that the transcript, pages 1 through 40, is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or counsel connected with the action, nor am I financially interested in the action.

Dated this 7th day of July, 2023.

Beverly Jean Bentch

Beverly Jean Bentch, RPR, CCR No. 640

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