

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION

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4
5 TRANSCRIPT OF PROCEEDINGS

6 Evidentiary Hearing

7 May 18, 2010

8 Jefferson City, Missouri

9 Volume 13

10 In the Matter of Missouri)
11 American Water Company's)
12 Request for Authority to)
13 Implement a General Rate) File No. WR-2010-0131
14 Increase for Water Service)
15 Provided in Missouri)
16 Service Areas)

17 DANIEL JORDAN, Presiding,
18 REGULATORY LAW JUDGE

19 ROBERT M. CLAYTON III, Chairman,
20 JEFF DAVIS,
21 TERRY JARRETT,
22 KEVIN GUNN,
23 ROBERT S. KENNEY,
24 COMMISSIONERS.

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1 P R O C E E D I N G S

2 JUDGE JORDAN: We are on the record.
3 The Commission is calling File No. WR-2010-0131,
4 which is in the matter of Missouri American Water
5 Company's application for a new rate.

6 Though I understand we're going to be
7 here only briefly, I am going to go ahead and turn
8 off my cell phone, and I'm going to ask everyone to
9 do so because an interruption of that may be
10 embarrassing and disruptive.

11 We will take entries of appearance this
12 morning, and we will start with Missouri American
13 Water Company.

14 MR. ENGLAND: Thank you, your Honor.
15 Let the record reflect the appearance of Trip England
16 on behalf of Missouri American Water Company.

17 JUDGE JORDAN: Thank you. And for
18 Staff.

19 MS. HERNANDEZ: Good morning. Jennifer
20 Hernandez appearing on behalf of the Staff. And we
21 entered our appearance yesterday as well as the
22 address, and the other attorneys' names are in the
23 record. Thank you.

24 JUDGE JORDAN: Thank you. And for the
25 Office of Public Counsel.

1 MS. BAKER: Thank you, your Honor.
2 Christina Baker, appearing on behalf of the Office of
3 the Public Counsel and the ratepayers.

4 JUDGE JORDAN: And let's see. I'm going
5 to skip through the list of persons that I don't see
6 here. I don't see anyone for UWUA Local 335, and I
7 don't see anyone here for AG Processing, Inc., and
8 City of Warrensburg I have excused.

9 The St. Louis Fire -- St. Louis Area
10 Fire Sprinkler Association, I do not see counsel.
11 City of Joplin.

12 MR. ELLINGER: Marc Ellinger, the law
13 firm of Blitz, Bardgett & Deutsch, for the City of
14 Joplin, Judge. Thank you.

15 JUDGE JORDAN: Thank you. The Missouri
16 Energy Group? No. The Water Districts, Public Water
17 Supply Districts Nos. 1 and 2 of Andrew County.

18 MR. DORITY: Thank you, Judge. Larry
19 DORITY with Fischer & DORITY, appearing on behalf of
20 the Public Water Supply District Nos. 1 and 2 of
21 Andrew County.

22 JUDGE JORDAN: Thank you. For the
23 Metropolitan Sewer District? I see there's nobody
24 here. For the City of Riverside.

25 MR. BEDNAR: Joe Bednar, Spencer, Fane,

1 Britt & Browne, for the City of Riverside.

2 JUDGE JORDAN: Thank you. For the City
3 of St. Joseph.

4 MR. STEINMEIER: Thank you, your Honor.
5 William D. Steinmeier, William D. Steinmeier, P.C.,
6 on behalf of the City of St. Joseph, Missouri.

7 JUDGE JORDAN: Thank you. For Triumph
8 Foods, LLC. I see counsel is not here. For the City
9 of Jefferson. City of Jefferson I've excused. And
10 Missouri Industrial Energy Consumers, I do not see
11 counsel.

12 All right. Well, perhaps counsel for
13 the Applicant would like to state on the record how
14 he'd like to proceed.

15 MR. ENGLAND: Thank you, Judge. As I
16 indicated a little bit before we went on the record,
17 I believe we are very close to a global settlement of
18 the case. I would request or move that the hearings
19 be suspended for the time being to allow us to
20 develop a written Stipulation and Agreement. And my
21 hope is that we have that filed by the end of the
22 week.

23 JUDGE JORDAN: Okay. Does anyone have
24 any objection to canceling the remainder of this
25 evidentiary hearing?

1 (NO RESPONSE.)

2 JUDGE JORDAN: Or anything else to add
3 to the procedure that counsel has suggested?

4 (NO RESPONSE.)

5 JUDGE JORDAN: Commissioner?

6 COMMISSIONER JARRETT: Thank you, Judge.
7 I just wanted to express on behalf of the Commission,
8 my fellow Commissioners, to the parties, that we
9 certainly appreciate the efforts of getting this
10 settled. I know there were a lot of complicated
11 issues in this case and it took a lot of effort on
12 your parts to get this done, and certainly I think
13 settling issues is a lot better than contesting them,
14 so we appreciate your efforts.

15 JUDGE JORDAN: Well, the Commissioner
16 has pretty much taken the words out of my mouth with
17 almost nothing to say, except to add my thanks to the
18 parties for the hard work in coming to an arrangement
19 from positions that started so far apart. That, I
20 know, takes a lot of work and a lot of effort and a
21 lot of deep thought and consideration.

22 Anything else before we adjourn this
23 hearing and go off the record?

24 (NO RESPONSE.)

25 JUDGE JORDAN: Going once, going twice,

1 thank you very much. This hearing is adjourned. We
2 are off the record.

3 (EXHIBIT NO. 850 WAS MARKED FOR
4 IDENTIFICATION BY THE COURT REPORTER.)

5 (EXHIBIT NOS. 800, 801 AND 802 WERE
6 MARKED FOR IDENTIFICATION BY THE COURT REPORTER.)

7 (WHEREUPON, the hearing in this case was
8 concluded.)

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	INDEX		
		MARKED	RECEIVED
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3	Exhibit No. 800	200	*
4			
5	Exhibit No. 801	200	*
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7	Exhibit No. 802	200	*
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10	* Neither offered nor received into evidence.		
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1 C E R T I F I C A T E

2 STATE OF MISSOURI)
3) ss.
4 COUNTY OF COLE)

5 I, Pamela Fick, Registered Merit Reporter
6 and Certified Shorthand Reporter do hereby certify
7 that I was personally present at the proceedings had
8 in the above-entitled cause at the time and place set
9 forth in the caption sheet thereof; that I then and
10 there took down in Stenotype the proceedings had; and
11 that the foregoing is a full, true and correct
12 transcript of such Stenotype notes so made at such
13 time and place.

14 Given at my office in the City of
15 Jefferson, County of Cole, State of Missouri.

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PAMELA FICK, RMR, CCR #447, CSR

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