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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
  
TRANSCRIPT OF PROCEEDINGS  
  
LOCAL PUBLIC HEARING 3  
JANUARY 26, 2016  
Start Time: 12:01 p.m.  
  
BRANSON CITY HALL  
110 WEST MADDUX  
BRANSON, MISSOURI

In the Matter of )  
Missouri American Water )  
Company's Request For )  
Authority to Implement a )  
General Rate Increase For ) File No. WR-2015-0301  
Water and Sewer Service )  
Provided in Missouri )  
Service Areas )

KIM S. BURTON, PRESIDING  
REGULATORY LAW JUDGE  
COMMISSIONER:  
COMMISSIONER SCOTT RUPP

1 A P P E A R A N C E S

COMMISSIONER: Scott T. Rupp

2 FOR APPLICANT:

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5 Also Present:

Public Service Commission Staff  
and Members of the Public

6 REPORTED BY: Christine Richele, CSR, RPR, CCR, CRR

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

2

3 RLJ BURTON: Good afternoon, everyone.

4 Let's go ahead and go on the record in Missouri Public  
5 Service Commission File No. WR-2015-0301 in the matter  
6 of Missouri American Water's request for authority to  
7 implement a general rate increase for water and sewer  
8 service provided in Missouri service areas. The time  
9 is currently about 12:01, and the Commission has set  
10 this time for a local public hearing in the Branson  
11 City Hall, at 110 West Maddux Street, Branson,  
12 Missouri, 65616.

13 At this time I just want to introduce myself. My  
14 name is Kim Burton. I'm a Regulatory Law Judge with  
15 the Commission. I am one of six judges there. We  
16 have another judge, Kennard Jones, who is going to be  
17 assigned the case to handle the evidentiary hearing.  
18 That's going to be held in Jefferson City at the end  
19 of March.

20 And we have five Commissioners who are going to be  
21 present at the hearing and reviewing and making a  
22 determination on this case, and we have one of those  
23 Commissioners with us here today, Mr. Rupp.

24 COMMISSIONER RUPP: Thank you.

25 Commissioner Scott Rupp here representing the

1 Commission. We have other hearings going on in Jeff  
2 City on different cases, so we tend to try to split up  
3 and tackle as many things across the state as we can.

4 A court reporter will be taking down everything so  
5 my fellow Commissioners that are not here will be able  
6 to read the transcripts, so that everyone will get to  
7 hear your comments or read your comments one day when  
8 the case comes. So just because I'm the only one  
9 here, they will have an opportunity to read your  
10 testimony that is there.

11 But one thing, we want you to come up and tell us  
12 what's on your mind. I'm also very interested in the  
13 customer service of the company, how the service is  
14 being provided to you. So if you have any issues with  
15 that, please tell us about those things along with  
16 your thoughts on the pending case.

17 The one thing, though, is that I cannot respond to  
18 any questions that you may ask of me, because as  
19 being -- it's like a judge, we can't prejudge the case  
20 and things. So you can give us your opinions, but I  
21 am unable to answer any questions.

22 That is why we have the staff and representatives  
23 from the company that are here who will be able to  
24 answer some of your questions, but I will be unable.  
25 So, I don't want to appear rude if you were to ask me

1 a question and I would not respond, that is why. But  
2 thank you for making your attendance here and making  
3 your thoughts heard. We look forward to hearing what  
4 you have to say.

5 RLJ BURTON: Thank you, Commissioner. Now,  
6 how this will proceed is that I will call your name,  
7 if you've provided your name on this list, and I would  
8 ask that you come forward, come over here by the  
9 podium, and I will swear you in for your testimony. I  
10 might ask you some questions about your name and have  
11 you spell it for the record and who your service  
12 provider is in your local area so that the  
13 Commissioners will know.

14 And after you've provided your testimony, the  
15 Commissioner might have some questions or any of the  
16 attorneys for the parties may have some questions for  
17 you. And I would ask you to just please remain at the  
18 podium until I excuse you. After we go through the  
19 list, even if you haven't signed up, if you would like  
20 to testify, I'll give you that opportunity at that  
21 time.

22 At this point I would ask if everyone would just  
23 please turn their cell phones on vibrate or mute just  
24 so that we don't have any distractions going on, I  
25 would greatly appreciate it. I will go ahead and take

1 an entry of appearance by the parties and we'll start  
2 with Missouri American Water.

3 MR. LUFT: Tim Luft for Missouri American,  
4 and the court reporter has my card.

5 RLJ BURTON: All right. Thank you. And  
6 for the staff of the Missouri Public Service  
7 Commission?

8 MR. WILLIAMS: Representing staff, Hampton  
9 Williams, P.O. Box 360, Jefferson City, Missouri,  
10 65102.

11 RLJ BURTON: And the Office of Public  
12 Counsel?

13 MR. KRETZER: On behalf of the Office of  
14 Public Counsel, Steven Kretzer. And she, again, has  
15 my card.

16 RLJ BURTON: Are there any parties that  
17 I've missed at this time?

18 Okay. At this time I would ask that Herbert Sisco  
19 please come on down. Now, Mr. Sisco, I would ask that  
20 you please raise your right hand.

21 HERBERT SISCO,  
22 being first duly sworn by the Regulatory Law Judge,  
23 testified:

24 RLJ BURTON: Thank you. Would you please  
25 spell your name for the record and identify what your

1 division is, or subdivision, where you receive  
2 service.

3 MR. SISCO: Yes. Yes, ma'am. My name is  
4 Herbert Sisco, S-I-S-C-O. I live at 214 Groton  
5 Street, Hollister, Missouri, in Riverside Estates,  
6 Taney County.

7 RLJ BURTON: Thank you. You may provide  
8 your testimony.

9 MR. SISCO: Okay. I have a lengthy sheet  
10 here, but I'm just going to read one portion of it and  
11 then submit it to you all for later reference.

12 I'm opposed to the proposal to consolidate the  
13 company's service areas into special districts for  
14 water and wastewater. Since Riverside Estates is not  
15 involved in the wastewater, why should we have to pay  
16 for those districts that do?

17 Our rates would increase because of the  
18 maintenance and materials necessary to keep those  
19 districts functioning. I hope that you, the  
20 representatives for us, would reject this proposal.

21 RLJ BURTON: All right. Thank you. I'll  
22 go ahead, and if you could please bring that document  
23 forward and I'll have the court reporter mark this as  
24 Exhibit 1.

25 (Exhibit No. LPH2-EX 1 was marked for

1 identification.)

2 MR. SISCO: Am I excused?

3 RLJ BURTON: No. Are there any questions  
4 from the attorneys? No.

5 Are there any objections to the admission of  
6 Exhibit 1?

7 MR. KRETZER: No.

8 MR. LUFT: No.

9 RLJ BURTON: Hearing no objection, I thank  
10 you for your testimony and Exhibit 1 is admitted.

11 MR. SISCO: Thank you, ma'am.

12 RLJ BURTON: Thank you, Mr. Sisco. Next we  
13 have Richard Flowers.

14 MR. FLOWERS: I'll just relinquish my right  
15 to speak right now. We solved our problem before the  
16 meeting started.

17 RLJ BURTON: Okay. Thank you very much,  
18 Mr. Flowers.

19 Is it Loren Lund?

20 MR. LUND: Yes.

21 RLJ BURTON: Mr. Lund, would you please  
22 raise your right hand.

23 LOREN LUND,  
24 being first duly sworn by the Regulatory Law Judge,  
25 testified:



1                   RLJ BURTON: Okay. Would you please spell  
2 your name for the record and state your district,  
3 water district.

4                   MR. LUND: Loren Lund, L-O-R-E-N, L-U-N-D.  
5 I'm a property owner in Stonebridge, and also on the  
6 board of directors for the POA out there.

7                   One of the things that I do out there is help out  
8 down in the office with their accounting. And I've  
9 been very involved in the billing for Missouri  
10 American for the last three or four years.

11                   After thinking that we finally got the billing  
12 straightened out, in May of this year in one of our  
13 seventeen accounts that we have for the different  
14 water meters out there, somebody went in and changed  
15 the tax rate. They increased it.

16                   I called, asked them to -- notified them of the  
17 change, asked them why it happened, they have no idea,  
18 said they'd get back to me. Still haven't heard  
19 anything. It amounts to about a three-quarter of a  
20 percent increase on the tax. And three months later a  
21 second one of our accounts had the tax rate increase.

22                   Now, somebody has to go in and manually adjust the  
23 tax rate. My question is, what are they paying to the  
24 State? Are they paying what they're collecting or are  
25 they paying what they're supposed to be collecting?

1 And how many accounts are being overbilled on taxes on  
2 a rate that's not authorized? I've got worksheets to  
3 show you which two accounts they are and where the  
4 increase happened, and I have no explanation as to why  
5 it got changed.

6 RLJ BURTON: All right. We can't actually  
7 answer any of the questions here. We're just here to  
8 listen.

9 MR. LUND: Pardon?

10 RLJ BURTON: We can't actually answer any  
11 of those questions here today. We're here to listen  
12 to your testimony, but the issues may be presented at  
13 the evidentiary hearing. At this point I'm asking,  
14 would you like to have those documents admitted into  
15 the record?

16 MR. LUND: Yes.

17 RLJ BURTON: Okay. Let me take a look at  
18 those and let's verify if there's any information in  
19 that that you do not want to have released to the  
20 public, because this would be a public document. For  
21 instance, any contact information or address locations  
22 that might identify a person personally that you don't  
23 feel comfortable with. If you would hand that to the  
24 court reporter, we'll have that marked as Exhibit 2.

25 (Exhibit No. LPH2-EX 2 was marked for

1 identification.)

2 RLJ BURTON: I would just ask if you could  
3 hand me that document. Okay.

4 COMMISSIONER RUPP: I have a question for  
5 you, sir: What level of tax is it?

6 RLJ BURTON: Are these documents that you  
7 prepared or that you were provided?

8 MR. LUND: (Nodding head.) No, I prepared  
9 them.

10 RLJ BURTON: You nodded your head, for the  
11 record.

12 MR. LUND: I prepared them.

13 RLJ BURTON: Would Counsel like to review  
14 this? I'll let you have an opportunity to review  
15 that. Are there any questions from Missouri American  
16 Water?

17 MR. LUFT: Do you have time to meet with  
18 our people right after this hearing to look at this?

19 MR. LUND: (Nodding head.) Yeah. And I  
20 just talked to somebody in your accounting department,  
21 or billing department.

22 RLJ BURTON: Are there any objections to  
23 the admission of Exhibit 2?

24 MR. KRETZER: No objection.

25 MR. LUFT: No.

1 RLJ BURTON: Hearing none, Exhibit 2 is  
2 admitted. And seeing that no additional questions  
3 need to be answered, we thank you for your testimony.

4 MR. LUND: Thank you.

5 RLJ BURTON: Next the Commission will hear  
6 from -- I believe it's Marlene George. Will you  
7 please raise your right hand.

8 MARLENE GEORGE,  
9 being first duly sworn by the Regulatory Law Judge,  
10 testified:

11 RLJ BURTON: Would you please state your  
12 name and spell it for the record and identify what  
13 water or sewer district you are in.

14 MS. GEORGE: My name is Marlene George,  
15 M-A-R-L-E-N-E, G-E-O-R-G-E. I thought that I was part  
16 of Ozark Mountain 3, but according to the papers I've  
17 received today, we may be part of Stonebridge or we  
18 may be part of Tri-States.

19 What I'm testifying to today is I'm bringing forth  
20 a question regarding numbers from Missouri American  
21 Water system. In December, 2015, and January, 2016,  
22 meters were replaced in our area, whether that be  
23 Ozark Mountain 3 or Stonebridge or Tri-States. Our  
24 bills that came to our residence as of January, for  
25 the January amount used in December, were greatly

1 fluctuated from the past.

2 Neighbor A's bill almost doubled; that's almost a  
3 hundred percent increase from December, 2015, to  
4 January, 2016. That bill was said to be estimated.

5 Neighbor B's bill increased twenty percent in the  
6 same time period, also an estimated reading.

7 Neighbor C's bill was estimated -- I'm sorry, was  
8 an actual reading of 600 gallons supposedly used. She  
9 was billed \$47, and that was an actual reading.

10 Our own bill, we were billed for less than 900  
11 gallons. We have never used less than 4,000 gallons.  
12 We've never used less than the minimum. And was  
13 called an actual reading.

14 Now, what we need to know is are these other  
15 extrapolated numbers from the company accurate and  
16 correct? We really don't know. We'd like an  
17 explanation.

18 Okay. We've lived in the area for twelve years.  
19 We've had numerous water breaks, numerous filthy water  
20 breaks. We have examples of the water we received  
21 during those times. They would be fixed and we would  
22 not even have a boil order.

23 In 2015 we got two boil orders. They were placed  
24 on little signs at the beginning of our property that  
25 comes into our area. If you didn't drive out and come

1 back in, you did not see them, you didn't know.

2 Now, when we're increasing water rates, asking for  
3 an increase, we need accurate numbers. Obviously,  
4 there's something wrong with either the meters or the  
5 way of projecting these numbers, I don't know.

6 Missouri Water will have to answer that because we  
7 don't have any way to check it out, being customers.  
8 And that's really all I wanted to testify to.

9 RLJ BURTON: Thank you, Ms. George. Any  
10 questions?

11 COMMISSIONER RUPP: What year did you say  
12 you had a boil order?

13 MS. GEORGE: 2015.

14 COMMISSIONER RUPP: Thank you.

15 MS. GEORGE: And we've been there since  
16 2004.

17 RLJ BURTON: Any questions from the  
18 company?

19 MR. LUFT: Have you talked to anyone from  
20 the company about the recent billing issues?

21 MS. GEORGE: I did not. Our area has  
22 several residents, very few that live there. Several  
23 residents that are out of state. They did. We saw  
24 the water trucks come and take actual readings from  
25 their meters. So we know some of the people called

1 in. I did not. I was more than happy to only pay for  
2 900 gallons, but my other neighbors that were paying  
3 way more are quite upset. One of them is with us  
4 today.

5 RLJ BURTON: Thank you. Ms. George, thank  
6 you very much for your testimony.

7 MS. GEORGE: Thank you. Do you want these  
8 papers?

9 RLJ BURTON: We don't need it unless it's  
10 something that's in addition to your testimony.

11 MS. GEORGE: Okay.

12 RLJ BURTON: Next the Commission will hear  
13 from Jack Henderson. Would you please raise your  
14 right hand.

15 JACK HENDERSON,  
16 being first duly sworn by the Regulatory Law Judge,  
17 testified:

18 RLJ BURTON: Would you please state your  
19 name, spell it, and identify what water district or  
20 sewer district you live in.

21 MR. HENDERSON: Jack Henderson. I'm an  
22 owner and resident of Stonebridge Village.

23 RLJ BURTON: Could you spell your name for  
24 the record?

25 MR. HENDERSON: J-A-C-K, H-E-N-D-E-R-S-O-N.

1                   RLJ BURTON: Thank you. You may begin your  
2 testimony.

3                   MR. HENDERSON: Well, I'm addressing the  
4 two things that came out in this document. I don't  
5 know, I think it came from the Public Service  
6 Commission. But two things that jump out at me that  
7 are bothersome.

8                   They mention two approvals of two regulatory  
9 mechanisms. And basically the first one is to allow  
10 the company to adjust future rates up to -- up or down  
11 to ensure the company recovers no more and no less  
12 revenue than authorized. And they refer back to  
13 something in the first paragraph, ISRS. I'm not sure  
14 what that is, but they're apparently blaming the  
15 request for a 19 percent increase on that  
16 organization.

17                   The second thing they're requesting is to  
18 establish an environmental cost adjustment mechanism  
19 to allow a surcharge between rate cases to recover  
20 revenues, blah, blah, blah.

21                   It seems to me like it's implied here that they're  
22 asking to do that without coming before the  
23 Commission. If that be the case, that would be a very  
24 bad precedent to establish. This company has had  
25 troubles with their -- first of all, you didn't hear



1 them talk very much this morning about cost  
2 containment.

3 When they took over several years ago at  
4 Stonebridge, it was atrocious for the first several  
5 months. The billing was inaccurate, it was confusing,  
6 and mostly just flat-out disgusting. Now, they tried  
7 to amend that by coming -- the company officials came  
8 to the directors meeting -- I was a director at the  
9 time -- to explain their situation. They didn't do  
10 very well. So the director said that, okay, you've  
11 got to send some people on site to have these people  
12 listened to.

13 They came out for a whole day to set up  
14 appointments with people. By the time I got to talk  
15 to them later in the morning, their computers had  
16 crashed so they didn't have the information they said  
17 they would have. And then they said, Well, we'll send  
18 you an itemized statement. My bill was so confused,  
19 it was showing credits, it was showing debits, it was  
20 showing overdue payments; it was a mess. And so they  
21 said, Well, we'll send you an itemized statement. I  
22 never got that.

23 Now, I talked to the people at the company in  
24 their bookkeeping section. They were very  
25 accommodating and very patient and so forth, but the

1 answers were not forthcoming. Now, it did finally  
2 settle down. But I think this company is -- I just  
3 don't hear that they're very efficiently operating.

4 They don't seem to talk about it. When you look  
5 at their people -- the truck that came out, they  
6 happened to do a job on my mailbox -- there were two  
7 or three trucks. They were all standing around  
8 looking at a hole in my yard, and I still don't know  
9 quite what was wrong, but they were there for several  
10 days and had to come back.

11 And again, when I talked to them and asked, Am I  
12 going to be out of water for how long or whatever?  
13 They were very accommodating, very courteous, and so  
14 forth. But there seems to be something wrong when  
15 they can buy these companies and then suddenly the  
16 rates go up.

17 And it goes on and gets a little more confusing,  
18 here. It talks about something that's only  
19 appropriate in St. Louis, and I think, Well, why are  
20 we being lumped with St. Louis?

21 The fixed costs for this company seem to be out of  
22 line. And, again, they walked me through it all, and  
23 that's the way it is. So it just seems to me like if  
24 the Commission is on the verge of allowing them to  
25 skate underneath their radar, I think that would be a

1 very bad thing to do.

2 RLJ BURTON: Thank you, Mr. Henderson. Any  
3 questions?

4 COMMISSIONER RUPP: Yes. When did the  
5 company take over service for Stonebridge, what year  
6 approximately?

7 MR. HENDERSON: Well, Loren or Bill, can  
8 you say? About three years ago?

9 MR. LUND: Sometime in 2011.

10 MR. HENDERSON: And our bill went from --  
11 when they took over, my normal bill went from \$33 up  
12 to in the eighties.

13 MR. LUND: Well, that was with the first  
14 rate increase. That was after the first rate  
15 increase.

16 RLJ BURTON: I would ask that people try to  
17 refrain from making comments.

18 COMMISSIONER RUPP: Thank you.

19 MR. HENDERSON: And I'll say something to  
20 you and I hope it's not true, but the last time we  
21 were here, I was sitting just about where I'm sitting  
22 now and there was a company official alongside the  
23 wall grumbling to himself. And I thought for a minute  
24 he was talking to me and I said, Can you repeat that?

25 He said, I don't know why we're going through this

1 folderol, because the Commission has already approved  
2 our rate increase. And so I thought, Well, are we  
3 wasting our time here today, also?

4 RLJ BURTON: Okay. I would just --

5 MR. HENDERSON: I wrote the governor a  
6 letter, but typically I think he discovered I was a  
7 Republican, so I didn't get an answer.

8 RLJ BURTON: I do have a question for you,  
9 Mr. Henderson. You mentioned some issues with the  
10 billing statements and some confusion.

11 MR. HENDERSON: Yeah.

12 RLJ BURTON: Are you still having those  
13 issues currently?

14 MR. HENDERSON: No, it's settled down, I  
15 mean, if you call settling down up here (gesturing).  
16 But I'm convinced that the billing system now is  
17 probably under control. Like I say, one of the clerks  
18 walked me right through. I went and took my bill and  
19 I checked off all the things that were fixed. By the  
20 time I got to the bottom, it was about -- my wife and  
21 I not using a drop of water, I don't think the cats  
22 use much when we're gone, but we, without a drop of  
23 water our bill is going to be between eighty and  
24 ninety dollars a month.

25 RLJ BURTON: Any questions from Missouri

1 American?

2 MR. LUFT: No.

3 RLJ BURTON: OPC staff?

4 MR. KRETZER: No.

5 RLJ BURTON: Thank you very much,

6 Mr. Henderson. Next, the Commission will hear from

7 Ryan Esry.

8 RYAN ESRY,

9 being first duly sworn by the Regulatory Law Judge,

10 testified:

11 RLJ BURTON: Would you please state your

12 name, spell it for the record, and identify what water

13 or sewer district you're on.

14 MS. ESRY: Yes, my name is Ryan Esry,

15 R-Y-A-N, E-S-R-Y, and I am with Spring Valley Estates.

16 I just want to take a few moments, just a few notes.

17 I am opposed to a rate increase, also. Spring Valley

18 Estates is a low-income, pretty, steady flat-rate

19 area. Nobody mows their lawn or waters their lawns.

20 There's no excessive use of water.

21 I am opposed to the rate increase of trying to

22 balance out everybody's expenses on the high side when

23 they use water in the drought months and on the low

24 side whenever it's a wet month and people don't use

25 water. Most of us just use the same amount each and

1 every month.

2 I originally, in 2011 and 2012, was with the City  
3 of Ozark water, and my usage was roughly about  
4 twenty-two dollars a month. Six months ago I had a  
5 water meter also replaced, and my bill did increase.  
6 When I had moved into the American Water district, my  
7 bill was roughly around fifty dollars a month. My  
8 bill currently, after the meter being replaced, is  
9 roughly around eighty dollars-something a month.  
10 That's a twenty to thirty dollar-a-month increase with  
11 the difference of a meter.

12 Also, I do not use sewer and there are no fire  
13 hydrants. American Water does not provide any.  
14 Literally, just the water, only, is the only aspect I  
15 use of American Water. And that is all I would like  
16 to state.

17 RLJ BURTON: Thank you. Any questions?

18 MR. LUFT: No.

19 MR. KRETZER: No.

20 RLJ BURTON: Thank you, Mr. Esry. Those  
21 are all the individuals who've identified that they  
22 previously requested to provide their testimony. Are  
23 there any other individuals who thought they'd like to  
24 add some statements on the record? If so, I will take  
25 the gentleman first in the cream jacket, if you would

1 please step forward.

2 CLIFTON DUNN,

3 being first duly sworn by the Regulatory Law Judge,

4 testified:

5 RLJ BURTON: Please state your name and

6 spell it for the record.

7 MR. DUNN: Clifton Dunn.

8 RLJ BURTON: And identify what district you

9 live in.

10 MR. DUNN: Clifton Dunn, C-L-I-F-T-O-N,

11 D-U-N-N, and I live in Stonebridge. And I really just

12 wanted to affirm a couple of items before I make a

13 statement. We did have several major problems in the

14 billing systems and changeouts of meters.

15 So I do understand some of the people that were

16 talking about problems with meter changes affecting

17 their bill adversely and about the estimated charges.

18 And those unfortunately sound like the same problems

19 we had two and a half years ago and are still

20 occurring with other people today.

21 So I don't -- even though they have pretty well

22 cured our problems with billing and meter changes, it

23 seems like that problem is still something that's

24 ongoing and something that needs to be worked on.

25 My biggest concern here and the reason I wanted to

1 make a statement was, I don't think that the way the  
2 Public Service Commission evaluation of -- for rate  
3 increases is set up correctly. I believe that there's  
4 not enough incentive out there for a company to be  
5 efficient.

6 There's not -- no efficiency in their operational  
7 costs that are -- you know, that are reflected in the  
8 rates, because if there were, there's a lot of things  
9 that go on right now that are definitely not efficient  
10 in the way they operate. Especially use of the  
11 personnel, use of subcontracting things out that they  
12 don't want to do.

13 And then the things that are capital expenses,  
14 there is not any real, I guess, controls on that. For  
15 example, just talking about the half million dollars  
16 that they spent in Stonebridge on increasing some  
17 booster pumps for a water tower that services  
18 almost -- very little of Stonebridge, and that the  
19 reason for the increase of those booster pumps was to  
20 service four lots that have not got any houses on them  
21 and probably never will have houses on them, and could  
22 have been bought for probably a few thousand dollars  
23 apiece, and we spent \$500,000 to boost the power for  
24 those four lots.

25 So, you know, there's a number of things that are



1 going on that are not necessarily efficient, and I  
2 would like to see that the Public Service Commission  
3 work on changing things so that they can incent the  
4 company to be more efficient in the way they operate  
5 and the way they buy and purchase things. In other  
6 words, be more, I guess more controlling in that.

7 I know we can't have our finger on everything they  
8 do, because that takes away their ability to make  
9 decisions and to do the right things, but we've got to  
10 incent them to do those things. That's all I have.

11 RLJ BURTON: Thank you, Mr. Dunn. Any  
12 questions from anyone?

13 MR. KRETZER: Mr. Dunn?

14 MR. DUNN: Yes.

15 MR. KRETZER: You had mentioned during your  
16 question and answer period as to a concern about the  
17 consolidation proposal. Do you have anything you'd  
18 like to add to that to the Commission?

19 MR. DUNN: Well, consolidation is a lot  
20 different than -- than -- it's not very simple, put it  
21 that way. Because every development has their own  
22 uniqueness and some of them are major unique  
23 differences. Stonebridge, for example, I know has a  
24 lot of infrastructure that wasn't necessarily put in  
25 great, but we've had a lot of pipes that have had

1 breaks in them but our equipment is fairly new.

2 So, the main tower is new. The second tower that  
3 they just put booster pumps on, that's pretty new. So  
4 a lot of things are new, but we do have some problems  
5 that are ongoing operational cost problems.

6 Now, there are other places that have -- I know  
7 they've bought a lot of places in the area. Some of  
8 them that they purchased don't have adequate wells,  
9 don't have adequate towers, don't have adequate supply  
10 lines. Those are major things that would probably  
11 triple the cost of their infrastructure in those  
12 areas, where in ours it would be less.

13 So I have a real problem in trying to consolidate  
14 all these little ones into a big one that doesn't  
15 reflect the cost that's already been put in by the  
16 people that own the current systems or the people that  
17 were involved in the current systems.

18 One of the things I know that is used in the rate  
19 cases, and I'm getting off topic a little bit here,  
20 was the cost that was paid for the purchase of the  
21 system. And I believe -- and, again, I can't swear  
22 that this is the case, but I do believe that the  
23 original installation of things in Stonebridge, where  
24 we included grinder pumps and -- one of the  
25 representatives brought up grinder pumps earlier --

1 that we paid -- they had it set up so that we paid a  
2 premium for those grinder pumps to spend \$5700 a unit.  
3 It used to be \$5700 and you'd have one grinder pump  
4 and two people on that pump. Now it's \$5700 for each  
5 pump that goes in.

6 I believe we paid those exorbitant prices, because  
7 the grinder pump is considerably less cost than that,  
8 it's the installation that's probably more costly than  
9 the pump, but we paid those high prices to be able to  
10 replace them along the line.

11 And I believe that the intent for that was so that  
12 there would be sufficient money set aside so that new  
13 installations -- or new repairs, I should say, would  
14 already be -- money would already be set aside for  
15 those. So, that's why the high cost up front.

16 However, when all that transferred from a sale  
17 from Roark Valley to Missouri American Water, I don't  
18 believe that is something that was ever taken into  
19 consideration. I don't think any monies was  
20 transferred. They said, We have this money in reserve  
21 to repair grinder pumps; now we're going to give it to  
22 Missouri American so that they can go repair those  
23 grinder pumps. So, I think some of these arguments  
24 about cost and so forth have been off base just a  
25 little bit, as well.

1           But, back to the original point, I don't think you  
2           should combine all of these small districts in with  
3           the larger districts. Especially people out here  
4           don't like to be considered part of St. Louis. I can  
5           tell you that.

6                     RLJ BURTON: Thank you, Mr. Dunn.

7                     MR. DUNN: Thank you.

8                     RLJ BURTON: I will take some questions  
9           later if there's any additional things, but I won't be  
10          accepting any questions for him.

11                    MR. HENDERSON: Well, I'll ask him.

12                    RLJ BURTON: You can ask him after the  
13          hearing. You're more than free to do that. And next  
14          I believe there's a gentleman over there who would  
15          like to testify.

16                    MR. WATERSON: Hello.

17                    RLJ BURTON: Would you please raise your  
18          right hand.

19                                 HARRY WATERSON,  
20          being first duly sworn by the Regulatory Law Judge,  
21          testified:

22                    RLJ BURTON: Would you please state and  
23          spell your name for the record and identify what water  
24          or sewer district you're in.

25                    MR. WATERSON: My name is Harry Waterson,

1 W-A-T-E-R-S-O-N, and I live at 383 River Drive in  
2 Branson, Missouri. That's Lake Taneycomo Acres. I  
3 have four points that I'd like to bring up today.

4 First of all, since I moved into Lake Taneycomo  
5 Acres in 2005, my rates have increased 500 percent.  
6 There was a rate increase right after I moved in of  
7 68.73 percent; then in 2008 it was raised again 54.4  
8 percent; and then in 2010 it was raised 23.7 percent,  
9 and then in 2012 it was raised 39 percent.

10 Now, those are not arithmetic increases. Those  
11 are geometrical increases. So, it's like compounding  
12 interest. By the time I paid this year's bill, I was  
13 up to 15 percent. I was -- I'm sorry. I was up to  
14 \$15 per thousand gallons, when I started at \$2.85 per  
15 thousand gallons. So that's a major increase. And I  
16 don't think that it's -- that having already paid 500  
17 percent, that I should be asked to pay more.

18 The second point, the idea of consolidating, I  
19 appreciate the logic of it, if I could be guaranteed  
20 that the larger area will support the additional costs  
21 that are going to be attributed to my area. I don't  
22 think it makes much sense to put like groups together.

23 I think if you're going to have a Robin Hood  
24 theory, that the Robin Hood theory should work that  
25 the larger districts should support the smaller

1 districts. I'm in a district of only a hundred  
2 people, so -- or a hundred homes, rather. So, in a  
3 very selfish way, I support the Robin Hood theory.

4 My third point is, we pay a service charge and I  
5 understand the concept of that, because we live in an  
6 area where the homes are not occupied all the time,  
7 and so the company wants to get a service fee for  
8 having the ability to have those homes use the  
9 electricity or water, whether they're there or not.

10 I think for those of us who are year-round, we  
11 should be paying a minimum and not a service charge.  
12 I'm quite happy with everybody paying a minimum, but I  
13 don't like the idea of paying a service charge and  
14 then paying your usage on top of that.

15 And then the fourth point is, my father worked for  
16 a Long Island lighting company down in Long Island,  
17 New York. They were an investor utility and they were  
18 regulated by the State of New York. And the State of  
19 New York said they could make up to six percent on  
20 their money, but they would not guarantee it, and  
21 anything over six percent they had to give back to the  
22 State, and I would support some idea like that. If I  
23 knew anywhere I could go today where I could get ten  
24 percent on my money, I'd be thrilled.

25 Those are my comments. Thank you very, very much

1 for your time.

2 RLJ BURTON: Thank you, Mr. Waterson. Any  
3 questions? No. Thank you.

4 Are there any additional individuals who would  
5 like to provide testimony for the Commission to  
6 consider?

7 MR. KING: I would.

8 RLJ BURTON: Please raise your right  
9 hand.

10 JACK KING,  
11 being first duly sworn by the Regulatory Law Judge,  
12 testified:

13 RLJ BURTON: Would you please state your  
14 name and spell it for the record and identify what  
15 district you're located in.

16 MR. KING: My name is Jack King, J-A-C-K,  
17 K-I-N-G. I'm a property owner in Stonebridge. Okay.  
18 My first comment is that I am opposed to the rate  
19 increase. I admit I have no backup.

20 The second comment is to the intent. I wonder if  
21 it wouldn't hurt to have an audit of the accounting.  
22 The reason I'm saying that is, yes, I went through  
23 that business when they installed meters. Said they  
24 set it back to zero, but mine was set at  
25 twenty-something thousand gallons, and I was billed

1 for all of it.

2 They finally rectified all that, but it took a  
3 couple years to do so. That included both the water  
4 rate and the sewer rate, but they finally got it  
5 rectified.

6 What I'm coming to on the billing is that when  
7 they reduced it, they marked it customer satisfaction  
8 instead of going back into their accounting. That's  
9 my reason why I think that they ought to audit the  
10 accounts and see what's going on.

11 The next comment is, we built our house and moved  
12 into it in June of 2006. Our builder paid \$6,000 to  
13 make a second hookup to the grinder pump. So there  
14 should be some money in there that they could use for  
15 the maintenance of that thing.

16 My bill, before Missouri American Water Company,  
17 was about forty, forty-five dollars a month. It  
18 jumped to seventy-five and eighty today. That's a lot  
19 of increase. And then you're going to increase it  
20 again? My railroad retirement that I draw from has  
21 not increased anywheres like that.

22 RLJ BURTON: Hold on one moment. Let's see  
23 if they've got any questions for you. I have a  
24 question. The issue with the 27,000 gallons, how long  
25 ago did that occur? When you said that the meter



1 was --

2 MR. KING: They claimed they set the meter  
3 back to zero, but there was something in the  
4 neighborhood of 20,000 gallons and they billed the  
5 whole 20,000 gallons.

6 RLJ BURTON: And how long ago was that?

7 MR. KING: Just as they put the new meter  
8 in, June of -- would you say 2012?

9 MR. LUND: Probably '13, probably.

10 MR. KING: '12 or '13, something like that.  
11 They have their records when they did it. But,  
12 anyway, when I received a bill -- about two weeks  
13 later I received that giant bill, and then's when I  
14 went up in the air. And as I said, other testimony  
15 explained what's happened and how they finally settled  
16 it all down.

17 RLJ BURTON: Thank you.

18 MR. KING: About a year ago, I've been  
19 satisfied.

20 RLJ BURTON: Any questions from Missouri  
21 American? Thank you very much, Mr. King.

22 I know that there were some questions that were  
23 raised here today, and as Commissioner Rupp pointed  
24 out, we're not allowed to actually answer those  
25 questions, but there are representative from the staff

1 here, and the company. For instance, I've heard that  
2 Mr. Henderson had some issues with identifying what  
3 district it is, or with St. Louis and billing issues.

4 I believe that members of staff and the company  
5 and the Office of Public Counsel will be available  
6 after we go off the record to answer those questions.  
7 And so, there's a gentleman who's standing back there  
8 in a nice, bright blue shirt -- well, there's a lovely  
9 blue shirt over there, too. Mr. Busch from the  
10 Commission staff might be able to answer some of those  
11 questions that I've heard today.

12 I thank everyone for your time and participation.  
13 And I do want to again mention that the evidentiary  
14 hearing is scheduled for two weeks in March. It  
15 starts March 14th, goes through the 18th, begins again  
16 on March 21st and goes through the 25th.

17 That will be up in Jefferson City. You're welcome  
18 to drive up there and attend any and all of it. But  
19 you're also allowed to watch it on the Internet for  
20 free, if you'd like. You can just go to the Missouri  
21 Public Service Commission website and there will be a  
22 link there, if you don't feel like driving to  
23 Jefferson City, but you would like to see what  
24 actually happens and occurs during a hearing.

25 I thank you all for your time, and we'll now go

1 off the record.

2 (Proceedings concluded at 12:45 p.m.)

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(Exhibits attached to Original transcript.)

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REPORTER'S CERTIFICATE

STATE OF MISSOURI )  
 ) ss.  
COUNTY OF GREENE )

I, Christine Richele, Certified Shorthand Reporter, Registered Professional Reporter, Certified Court Reporter #385, Certified Realtime Reporter (Mo), within and for the State of Missouri, do hereby certify that I was personally present at the hearing as set forth in the caption sheet hereof; that I then and there took down in stenotype the proceedings had at said time, which were thereafter transcribed by me and is a true and accurate reproduction of the proceedings, set forth in the preceding pages.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on January 31, 2016.

Christine Richele, CSR, CRR, CCR #385  
Registered Professional Reporter

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### MIDWEST LITIGATION SERVICES

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