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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS
LOCAL PUBLIC HEARING
January 28, 2016
Warrensburg, Missouri

File No. WR-2015-0301

In the Matter of)
Missouri American Water Company's)
Request For Authority to Implement)
A General Rate Increase For)
Water and Sewer Service Provided)
In Missouri Service Areas)

MICHAEL BUSHMANN, Presiding
REGULATORY LAW JUDGE

WILLIAM P. KENNEY, Commissioner

REPORTED BY: ANGELA R. CORKILL, CCR, CSR

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

2

3 (Commencing at 6:01 o'clock p.m.)

4

5 JUDGE BUSHMANN: Good evening. Today
6 is January 28th, 2016. The Missouri Public Service
7 Commission has set this time for a local public
8 hearing in File No. WR-2015-0301 which is captioned
9 as In the Matter of Missouri American Water Company's
10 Request For Authority to Implement a General Rate
11 Increase For Water and Sewer Service Provided in
12 Missouri Service Areas.

13 My name is Michael Bushmann. I'm the
14 regulatory law judge. I'll be presiding over the
15 hearing this evening and with me is Commissioner Bill
16 Kenney.

17 COMMISSIONER KENNEY: Thank you. I'd
18 like to say welcome. I'm sure our excellent staff
19 has done a wonderful job of giving you information
20 and hopefully you can understand the situation a
21 little better. And I know the Office of Public
22 Counsel does an excellent job also of trying to
23 represent you.

24 As the Judge mentioned, my name is
25 Bill Kenney. I'm one of five commissioners. Unlike

1 some states, we always make sure that one
2 commissioner at a minimum is always present at these
3 public hearings. We have a rate case going on, so
4 the other four commissioners are at that rate case
5 today and were unable to attend. But we do have a
6 court reporter, which was announced, and they have an
7 opportunity to read the transcript. So they can find
8 out what you have to say, those of you who wish to
9 speak. Again, appreciate your attendance tonight.

10 JUDGE BUSHMANN: Let's have the
11 attorneys make their entries of appearance.

12 For Missouri American Water Company?

13 MR. LUFT: Tim Luft, and the court
14 reporter has my information.

15 JUDGE BUSHMANN: Thank you.
16 Commission Staff?

17 MR. JOHNSON: Mark Johnson, and the
18 court reporter has my information as well.

19 JUDGE BUSHMANN: Office of Public
20 Counsel?

21 MR. KRETZER: Steve Kretzer and I've
22 also provided the court reporter with my information.

23 JUDGE BUSHMANN: Are there any
24 attorneys here from any of the intervening parties?
25 I don't see any.

1 Well, the process this evening is I'm
2 going to call the names off of the sign-up sheet and
3 if you would like to testify, you need to come to one
4 of these two microphones, your choice, and I'll swear
5 you in and ask you your name and where you live and
6 then you can provide your comments to the commission.
7 The first name on the list is Harold Stewart.

8 Would you raise your right hand? Do
9 you solemnly swear or affirm that the testimony you
10 are about to give will be the truth?

11 MR. STEWART: Yes.

12 JUDGE BUSHMANN: Could you please
13 state your name and spell your last name:

14 MR. STEWART: Harold Stewart,
15 S-T-E-W-A-R-T.

16 JUDGE BUSHMANN: And where do you
17 reside.

18 MR. STEWART: Here in the City of
19 Warrensburg. Do you need the physical address?

20 JUDGE BUSHMANN: That's okay. Go
21 ahead.

22 MR. STEWART: I'm here representing
23 the City of Warrensburg. I'm actually the city
24 manager for the City of Warrensburg serving this
25 community for about five months now, so I'm fairly

1 new. My professional career is serving communities
2 in Kansas, Arizona, Nebraska, Iowa, and now Missouri.

3 My third time being a city manager.
4 I've served when we as a city have provided sewer and
5 water service, so I'm familiar with the complexities
6 of what we're talking about this evening. I've also
7 been a part of recommending rate increases and fees
8 and those types of things, so I understand that.

9 A couple points I want to have on the
10 record this evening for the commission's
11 consideration. First of all, I'd like to read a
12 couple quotes from a recent article from the Kansas
13 City Star regarding our area. This article was
14 printed November 30th, 2015, entitled As Poverty and
15 Hunger Grow in Warrensburg, Agencies Try a New
16 Approach. And I'm not going to go through a lot of
17 it, but there are a couple of key quotes in here that
18 provide some key facts for our area that I think
19 should be taken into consideration with regard to
20 these increases that are being proposed.

21 Quoting from the article, "One-fourth
22 of the City of nearly 20,000 lives below the poverty
23 level." So one-fourth, that's 25 percent, 20,000
24 people, that's 5,000 people that are below the
25 poverty line.

1 A recent study by Feeding America
2 showed that Johnson County, of which Warrensburg is
3 the county seat, is among the worst for food
4 insecurity in Harvesters' 26-county service area in
5 northwest Missouri and northeast Kansas."

6 An additional quote from the article,
7 "In the school district, the number of students
8 receiving free or reduced-price lunches has jumped
9 from about 20 percent ten years ago to nearly 50
10 percent."

11 One final quote from the article, "'We
12 have single parents going back to school and taking
13 care of their kids and just trying to make ends
14 meet,' said Carole Smith, director of The Food Center
15 pantry which serves 400 to 450 families each month.
16 'A lot of our people are working, but working
17 minimum-wage jobs. By the time they pay the rent and
18 utilities and try to get insurance, there's not a lot
19 of money.'"

20 So I guess a couple of the points I
21 would like to make here is just that utility rates
22 have a significant impact on our citizens and while I
23 understand they're probably in comparison to the rest
24 of Missouri, our rates are probably the lowest. We
25 also provide service to a significant number of

1 people that are well below the poverty line. So
2 while maybe \$5 doesn't seem like a whole lot to us
3 each month, some of these families that are
4 struggling, that's a significant amount.

5 Also as a part of my job
6 responsibilities I've served in the capacity of
7 helping communities try and grow in economic
8 development, so I'd like to speak to a point brought
9 up earlier that is the importance of retail and
10 commercial and industry within our communities.

11 Utility costs are very significant
12 particularly when an industry is considering a
13 location or staying in a location. Right now
14 Warrensburg is seeing a rise in jobs created through
15 industry. We'd like to see that continue, so we'd
16 like to continue to retain those companies that
17 reside in our city limits and provide good-paying
18 jobs to these citizens that are already struggling
19 financially.

20 In addition, we'd like the community
21 to be attractive to recruit and bring in new industry
22 and if utility ratings go up in the significant
23 amounts we're talking about, that could have a
24 significant impact.

25 As I mentioned earlier, I've served as

1 a city manager in Nebraska, Iowa, now here in
2 Missouri. I know the competitiveness that comes from
3 state to state. Nebraska and Iowa have some of the
4 most competitive electric rates in the country.

5 I haven't seen any rates or studies
6 yet to know where we're at when it comes to water and
7 sewer. I hope that's something the commission will
8 take into account as they consider this not just for
9 Warrensburg and the area, but for the State as a
10 whole to bring those industries here and better
11 paying jobs for our citizens.

12 Speaking on behalf of the City of
13 Warrensburg, the 19.63 percent increase based off of
14 the discussion we had here this evening, if that rate
15 was to go into effect, we'd be looking at just under
16 \$13,000 increase a year out of our general operation
17 budget.

18 Obviously we're a city, we have a
19 healthy-sized budget. 13,000 probably isn't a whole
20 lot on the big scheme of things in regards to our
21 budget; however, our funds to pay for that come from
22 citizens and taxpayers within our jurisdiction, so in
23 some sense it's almost a double-dip. They pay their
24 water rates and their sewer rates, then they also pay
25 the taxes that help us pay that to provide the

1 services that they provide.

2 So for us to look at that, we're
3 either looking at increasing taxes to help cover that
4 cost or cutting back in services that they're already
5 paying for and receiving in order to meet that need.

6 My understanding in speaking with our
7 legal counsel is that late last week the PSE staff
8 presented a proposal to the commissioners
9 recommending reducing the districts across the state
10 into three. Warrensburg would be part of District
11 No. 3. Based off of our initial review of that, I
12 think that is the proposal that we are most in favor
13 of at this time. Although in addition with that,
14 that does propose a 30 percent increase on industrial
15 rates and we would ask for some more consideration in
16 that area where that could be reduced because we do
17 have concern regarding how these utility rates affect
18 our main job providers within our community.

19 Obviously Warrensburg benefits from a
20 university and a military base here. Some of our
21 citizens don't have a choice where they really reside
22 within our region. We have several military families
23 that live in our community. They do have a choice of
24 whether or not they live on base or they live in
25 Warrensburg or they live in Sedalia, but we want them

1 to choose to live in our community.

2 And the rest of us, whether it's our
3 major employers and industries, they have a choice in
4 whether or not they want to be in our community or
5 jurisdiction or our state, so I would ask the
6 commission take these items into consideration before
7 they make a final decision. With that, I conclude my
8 comments.

9 JUDGE BUSHMANN: Are there any
10 questions of counsel for Mr. Stewart?

11 MR. LUFT: I have no questions for
12 Mr. Stewart.

13 COMMISSIONER KENNEY: Mr. Stewart, you
14 mentioned that you have those excerpts from that
15 November 2015 Kansas City Star article. Would you
16 like to make that an exhibit and put it into the
17 record?

18 MR. STEWART: I would love to. I have
19 a copy here with highlights.

20 COMMISSIONER KENNEY: Give it to the
21 Judge and he will give it to her.

22 (Exhibit 1 marked for identification.)

23 COMMISSIONER KENNEY: Thank you,
24 Mr. Stewart.

25 MR. STEWART: Thank you.

1 JUDGE BUSHMANN: Exhibit 1 will be
2 received into the record.

3 Next witness is Ken McAninch. Raise
4 your right hand. Do you solemnly swear or affirm
5 that the testimony you're about to give will be the
6 truth?

7 MR. MCANINCH: Yes, I do.

8 JUDGE BUSHMANN: Would you please
9 state your name and spell your last name.

10 MR. MCANINCH: My name is Ken
11 McAninch, last name is M-C-A-N-I-N-C-H.

12 JUDGE BUSHMANN: Where do you reside?

13 MR. MCANINCH: I reside in Holden.
14 I'm here representing a local company, Swisher
15 Acquisition.

16 JUDGE BUSHMANN: Please go ahead.

17 MR. MCANINCH: Thank you for letting
18 me have the opportunity to speak with you. Our
19 biggest concern with this is the rate increase, the
20 level of it. As of right now, during the comments
21 earlier mentioned, the swing could be from 30 percent
22 down to nothing, but there is no true accurate number
23 to go off of at this time. Our biggest concern is
24 this 30 percent is a very drastic increase especially
25 even with private citizens, especially with business.

1 Cost of living has not gone up that
2 much in relation to this. I do feel that the
3 utilities do deserve a slight increase for
4 improvements, but I think a 30 percent or even a 19
5 percent is a bit too drastic based on the
6 demographics of this area.

7 And again, as Mr. Stewart mentioned,
8 the businesses here work on a very tight shoestring
9 and employ local families. This would be very
10 detrimental to any of these companies trying to still
11 grow and prosper in the community. Thank you very
12 much.

13 JUDGE BUSHMANN: Questions from
14 counsel?

15 MR. LUFT: No questions.

16 MR. JOHNSON: No questions.

17 JUDGE BUSHMANN: Thank you,
18 Mr. McAninch. That's all the names that have signed
19 up to testify. Is there anybody else in the audience
20 who would like to testify this evening? Well, that's
21 all then we're going to be doing this evening and I'd
22 like to thank you all for coming tonight. If you'd
23 like to present written comments to the commission if
24 you think of something later, you can go to the
25 commission's web page or you can contact the office

1 of public counsel. With that, we're adjourned.

2 Thank you for coming.

3 (Concluded at 6:14 o'clock p.m.)

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I N D E X

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(Exhibit 1 was attached with the transcript.)		

CERTIFICATE OF REPORTER 16

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CERTIFICATE OF REPORTER

STATE OF MISSOURI)
) ss.
COUNTY OF JOHNSON)

I, Angela R. Corkill, a Certified Court Reporter (MO), Certified Shorthand Reporter (KS), do hereby certify that the matter appearing in the foregoing transcript was recorded by me to the best of my ability and was thereafter reduced to written form under my direction.

I further certify that I am not a relative or employee of counsel of any of the parties involved in said action, nor a person financially interested in the action.

Angela R. Corkill
CCR No. 961, CRS No. 1387

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