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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
TRANSCRIPT OF PROCEEDINGS

Local Public Hearing

March 15, 2011

Branson, Missouri

Volume 1 @ Page 1

In The Matter of The Small ) File No. WR-2011-0037  
Company Rate Increase Of )  
Tri-States, Inc. )

MORRIS L. WOODRUFF, Presiding  
CHIEF REGULATORY LAW JUDGE  
ROBERT M. CLAYTON, III,  
COMMISSIONER

REPORTED BY: TRACIE BRUMLEY, CCR No. 620  
(Hearing started at 6:37 p.m.)

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

2 JUDGE WOODRUFF: Good evening, everyone.

3 Let's come to order, please. Welcome to our local public  
4 hearing considering Tri-States Utilities request for a rate  
5 increase. This is file number WR-2011-0037. My name is  
6 Morris Woodruff. I'm Chief Regulatory Law Judge for the  
7 Public Service Commission. And I'll be presiding at the  
8 hearing tonight. In a moment I will have the people who  
9 signed up on the list come forward and offer their  
10 testimony. And if you would come around to the podium here,  
11 I will swear you in. You can tell us what you want to tell  
12 us. There's two names on the list. If there's anyone else  
13 who wants to testify after those two people have gone, we'll  
14 give you a chance to testify also. I also would like to  
15 introduce to my right here Commissioner Robert Clayton.

16 COMMISSIONER CLAYTON: Thank you, Judge. My  
17 name is Robert Clayton. I'm one of the five members of the  
18 Missouri Public Service Commission. I'm glad to be here in  
19 Branson and look forward to the testimony that is going to  
20 be provided tonight. If you have any specific challenges  
21 with the utility, I would encourage you to take advantage of  
22 the opportunity to meet with either the Public Service  
23 Commission staff or the Office of Public Counsel  
24 representative who's here or representatives from the  
25 utility. Usually these are wonderful opportunities to get

1 people together and work out any problems that you may be  
2 facing with your utility service.

3 We will be making a transcript of the  
4 proceeding here tonight to be made part of the record back  
5 on our electronic filing system. All of the commissioners  
6 will review all of the testimony that will be provided here  
7 tonight that will be taken as part of the record in the  
8 case, so I look forward to the testimony. Thank you for  
9 coming out.

10 JUDGE WOODRUFF: Before I call the first  
11 witness, I need to determine which attorneys are here for  
12 the parties. Will begin with staff.

13 MS. MCCLOWRY: Meghan McClowry for the staff  
14 of the Public Service Commission. My business address is PO  
15 Box 360, Jefferson City, Missouri 65102

16 JUDGE WOODRUFF: Office of public counsel?

17 MS. BAKER: Thank you. Christina Baker, PO  
18 Box 2230, Jefferson City, Missouri 65102, appearing on  
19 behalf of the Office of the Public Counsel and the rate  
20 payors.

21 JUDGE WOODRUFF: Is Tri-States Utilities  
22 represented by legal counsel? All right. Well then let's  
23 go ahead and call the first witness which is Dick Gass.

24 Evening, Mr. Gass.

25 MR. GASS: Good evening. Thanks for having

1 us here and thanks for coming and --

2 JUDGE WOODRUFF: Before you start, I need to  
3 swear you in, so if you'll raise your right hand.

4 (Witness duly sworn).

5 JUDGE WOODRUFF: And could you spell your  
6 last name for us?

7 MR. GASS: My name is Richard Edward Gass.  
8 I'm known as Dick Gass, G-a-s-s. I live at 178 Norwood  
9 Drive in Branson.

10 We just sat through a question-and-answer  
11 session before we came to a full-blown hearing and they  
12 answered our questions. They did a good job, but the way I  
13 look at this, the water company was good enough to give me  
14 this information over the phone today and they were very  
15 patient with me and they looked at how much -- how much  
16 water that I used for last year and how much it cost me.  
17 And then they told me with the rate increase how much that  
18 same amount would cost me after the rate increase; and I  
19 figured it up to be 24.6 percent increase on my -- I'm not  
20 talking about the overall increase of 11 point, whatever it  
21 is, but I'm just talking about -- and I'm an individual  
22 homeowner, and that's what it would cost me individually  
23 would be 11.1 as you use the water.

24 I think that a 24.6 percent increase is way  
25 out of line for somebody that's in a private home. I'm not

1 a commercial business. It just seems way out of line. I  
2 hope you guys look at that. And, you know, to grant a 24.6  
3 percent increase for water makes about as much sense to me  
4 as rearranging the deck chairs on the Titanic and that's the  
5 way I feel. I'm not talking about the Titanic on '76. I'm  
6 talking about the one way down there under the water.

7 So I hope you take that into consideration  
8 when you're looking at this. 24.6 percent, gentlemen, I  
9 don't think you would like that. Thank you.

10 COMMISSIONER CLAYTON: Mr. Gass, may I ask  
11 you a few questions?

12 MR. GASS: Sure.

13 COMMISSIONER CLAYTON: When you -- when you  
14 had the water company do an analysis of your bill --

15 MR. GASS: That's right.

16 COMMISSIONER CLAYTON: -- would you consider  
17 yourself a low user of water, a big user of water, about  
18 average? Do you know where you fit in the spectrum of  
19 things?

20 MR. GASS: Well, you would have to tell me --  
21 give me some numbers.

22 COMMISSIONER CLAYTON: Well, do you know how  
23 many gallons of water you use on a regular basis?

24 MR. GASS: Yeah. 61,900 gallons of water.  
25 Now, I don't know where that is, medium, low, high. You

1 folks might be able to enlighten me.

2 COMMISSIONER CLAYTON: Be, what, over 5,000  
3 gallons a month?

4 Does anyone here know what the average usage  
5 is for this utility? Mr. Bush, do you know that? That's  
6 about, what, 5,000, a little over 5,000 gallons a month?

7 MR. BUSH: That's about average statewide. I  
8 couldn't be specific.

9 COMMISSIONER CLAYTON: Okay.

10 MR. GASS: So I'm not a high user. I figured  
11 I would be pretty average.

12 COMMISSIONER CLAYTON: Mr. Gass, can you tell  
13 me about the service that -- is the service good? Are you  
14 happy with the service, any problems?

15 MR. GASS: I have no problems with service,  
16 nor the people that provide the service. They do a good  
17 job. I have no problem with the people. It's just that  
18 percent I'm looking at.

19 The other thing I brought up, and they  
20 pretty well answered it, that was upsetting to me was  
21 sprinkler system. That's where most of our water goes.  
22 Everybody likes a green lawn. Nobody likes brown for some  
23 reason. I don't know why. We're all Irish I guess. But in  
24 the wintertime, as you folks all know living around here, we  
25 blow our lines out, shut the system off for a good three to

1 four months. We don't use that water, yet we pay for that  
2 meter. And I think I have to disagree with what they were  
3 saying the meter pays for the -- you know, that meter charge  
4 pays for the maintenance and everything, but I think there  
5 should be -- you don't use that meter. It's shut off. You  
6 shouldn't have to pay that monthly fee for those three  
7 months until you turn it back on and start using that water  
8 with your sprinkler system because they make a lot of their  
9 money through the sprinkler system. Do you have any comment  
10 on that?

11 COMMISSIONER CLAYTON: I can't comment on any  
12 particular part of the case. I'm here to get your  
13 testimony.

14 MR. GASS: Okay. Well that's my testimony.  
15 And I don't think I'm out of line on that. I just -- it  
16 just doesn't seem right to pay that meter charge when you  
17 don't -- when you got it turned off, you don't even use it.  
18 And I know about the overall maintenance, it all goes into  
19 one big pot; but I think there should be some consideration  
20 on that. I think it's only fair to the user.

21 COMMISSIONER CLAYTON: This is not the first  
22 time. It's the first time I've heard it come up as referred  
23 to with regard to water, especially with natural gas service  
24 this has come up before, so this is an ongoing challenge for  
25 us to work on. Thank you very much for your testimony.



1 MR. GASS: By the way, you know, we're  
2 getting a natural gas company in Branson. We're all happy  
3 about it. Thank you.

4 JUDGE WOODRUFF: Attorneys have any  
5 questions?

6 Next name on the list is Bob Grenier. Good  
7 evening, sir.

8 MR. GRENIER: Evening. Thank you for  
9 allowing us to do this.

10 JUDGE WOODRUFF: If you would please raise  
11 your right hand, I will swear you in.

12 (Witness duly sworn.)

13 JUDGE WOODRUFF: Thank you. You might want  
14 to spell your last name for the court reporter.

15 MR. GRENIER: It's G-r-e-n-i-e-r. First name  
16 James. I live at 454 Woodland Drive in Woodlands, Branson,  
17 Missouri.

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

20 MR. GRENIER: Been a customer of Tri-Lakes --  
21 Tri-States Water Utility for six years. We discovered  
22 shortly after we moved in that one of the things we needed  
23 to do was soften our water. That's not necessarily their  
24 fault, it's just hard water. And we did that. The water is  
25 actually pretty good. I've got to give due where due is

1 needed and that is that their service has definitely  
2 improved in the last year because we had a lot of water  
3 shutoffs, breakdowns for the five years before that.

4 It was mentioned earlier that they had  
5 applied for an increase back in 2008, and I don't know  
6 whatever happened to that; but the increase wasn't passed  
7 for one reason or another.

8 I would like to just read the letter if I  
9 could that I sent to the commission and it will help  
10 Mr. Gass' percentages because mine are even worse than his.

11 On January 28, 2011 the Tri-States Utility,  
12 Incorporated, the utility supplying water to our residential  
13 address, gave notice of a proposed rate increase. No doubt  
14 for the last year, Tri-States, Incorporated has for whatever  
15 reason improved their delivery of water to our residence  
16 over what had been for several years in the past. We used  
17 to lose service several times per year and sometimes for  
18 several days at a time. Because of their improved service,  
19 Tri-States Utility may possibly be entitled to some increase  
20 in rates for their product. I think it's worth noting that  
21 the fact that they haven't had a rate increase since  
22 sometime back in the 1980s is not necessarily our fault.  
23 You know, they could have applied for rate increases along  
24 the way. I don't know whether they did and they were turned  
25 down or whether they just didn't apply for them, but it

1 seems to me you're essentially asking us to help them catch  
2 up.

3                               However it is our opinion that the  
4 increases proposed are very extreme. Under the existing  
5 rate -- and I'm using the rates that were published on the  
6 sheet that they sent us.

7                               Under the existing rates, the user  
8 received the first 2,000 gallons of water included in the  
9 monthly minimum charge. For a 5/8ths pipe meter customer  
10 the average per 1,000 gallons rate over 2,000 gallons is  
11 2.725. They used to have a broken -- I mean their rates  
12 changed whether it was winter or summer. I'm not sure why,  
13 but for six months it was one rate and for the other six  
14 months it was a higher rate; and so I just averaged them and  
15 got 2.725 per gallon.

16                              In the example used in the notice of  
17 increase, Tri-States indicated the average monthly cost to a  
18 6,000 gallon user is 17.50. That's the number here at the  
19 bottom. If you just add these together and divide by 2, I  
20 get 17.50. The proposed rate of 26.59 is a proposed  
21 increase of almost 52 percent as opposed to what Mr. Gass  
22 had mentioned of 24 percent.

23                              For my wife and me, a household of two,  
24 the average monthly usage is closer to 4,000 gallons for  
25 which we would currently pay 12.05 a month. Again, using

1 their existing rates starting with the first 2,000 minimum  
2 and then the rate per thousand and beyond that and averaging  
3 them for the 6 months and 6 months, comes up to 12.05 and  
4 the rate proposal for a 4,000 gallon user would be \$20 and  
5 21 cents. That's an increase of almost 68 percent. We  
6 think this is extreme.

7 To the best of my memory the United  
8 States Social Security Administration has not extended the  
9 cost of living increase in our Social Security checks for at  
10 least the past two years. Economically the economy is  
11 generally stagnate. There is virtually no inflation. At  
12 the present time interest rates are extremely low. Gas is  
13 going up extremely, you know, automobile gas. We think  
14 asking for a 68 percent increase in anything at this time is  
15 simply extreme. This is not the time to be going to your  
16 customers and asking them to pay 68 percent more than they  
17 paid the previous year. That's just my opinion.

18 COMMISSIONER CLAYTON: Mr. Grenier, can I ask  
19 you a few questions?

20 MR. GRENIER: Sure.

21 COMMISSIONER CLAYTON: You said the service  
22 has improved. Can you give me a little more background or  
23 understanding about what was wrong with the service  
24 before?

25 MR. GRENIER: Well we -- there was it seems

1 to me for the first five years that we were Tri-States  
2 Utility customers, we would lose water on the average of two  
3 to three times a year, due mostly to water main breaks. And  
4 I can remember one time we went about three days while they  
5 fixed it. It was a major break of some sort. We actually  
6 went without water for three days. We started -- we got in  
7 kind of a silly little habit of filling one of our bathtubs  
8 with water when we thought there might be a potential for a  
9 break. It seemed to depend a little on weather.

10 I remember one instance several years ago  
11 when there was a fire down in a restaurant called Fall Creek  
12 Steakhouse, and we didn't know there was a fire. We went  
13 and turned the water on, there was no water. So I called  
14 Tri-States Utility, I said what happened to our water? Well  
15 there's a fire down at Fall Creek Steakhouse. Simple fact  
16 is the fire department sucked the mains dry trying to put  
17 out the fire. That doesn't say a lot for the fire hydrant  
18 potential. You know, I mean if the -- if the fire  
19 department could hook onto a fire hydrant down there and  
20 suck the mains dry to where we don't get any water,  
21 something is wrong with the system I think.

22 But I don't know whether the water  
23 pressure problem has improved. We get -- we get plenty of  
24 pressure at our house actually. And this past year or maybe  
25 18 months we haven't had a loss in service which is

1 commendable I think. So I don't know what they have done to  
2 fix that but used to be it was just really regular. Every  
3 -- every two, three, four months we would get a breakage of  
4 some sort.

5 COMMISSIONER CLAYTON: So can you think of  
6 any quality of service problem that they have right now? Is  
7 everything fixed and everything --

8 MR. GRENIER: Oh no, I think it seems to be.  
9 Yeah, it seems to be fine. Again, the water is very hard  
10 but I'm not sure that is their fault. It's -- you know, the  
11 water you pull out of the ground through whatever, 16 miles  
12 of limestone is going to be hard.

13 I remember when we first moved in, we  
14 took a glass of water and sat it on the counter and it  
15 actually turned tan from the rust in the -- I mean, the iron  
16 in the water would rust while it was sitting there on the  
17 counter.

18 COMMISSIONER CLAYTON: It was sitting there  
19 and would turn tan?

20 MR. GRENIER: Turned tan, yeah.

21 COMMISSIONER CLAYTON: That's comforting.  
22 Makes you feel good about what you got going on.

23 MR. GRENIER: Say again?

24 COMMISSIONER CLAYTON: Makes you feel good  
25 about your water service when --

1                   MR. GRENIER:   Well they say you need some  
2   iron in your diet, but that seemed a little extreme.   I  
3   don't know.   But anyway I think the 52 percent and the 68  
4   percent are, you know, I don't mind giving them an increase  
5   but I think they are asking for a little too much all at one  
6   time.   That's just my opinion.

7                   COMMISSIONER CLAYTON:   Any increase in price  
8   we find these days is a challenge and --

9                   MR. GRENIER:   Oh yeah.

10                  COMMISSIONER CLAYTON:   -- the message is  
11   consistent throughout the State, frankly throughout the  
12   country so it's always a real challenge.   There are some  
13   places that have water rates that are three times this.  
14   There are some places where the water rates are lower and  
15   finding -- finding the right level is very difficult and  
16   that's the challenge.

17                  MR. GRENIER:   You know, and I can sympathize  
18   with them who have the sprinkler system.   Quite honestly, if  
19   God doesn't water my lawn, it just gets brown.   That's the  
20   way it goes.

21                  COMMISSIONER CLAYTON:   Just like your water  
22   used to be?

23                  MR. GRENIER:   Yeah.   Yeah.

24                  COMMISSIONER CLAYTON:   Thank you very much  
25   for coming.

1 MR. GRENIER: Oh, you're more than welcome.

2 Thank you.

3 JUDGE WOODRUFF: That was the last name on my  
4 list. Is there anyone else here who would like to testify?

5 Yes, ma'am. Good evening. Tell us your name, please.

6 MS. MILLIRON: My name is Neva Milliron, and  
7 we live at 176 Camp Drive in Branson, Missouri.

8 JUDGE WOODRUFF: You better spell your last  
9 name for us.

10 MS. MILLIRON: M-i-l-l-i-r-o-n.

11 JUDGE WOODRUFF: Just like it sounds.

12 MS. MILLIRON: Yeah.

13 JUDGE WOODRUFF: Please raise your right  
14 hand.

15 (Witness duly sworn.)

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

18 MS. MILLIRON: Well, I had asked the -- one  
19 of the guys here at the table about the monthly minimum  
20 charge and he explained it away, but I still don't agree  
21 with it and I still don't understand where he's coming from  
22 on it. But in the past clear up until now, we have had  
23 monthly minimum here on this letter just like it shows of  
24 \$6.60 a month. That included a minimum of 2,000 gallons  
25 that you could use before you ever were charged another



1 penny. He tried to say well that was all included in it,  
2 blah-blah, and I really didn't understand because he said if  
3 you're gone or not or you're there or not you're still  
4 charged 6.60. I said yes, if you're gone two weeks and you  
5 come home and you use 1,500 gallons, you still are charged  
6 the 6.60 because that first 2,000 is included in the 660.

7 With this new charge there's no  
8 minimum allowance at all. You're charged 7.45 a month just  
9 for the privilege of being their customer, I guess. And  
10 then for every -- you turn on the faucet at zero and you  
11 start up that first thousand gallons, you're going to be  
12 charged another 3.58 or 3.19 it is, whatever these charges  
13 are per thousand gallons on top of that 7.45. So, in other  
14 words, they are not giving you any minimum gallons for the  
15 7.45 and they are going to start charging you by the  
16 thousand gallons on top of that so your bill could be, you  
17 know, for the first 2,000 gallons on top of that 7  
18 something, you could be paying in the 7 or \$8 for that first  
19 2,000 that you used to get that was included in that basic  
20 minimum. That's my complaint. You know, it's like they are  
21 wanting more for -- and giving you less.

22 JUDGE WOODRUFF: Commissioner, any questions?

23 COMMISSIONER CLAYTON: Ma'am, I certainly  
24 understand the concern. As I mentioned before, this is not  
25 the first time we've dealt with this issue and it's finding

1 that right balance. Are you happy with the service that you  
2 were receiving from the company?

3 MS. MILLIRON: Yeah. I'm pretty happy with  
4 their service, other than this explanation. And to me it's  
5 like if you put it into a rate increase, I don't know what  
6 that percentage would be, but that would be almost 100  
7 percent raise if you were to pay for 2,000 gallons at 3.19  
8 per gallon on top of the 7.45 that's well over -- almost  
9 overtake the 6.60 you used to get with the 2,000 included.

10 COMMISSIONER CLAYTON: Sure.

11 MS. MILLIRON: But as far as the service, it  
12 seems like it's okay.

13 COMMISSIONER CLAYTON: Company treat you okay  
14 when you called and have a problem?

15 MS. MILLIRON: Pretty much. I know when you  
16 go in the office up there the girls are pretty snappy when  
17 they answer a question.

18 COMMISSIONER CLAYTON: Really?

19 MS. MILLIRON: You know, they're always  
20 right, you're never right. Other than that as far as them  
21 coming and taking care of things, yeah, they will do that;  
22 but like some of them said, you know, they'll charge you to  
23 come out and turn it off and turn it back on, \$25 for each  
24 and every thing. They lock the meter can so you can't get  
25 in there and like he -- my husband was telling me our

1 turn-off valve was inside the can way before these people  
2 took over, so we couldn't help where the turn-off valve is.  
3 They said well, you know, if you turn the water off, we do  
4 have to come out. You know, that isn't our problem they put  
5 a lock on there so you can't get to it anymore and you turn  
6 it off when you have a problem. So, you know, that's --  
7 things, little things like that just -- it makes you feel  
8 like you're being punished for paying your bill. I don't  
9 know.

10 COMMISSIONER CLAYTON: No good deed goes  
11 unpunished, right?

12 MS. MILLIRON: Yeah. But mainly it's, you  
13 know, the minimum charge it could really add up quick if you  
14 would pay 7.45 for the privilege of being their customer and  
15 then they start charging you for what you used to get  
16 included in the bill for the first 2,000. Then they start  
17 charging you --

18 COMMISSIONER CLAYTON: We deal with this all  
19 the time. And I'll tell you specifically in the Kansas City  
20 area the gas companies went to putting almost all its costs  
21 in a fixed monthly charge. People were not happy with it.  
22 The commission stuck with it. There's some reasons for it.  
23 And it all comes down to trying to figure out what is the  
24 right way to go to make sure there's enough money in the  
25 system to keep the water from turning brown or from being

1 brown, make sure it doesn't turn off. You got to make sure  
2 you got to have enough -- you got to have the investment in  
3 the system to make sure it works. So that's the challenge  
4 we have and I thank you for your testimony.

5 MS. MILLIRON: Yeah. And they wanted the  
6 660,000 and they said here and say -- in this letter that  
7 they might possibly get -- instead of that they might  
8 possibly get 104,000 something. I'm like the other guy. I  
9 do think they need to make some kind of raise but, you know,  
10 not to the point where, you know, it's going to make it hard  
11 on everybody; because everybody here is on a fixed income, a  
12 lot of us are.

13 COMMISSIONER CLAYTON: Well, it varies around  
14 the state. We have water companies throughout the State of  
15 Missouri and some pay incredibly high rates.

16 MS. MILLIRON: Oh yeah, I understand that.

17 COMMISSIONER CLAYTON: And I just -- it  
18 doesn't mean that -- it doesn't mean --

19 MS. MILLIRON: Just don't want to get started  
20 on snowball where before you know it a few years down the  
21 line, like this one guy said, you know, it proves every year  
22 to be incredibly high and a lot of people in this area can't  
23 afford it because we're on fixed incomes.

24 COMMISSIONER CLAYTON: Well I'll tell you  
25 what with water, and I'm talking way too much because I'm

1 supposed to be asking questions and listening to your  
2 testimony; but the thing about water is it's got to be  
3 clean, it's got to be potable, you got to be able to drink  
4 it, you got to use it to clean and to cook and everything  
5 else. And so, you know, the big concern is making sure that  
6 the company has got enough invested in to make sure that  
7 product is clean; and that's part of the reason why a lot of  
8 systems have a lot higher rates. They have dilapidated  
9 systems that require even more investment, and this system  
10 hasn't gotten to that. I'm glad to hear the quality of  
11 service problems have been addressed.

12 MS. MILLIRON: So far it depends on like my  
13 husband said when they break a line, they never notify you.  
14 Only notification you get is when you open up your faucet  
15 and brown stuff comes out. Well, you don't feel too good  
16 about drinking that when it's all yucky stuff. They could  
17 have at least let you know. You know, we have had a water  
18 main break here; look for water and different things. But  
19 other than that that's the only --

20 COMMISSIONER CLAYTON: Yeah, the color brown  
21 has been a theme here.

22 MS. MILLIRON: Yes, just like swamp water.

23 COMMISSIONER CLAYTON: Could we -- could we  
24 -- It doesn't sound like you have gotten all your questions  
25 answered on the thing. I'm wondering if we -- someone from

1 staff could meet with you just right outside?

2 MS. MILLIRON: That's fine. In fact, I still  
3 got this paper I was going to give that to the lady outside  
4 too.

5 COMMISSIONER CLAYTON: Sure. Thank you for  
6 coming.

7 JUDGE WOODRUFF: Anyone else wish to testify?  
8 Yes, sir?

9 MR. RANKIN: Mike Rankin. R-a-n-k-i-n.

10 JUDGE WOODRUFF: If you could raise your  
11 right hand.

12 (Witness duly sworn.)

13 JUDGE WOODRUFF: What would you like to tell  
14 us?

15 MR. RANKIN: Good evening. Thank you for  
16 your time. You have a tough job ahead of you. As the  
17 taxpayer of this state, I certainly appreciate your  
18 willingness to serve on these type of commissions.

19 I have the privilege of representing  
20 Pointe Royale which is 953 owners. We have five pools and  
21 an irrigation system on our golf course. You have heard a  
22 few comments from one of our owners regarding some of his  
23 issues as a resident and his issues in my opinion are  
24 similar to other residents in the area. I wanted to address  
25 some of the concerns I have when it comes to the

1 infrastructure.

2 Nobody like rate increases. It's  
3 something we all face. It's something that is to be  
4 expected. I assume in a world we live in one of the  
5 requests I ask is we keep that rate as least possible. And  
6 I would also suggest that in the future if, and I emphasis  
7 the word if, if rate increases are suggested, that it's a  
8 more of a ramped-up process than holding tight for many  
9 years and then springing on what seems to be a rather large  
10 rate.

11 Several cities I've worked in the past we  
12 have had those type of experiences where you hold the line  
13 for many years and then you have to finally rate increase  
14 and it's usually substantial. I think if you educate  
15 owners, if we also have a community that better understands  
16 usage and that would be more of a good steward, I mean it  
17 works both sides.

18 My concerns with the infrastructure as I  
19 mentioned earlier, Taney County has seen explosive growth  
20 over the years and with that we've modernized our tactics.  
21 Our building tactics, our procedures. We have regulations  
22 in place where in the past it wasn't the case. I have seen  
23 situations where there was a question of where the line was  
24 actually located. Now we're in an area where there was some  
25 accelerated growth. We're in a time when previous owners

1     were quickly trying to respond to that infrastructure  
2     growth. There's a question of where specific lines are  
3     versus where they should be; the condition of those lines  
4     and the accessibility. The biggest concern I have is the  
5     future cost of those infrastructure repairs. If we would  
6     have to role them into additional rate increases.

7                     As far as what I have seen out of the  
8     local office here, now I've only been employed with Pointe  
9     Royale for a little over a year but I've got 11 years  
10    experience in the area dealing with them and for a city. I  
11    can tell you I have seen a wide difference in how they  
12    respond to your needs now versus in the past. I believe the  
13    office has ran more professionally than it has been in the  
14    past and I believe their response time is quicker than it  
15    has been in the past.

16                    I have stood out in those ditches with  
17    Todd when we were trying to solve a problem, and he was as  
18    vocal as I was when it came to how we fixed the problem.  
19    But at the end of the day, we were able to tackle the issue  
20    together.

21                    But the biggest thing to me is the  
22    condition of the infrastructure, where it's located and the  
23    issues we may face in the future and the effect it may have  
24    on the rates. Thank you.

25                    JUDGE WOODRUFF: Are you representing



1 Homeowners' Association; is that what Pointe Royale is?

2 MR. RANKIN: Yeah, I serve as the general  
3 manager for the community for the COA, the POA and then  
4 under the POA there is a golf community of approximately 953  
5 properties. A little over 850 and some change owners.

6 COMMISSIONER CLAYTON: I don't have any  
7 questions. Thank you very much for coming.

8 MR. RANKIN: Thank you.

9 JUDGE WOODRUFF: Anyone else wish to testify?  
10 I don't see any other hands going up.

11 So at this time I will just thank you all  
12 for coming out this evening and with that we are adjourned.

13 (Hearing concluded at 7:05 p.m.)  
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CERTIFICATE OF COURT REPORTER

I, TRACIE BRUMLEY, a Certified Court Reporter  
within and for the State of Missouri, do hereby certify that  
the witness whose testimony appears in the foregoing  
deposition was duly sworn by me; that the testimony of said  
witness was taken by me to the best of my ability and  
thereafter reduced to typewriting under my direction; that I  
am neither counsel for, related to, nor employed by any of  
the parties to the action in which this deposition was  
taken, and further that I am not a relative or employee of  
any attorney or counsel employed by the parties thereto, nor  
financially or otherwise interested in the outcome of the  
action.

\_\_\_\_\_

Certified Court Reporter  
  
in and for  
  
The State of Missouri

1	I N D E X	Page 27
2	RICHARD GASS -----	Page 5
3	BOB GRENIER -----	9
4	NEVA MILLIRON -----	16
5	MIKE RANKIN -----	22
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

**PUBLIC SERVICE COMMISSION 3/15/2011**

<p align="center"><b>A</b></p> <p><b>ability</b> 26:7</p> <p><b>able</b> 7:1 21:3 24:19</p> <p><b>about</b> 5:20,21 6:3,5 6:6,17 7:6,7,13 8:18 9:3 12:23 13:4 14:22,25 16:19 21:2,16</p> <p><b>accelerated</b> 23:25</p> <p><b>accessibility</b> 24:4</p> <p><b>action</b> 26:10,14</p> <p><b>actually</b> 9:25 13:5 13:24 14:15 23:24</p> <p><b>add</b> 11:19 19:13</p> <p><b>additional</b> 24:6</p> <p><b>address</b> 4:14 10:13 22:24</p> <p><b>addressed</b> 21:11</p> <p><b>adjourned</b> 25:12</p> <p><b>Administration</b> 12:8</p> <p><b>advantage</b> 3:21</p> <p><b>afford</b> 20:23</p> <p><b>after</b> 3:13 5:18 9:22</p> <p><b>again</b> 11:25 14:9,23</p> <p><b>ago</b> 13:10</p> <p><b>agree</b> 16:20</p> <p><b>ahead</b> 4:23 22:16</p> <p><b>allowance</b> 17:8</p> <p><b>allowing</b> 9:9</p> <p><b>almost</b> 11:21 12:5 18:6,8 19:20</p> <p><b>along</b> 10:23</p> <p><b>always</b> 15:12 18:19</p> <p><b>amount</b> 5:18</p> <p><b>analysis</b> 6:14</p> <p><b>another</b> 10:7 16:25 17:12</p> <p><b>answer</b> 18:17</p> <p><b>answered</b> 5:12 7:20 21:25</p> <p><b>anymore</b> 19:5</p> <p><b>anyone</b> 3:12 7:4 16:4 22:7 25:9</p> <p><b>anything</b> 12:14</p> <p><b>anyway</b> 15:3</p> <p><b>APPEARANCES</b> 2:1</p> <p><b>appearing</b> 4:18</p> <p><b>appears</b> 26:5</p> <p><b>applied</b> 10:5,23</p> <p><b>apply</b> 10:25</p> <p><b>appreciate</b> 22:17</p> <p><b>approximately</b> 25:4</p> <p><b>area</b> 19:20 20:22 22:24 23:24 24:10</p> <p><b>around</b> 3:10 7:24 20:13</p>	<p><b>asked</b> 16:18</p> <p><b>asking</b> 11:1 12:14 12:16 15:5 21:1</p> <p><b>Association</b> 25:1</p> <p><b>assume</b> 23:4</p> <p><b>attorney</b> 26:12</p> <p><b>attorneys</b> 4:11 9:4</p> <p><b>automobile</b> 12:13</p> <p><b>average</b> 6:18 7:4,7 7:11 11:10,17,24 13:2</p> <p><b>averaged</b> 11:14</p> <p><b>averaging</b> 12:2</p> <p><b>away</b> 16:20</p> <p align="center"><b>B</b></p> <p><b>back</b> 4:4 8:7 10:5,22 18:23</p> <p><b>background</b> 12:22</p> <p><b>Baker</b> 2:5 4:17,17</p> <p><b>balance</b> 18:1</p> <p><b>basic</b> 17:19</p> <p><b>basis</b> 6:23</p> <p><b>bathtubs</b> 13:7</p> <p><b>before</b> 4:10 5:2,11 8:24 10:3 12:24 16:25 17:24 19:1 20:20</p> <p><b>begin</b> 4:12</p> <p><b>behalf</b> 4:19</p> <p><b>being</b> 17:9 19:8,14 19:25</p> <p><b>believe</b> 24:12,14</p> <p><b>best</b> 12:7 26:7</p> <p><b>better</b> 16:8 23:15</p> <p><b>beyond</b> 12:2</p> <p><b>big</b> 6:17 8:19 21:5</p> <p><b>biggest</b> 24:4,21</p> <p><b>bill</b> 6:14 17:16 19:8 19:16</p> <p><b>blah-blah</b> 17:2</p> <p><b>blow</b> 7:25</p> <p><b>Bob</b> 9:6 27:3</p> <p><b>both</b> 23:17</p> <p><b>bottom</b> 11:19</p> <p><b>Box</b> 2:3,6 4:15,18</p> <p><b>Branson</b> 1:8 3:19 5:9 9:2,16 16:7</p> <p><b>break</b> 13:5,9 21:13 21:18</p> <p><b>breakage</b> 14:3</p> <p><b>breakdowns</b> 10:3</p> <p><b>breaks</b> 13:3</p> <p><b>broken</b> 11:11</p> <p><b>brought</b> 7:19</p> <p><b>brown</b> 7:22 15:19 19:25 20:1 21:15 21:20</p> <p><b>Brumley</b> 1:17 2:9</p>	<p>26:3</p> <p><b>building</b> 23:21</p> <p><b>Bush</b> 7:5,7</p> <p><b>business</b> 4:14 6:1</p> <p align="center"><b>C</b></p> <p><b>C</b> 3:1</p> <p><b>call</b> 4:10,23</p> <p><b>called</b> 13:11,13 18:14</p> <p><b>came</b> 5:11 24:18</p> <p><b>Camp</b> 16:7</p> <p><b>care</b> 18:21</p> <p><b>case</b> 4:8 8:12 23:22</p> <p><b>catch</b> 11:1</p> <p><b>CCR</b> 1:17 2:9,9</p> <p><b>cents</b> 12:5</p> <p><b>certainly</b> 17:23 22:17</p> <p><b>CERTIFICATE</b> 26:1</p> <p><b>Certified</b> 26:3,18</p> <p><b>certify</b> 26:4</p> <p><b>chairs</b> 6:4</p> <p><b>challenge</b> 8:24 15:8 15:12,16 20:3</p> <p><b>challenges</b> 3:20</p> <p><b>chance</b> 3:14</p> <p><b>change</b> 25:5</p> <p><b>changed</b> 11:12</p> <p><b>charge</b> 8:3,16 11:9 16:20 17:7 18:22 19:13,21</p> <p><b>charged</b> 16:25 17:4 17:5,8,12</p> <p><b>charges</b> 17:12</p> <p><b>charging</b> 17:15 19:15,17</p> <p><b>checks</b> 12:9</p> <p><b>Chief</b> 1:14 3:6</p> <p><b>Christina</b> 2:5 4:17</p> <p><b>christina.baker@...</b> 2:7</p> <p><b>cities</b> 23:11</p> <p><b>city</b> 2:3,7 4:15,18 19:19 24:10</p> <p><b>Clayton</b> 1:15 3:15 3:16,17 6:10,13 6:16,22 7:2,9,12 8:11,21 12:18,21 14:5,18,21,24 15:7,10,21,24 17:23 18:10,13,18 19:10,18 20:13,17 20:24 21:20,23 22:5 25:6</p> <p><b>clean</b> 21:3,4,7</p> <p><b>clear</b> 16:22</p> <p><b>closer</b> 11:24</p>	<p><b>COA</b> 25:3</p> <p><b>color</b> 21:20</p> <p><b>come</b> 3:3,9,10 8:22 8:24 17:5 18:23 19:4</p> <p><b>comes</b> 12:3 19:23 21:15 22:25</p> <p><b>comforting</b> 14:21</p> <p><b>coming</b> 4:9 5:1 15:25 16:21 18:21 22:6 25:7,12</p> <p><b>commendable</b> 14:1</p> <p><b>comment</b> 8:9,11</p> <p><b>comments</b> 22:22</p> <p><b>commercial</b> 6:1</p> <p><b>commission</b> 1:2 2:2 3:7,18,23 4:14 10:9 19:22</p> <p><b>Commissioner</b> 1:15 3:15,16 6:10,13 6:16,22 7:2,9,12 8:11,21 12:18,21 14:5,18,21,24 15:7,10,21,24 17:22,23 18:10,13 18:18 19:10,18 20:13,17,24 21:20 21:23 22:5 25:6</p> <p><b>commissioners</b> 4:5</p> <p><b>commissions</b> 22:18</p> <p><b>community</b> 23:15 25:3,4</p> <p><b>companies</b> 19:20 20:14</p> <p><b>company</b> 1:10 5:13 6:14 9:2 18:2,13 21:6</p> <p><b>complaint</b> 17:20</p> <p><b>concern</b> 17:24 21:5 24:4</p> <p><b>concerns</b> 22:25 23:18</p> <p><b>concluded</b> 25:13</p> <p><b>condition</b> 24:3,22</p> <p><b>consider</b> 6:16</p> <p><b>consideration</b> 6:7 8:19</p> <p><b>considering</b> 3:4</p> <p><b>consistent</b> 15:11</p> <p><b>cook</b> 21:4</p> <p><b>cost</b> 5:16,18,22 11:17 12:9 24:5</p> <p><b>costs</b> 19:20</p> <p><b>counsel</b> 2:4,5 3:23 4:16,19,22 26:9 26:12</p> <p><b>counter</b> 14:14,17</p> <p><b>country</b> 15:12</p> <p><b>County</b> 23:19</p>	<p><b>course</b> 22:21</p> <p><b>court</b> 2:8 9:14 26:1 26:3,18</p> <p><b>Creek</b> 13:11,15</p> <p><b>currently</b> 11:25</p> <p><b>customer</b> 9:20 11:9 17:9 19:14</p> <p><b>customers</b> 12:16 13:2</p> <p align="center"><b>D</b></p> <p><b>D</b> 3:1 27:1</p> <p><b>day</b> 24:19</p> <p><b>days</b> 10:18 13:4,6 15:8</p> <p><b>deal</b> 19:18</p> <p><b>dealing</b> 24:10</p> <p><b>dealt</b> 17:25</p> <p><b>deck</b> 6:4</p> <p><b>deed</b> 19:10</p> <p><b>definitely</b> 10:1</p> <p><b>delivery</b> 10:15</p> <p><b>department</b> 13:16 13:19</p> <p><b>depend</b> 13:9</p> <p><b>depends</b> 21:12</p> <p><b>deposition</b> 26:6,10</p> <p><b>determine</b> 4:11</p> <p><b>Dick</b> 4:23 5:8</p> <p><b>diet</b> 15:2</p> <p><b>difference</b> 24:11</p> <p><b>different</b> 21:18</p> <p><b>difficult</b> 15:15</p> <p><b>dilapidated</b> 21:8</p> <p><b>direction</b> 26:8</p> <p><b>disagree</b> 8:2</p> <p><b>discovered</b> 9:21</p> <p><b>ditches</b> 24:16</p> <p><b>divide</b> 11:19</p> <p><b>done</b> 14:1</p> <p><b>doubt</b> 10:13</p> <p><b>down</b> 6:6 10:25 13:11,15,19 19:23 20:20</p> <p><b>drink</b> 21:3</p> <p><b>drinking</b> 21:16</p> <p><b>Drive</b> 5:9 9:16 16:7</p> <p><b>dry</b> 13:16,20</p> <p><b>due</b> 9:25,25 13:3</p> <p><b>duly</b> 5:4 9:12 16:15 22:12 26:6</p> <p align="center"><b>E</b></p> <p><b>E</b> 3:1,1 27:1</p> <p><b>each</b> 18:23</p> <p><b>earlier</b> 10:4 23:19</p> <p><b>Economically</b> 12:10</p> <p><b>economy</b> 12:10</p> <p><b>educate</b> 23:14</p>
---	---	---	---	--

**PUBLIC SERVICE COMMISSION 3/15/2011**

<b>Edward</b> 5:7 <b>effect</b> 24:23 <b>either</b> 3:22 <b>electronic</b> 4:5 <b>emphasis</b> 23:6 <b>employed</b> 24:8 26:9 26:12 <b>employee</b> 26:11 <b>encourage</b> 3:21 <b>end</b> 24:19 <b>enlighten</b> 7:1 <b>enough</b> 5:13 19:24 20:2 21:6 <b>entitled</b> 10:19 <b>especially</b> 8:23 <b>essentially</b> 11:1 <b>even</b> 8:17 10:10 21:9 <b>evening</b> 3:2 4:24,25 9:7,8 16:5 22:15 25:12 <b>ever</b> 16:25 <b>every</b> 14:2,3 17:10 18:24 20:21 <b>everybody</b> 7:22 20:11,11 <b>everyone</b> 3:2 <b>everything</b> 8:4 14:7 14:7 21:4 <b>example</b> 11:16 <b>existing</b> 11:4,7 12:1 <b>expected</b> 23:4 <b>experience</b> 24:10 <b>experiences</b> 23:12 <b>explained</b> 16:20 <b>explanation</b> 18:4 <b>explosive</b> 23:19 <b>extended</b> 12:8 <b>extreme</b> 11:4 12:6 12:15 15:2 <b>extremely</b> 12:12,13	<b>figure</b> 19:23 <b>figured</b> 5:19 7:10 <b>file</b> 1:10 3:5 <b>filing</b> 4:5 <b>filling</b> 13:7 <b>finally</b> 23:13 <b>financially</b> 26:13 <b>find</b> 15:8 <b>finding</b> 15:15,15 17:25 <b>fine</b> 14:9 22:2 <b>fire</b> 13:11,12,15,16 13:17,17,18,19 <b>first</b> 4:10,23 8:21,22 9:15 11:8 12:1 13:1 14:13 17:6 17:11,17,18,25 19:16 <b>fit</b> 6:18 <b>five</b> 3:17 10:3 13:1 22:20 <b>fix</b> 14:2 <b>fixed</b> 13:5 14:7 19:21 20:11,23 24:18 <b>folks</b> 7:1,24 <b>foregoing</b> 26:5 <b>forward</b> 3:9,19 4:8 <b>four</b> 8:1 14:3 <b>frankly</b> 15:11 <b>from</b> 3:24 14:15 16:21 18:2 19:25 19:25 21:25 22:22 <b>full-blown</b> 5:11 <b>further</b> 26:11 <b>future</b> 23:6 24:5,23	<b>give</b> 3:14 5:13 6:21 9:25 12:22 22:3 <b>giving</b> 15:4 17:14 17:21 <b>glad</b> 3:18 21:10 <b>glass</b> 14:14 <b>go</b> 4:23 18:16 19:24 <b>God</b> 15:19 <b>goes</b> 7:21 8:18 15:20 19:10 <b>going</b> 3:19 12:13,15 14:12,22 17:11,15 20:10 22:3 25:10 <b>golf</b> 22:21 25:4 <b>gone</b> 3:13 17:3,4 <b>good</b> 3:2 4:25 5:12 5:13 7:13,16,25 9:6,25 14:22,24 16:5 19:10 21:15 22:15 23:16 <b>gotten</b> 21:10,24 <b>grant</b> 6:2 <b>green</b> 7:22 <b>Grenier</b> 9:6,8,15,20 12:18,20,25 14:8 14:20,23 15:1,9 15:17,23 16:1 27:3 <b>ground</b> 14:11 <b>growth</b> 23:19,25 24:2 <b>guess</b> 7:23 17:9 <b>guy</b> 20:8,21 <b>guys</b> 6:2 16:19 <b>G-a-s-s</b> 5:8 <b>G-r-e-n-i-e-r</b> 9:15	<b>home</b> 5:25 17:5 <b>homeowner</b> 5:22 <b>Homeowners</b> 25:1 <b>honestly</b> 15:18 <b>hook</b> 13:19 <b>hope</b> 6:2,7 <b>house</b> 13:24 <b>household</b> 11:23 <b>husband</b> 18:25 21:13 <b>hydrant</b> 13:17,19	<b>JD</b> 2:5 <b>Jefferson</b> 2:3,7 4:15 4:18 <b>job</b> 5:12 7:17 22:16 <b>Judge</b> 1:14 3:2,6,16 4:10,16,21 5:2,5 9:4,10,13,18 16:3 16:8,11,13,16 17:22 22:7,10,13 24:25 25:9 <b>just</b> 5:10,21 6:1 7:17 8:15,16 9:24 10:8,25 11:14,19 12:17 14:2 15:6 15:19,21 16:11,23 17:8 19:7 20:17 20:19 21:22 22:1 25:11
<b>face</b> 23:3 24:23 <b>facing</b> 4:2 <b>fact</b> 10:21 13:15 22:2 <b>fair</b> 8:20 <b>Fall</b> 13:11,15 <b>far</b> 18:11,20 21:12 24:7 <b>faucet</b> 17:10 21:14 <b>fault</b> 9:24 10:22 14:10 <b>fee</b> 8:6 <b>feel</b> 6:5 14:22,24 19:7 21:15 <b>few</b> 6:11 12:19 20:20 22:22	<b>G</b> <b>G</b> 3:1 <b>gallon</b> 11:15,18 12:4 18:8 <b>gallons</b> 6:23,24 7:3 7:6 11:8,10,10,24 16:24 17:5,11,13 17:14,16,17 18:7 <b>gas</b> 8:23 9:2 12:12 12:13 19:20 <b>Gass</b> 4:23,24,25 5:7 5:7,8 6:10,12,15 6:20,24 7:10,12 7:15 8:14 9:1 10:10 11:21 27:2 <b>gave</b> 10:13 <b>general</b> 25:2 <b>generally</b> 12:11 <b>gentlemen</b> 6:8 <b>gets</b> 15:19 <b>getting</b> 9:2 <b>girls</b> 18:16	<b>H</b> <b>habit</b> 13:7 <b>hand</b> 5:3 9:11 16:14 22:11 <b>hands</b> 25:10 <b>happened</b> 10:6 13:14 <b>happy</b> 7:14 9:2 18:1 18:3 19:21 <b>hard</b> 9:24 14:9,12 20:10 <b>having</b> 4:25 <b>hear</b> 21:10 <b>heard</b> 8:22 22:21 <b>hearing</b> 1:5,18 3:4,8 5:11 25:13 <b>help</b> 10:9 11:1 19:2 <b>high</b> 6:25 7:10 20:15,22 <b>higher</b> 11:14 21:8 <b>hold</b> 23:12 <b>holding</b> 23:8	<b>I</b> <b>III</b> 1:15 <b>improved</b> 10:2,15 10:18 12:22 13:23 <b>Inc</b> 1:11 <b>included</b> 11:8 16:24 17:1,6,19 18:9 19:16 <b>income</b> 20:11 <b>incomes</b> 20:23 <b>Incorporated</b> 10:12 10:14 <b>increase</b> 1:10 3:5 5:17,18,19,20,24 6:3 10:5,6,13,19 10:21 11:17,21 12:5,9,14 15:4,7 18:5 23:13 <b>increases</b> 10:23 11:4 23:2,7 24:6 <b>incredibly</b> 20:15,22 <b>indicated</b> 11:17 <b>individual</b> 5:21 <b>individually</b> 5:22 <b>inflation</b> 12:11 <b>information</b> 5:14 <b>infrastructure</b> 23:1 23:18 24:1,5,22 <b>inside</b> 19:1 <b>instance</b> 13:10 <b>instead</b> 20:7 <b>interest</b> 12:12 <b>interested</b> 26:13 <b>introduce</b> 3:15 <b>invested</b> 21:6 <b>investment</b> 20:2 21:9 <b>Irish</b> 7:23 <b>iron</b> 14:15 15:2 <b>irrigation</b> 22:21 <b>issue</b> 17:25 24:19 <b>issues</b> 22:23,23 24:23	<b>K</b> <b>Kansas</b> 19:19 <b>keep</b> 19:25 23:5 <b>kind</b> 13:7 20:9 <b>know</b> 6:2,18,22,25 7:4,5,23,24 8:3,18 9:1 10:5,23,24 12:13 13:12,18,22 14:1,10 15:3,4,17 17:17,20 18:5,15 18:19,22 19:3,4,6 19:9,13 20:9,10 20:20,21 21:5,17 21:17 <b>known</b> 5:8
<b>F</b> <b>James</b> 9:16 <b>January</b> 10:11	<b>L</b> <b>L</b> 1:13 <b>lady</b> 22:3 <b>large</b> 23:9 <b>last</b> 5:6,16 9:14 10:2 10:14 16:3,8 <b>Law</b> 1:14 3:6 <b>lawn</b> 7:22 15:19 <b>least</b> 12:10 21:17 23:5 <b>legal</b> 4:22 <b>less</b> 17:21 <b>let</b> 21:17 <b>letter</b> 10:8 16:23 20:6 <b>let's</b> 3:3 4:22 <b>level</b> 15:15 <b>like</b> 3:14 6:9 9:18 10:8 15:21 16:4 16:11,16,23 17:20 18:5,12,22,25 19:7,8 20:8,21 21:12,22,24 22:13 23:2	<b>J</b>		

**PUBLIC SERVICE COMMISSION 3/15/2011**

<b>likes</b> 7:22,22 <b>limestone</b> 14:12 <b>line</b> 5:25 6:1 8:15 20:21 21:13 23:12 23:23 <b>lines</b> 7:25 24:2,3 <b>list</b> 3:9,12 9:6 16:4 <b>listening</b> 21:1 <b>LITIGATION</b> 2:10 <b>little</b> 7:6 12:22 13:7 13:9 15:2,5 19:7 24:9 25:5 <b>live</b> 5:8 9:16 16:7 23:4 <b>living</b> 7:24 12:9 <b>local</b> 1:5 3:3 24:8 <b>located</b> 23:24 24:22 <b>lock</b> 18:24 19:5 <b>look</b> 3:19 4:8 5:13 6:2 21:18 <b>looked</b> 5:15 <b>looking</b> 6:8 7:18 <b>lose</b> 10:17 13:2 <b>loss</b> 13:25 <b>lot</b> 8:8 10:2 13:17 20:12,22 21:7,8 <b>low</b> 6:17,25 12:12 <b>lower</b> 15:14 <hr/> <p align="center"><b>M</b></p> <hr/> <b>M</b> 1:15 <b>made</b> 4:4 <b>Madison</b> 2:6 <b>main</b> 13:3 21:18 <b>mainly</b> 19:12 <b>mains</b> 13:16,20 <b>maintenance</b> 8:4,18 <b>major</b> 13:5 <b>make</b> 8:8 19:24 20:1,1,3,9,10 21:6 <b>makes</b> 6:3 14:22,24 19:7 <b>making</b> 4:3 21:5 <b>manager</b> 25:3 <b>many</b> 6:23 23:8,13 <b>March</b> 1:6 <b>Matter</b> 1:10 <b>may</b> 4:1 6:10 10:19 24:23,23 <b>maybe</b> 13:24 <b>ma'am</b> 16:5 17:23 <b>McClowry</b> 2:2 4:13 4:13 <b>mean</b> 11:11 13:18 14:15 20:18,18 23:16 <b>medium</b> 6:25 <b>meet</b> 3:22 22:1 <b>Meghan</b> 2:2 4:13	<b>members</b> 3:17 <b>memory</b> 12:7 <b>mentioned</b> 10:4 11:22 17:24 23:19 <b>message</b> 15:10 <b>meter</b> 8:2,3,3,5,16 11:9 18:24 <b>MIDWEST</b> 2:10 <b>might</b> 7:1 9:13 13:8 20:7,7 <b>Mike</b> 22:9 27:5 <b>miles</b> 14:11 <b>Milliron</b> 16:6,6,10 16:12,18 18:3,11 18:15,19 19:12 20:5,16,19 21:12 21:22 22:2 27:4 <b>mind</b> 15:4 <b>mine</b> 10:10 <b>minimum</b> 11:9 12:1 16:19,23,24 17:8 17:14,20 19:13 <b>Missouri</b> 1:1,8 2:9 2:12 3:18 4:15,18 9:17 16:7 20:15 26:4,20 <b>MO</b> 2:3,7 <b>modernized</b> 23:20 <b>moment</b> 3:8 <b>money</b> 8:9 19:24 <b>month</b> 7:3,6 11:25 16:24 17:8 <b>monthly</b> 8:6 11:9,17 11:24 16:19,23 19:21 <b>months</b> 8:1,7 11:13 11:14 12:3,3 13:25 14:3 <b>more</b> 12:16,22 16:1 17:21 21:9 23:8 23:16 24:13 <b>Morris</b> 1:13 3:6 <b>most</b> 7:21 <b>mostly</b> 13:3 <b>moved</b> 9:22 14:13 <b>much</b> 5:15,15,16,17 6:3 8:25 15:5,24 18:15 20:25 25:7 <b>M-i-l-l-i-r-o-n</b> 16:10 <hr/> <p align="center"><b>N</b></p> <hr/> <b>N</b> 3:1 27:1 <b>name</b> 3:5,17 5:6,7 9:6,14,15 16:3,5,6 16:9 <b>names</b> 3:12 <b>National</b> 2:11 <b>natural</b> 8:23 9:2 <b>necessarily</b> 9:23	10:22 <b>need</b> 4:11 5:2 15:1 20:9 <b>needed</b> 9:22 10:1 <b>needs</b> 24:12 <b>neither</b> 26:9 <b>Neva</b> 16:6 27:4 <b>never</b> 18:20 21:13 <b>new</b> 17:7 <b>Next</b> 9:6 <b>Nobody</b> 7:22 23:2 <b>Norwood</b> 5:8 <b>notice</b> 10:13 11:16 <b>notification</b> 21:14 <b>notify</b> 21:13 <b>noting</b> 10:20 <b>number</b> 3:5 11:18 <b>numbers</b> 6:21 <hr/> <p align="center"><b>O</b></p> <hr/> <b>O</b> 3:1 <b>off</b> 7:25 8:5,17 18:23 19:3,6 20:1 <b>offer</b> 3:9 <b>office</b> 2:4 3:23 4:16 4:19 18:16 24:8 24:13 <b>Oh</b> 14:8 15:9 16:1 20:16 <b>okay</b> 7:9 8:14 18:12 18:13 <b>one</b> 3:17 6:6 8:19 9:22 10:7 11:13 13:4,7,10 15:5 16:18 20:21 22:22 23:4 <b>ongoing</b> 8:24 <b>only</b> 8:20 21:14,19 24:8 <b>onto</b> 13:19 <b>open</b> 21:14 <b>opinion</b> 11:3 12:17 15:6 22:23 <b>opportunities</b> 3:25 <b>opportunity</b> 3:22 <b>opposed</b> 11:21 <b>order</b> 3:3 <b>other</b> 7:19 11:13 17:13 18:4,20 20:8 21:19 22:24 25:10 <b>otherwise</b> 26:13 <b>out</b> 4:1,9 5:25 6:1 7:25 8:15 13:17 14:11 18:23 19:4 19:23 21:15 24:7 24:16 25:12 <b>outcome</b> 26:13 <b>outside</b> 22:1,3	<b>over</b> 5:14 7:2,6 10:16 11:10 18:8 19:2 23:20 24:9 25:5 <b>overall</b> 5:20 8:18 <b>overtake</b> 18:9 <b>owners</b> 22:20,22 23:15,25 25:5 <hr/> <p align="center"><b>P</b></p> <hr/> <b>P</b> 3:1 <b>Page</b> 1:9 27:1 <b>paid</b> 12:17 <b>paper</b> 22:3 <b>part</b> 4:4,7 8:12 21:7 <b>particular</b> 8:12 <b>parties</b> 4:12 26:10 26:12 <b>passed</b> 10:6 <b>past</b> 10:16 12:10 13:24 16:22 23:11 23:22 24:12,14,15 <b>patient</b> 5:15 <b>pay</b> 8:1,6,16 11:25 12:16 18:7 19:14 20:15 <b>paying</b> 17:18 19:8 <b>payors</b> 4:20 <b>pays</b> 8:3,4 <b>PE</b> 2:5 <b>penny</b> 17:1 <b>people</b> 3:8,13 4:1 7:16,17 19:1,21 20:22 <b>per</b> 10:17 11:10,15 12:2 17:13 18:8 <b>percent</b> 5:19,24 6:3 6:8 7:18 11:21,22 12:5,14,16 15:3,4 18:7 <b>percentage</b> 18:6 <b>percentages</b> 10:10 <b>phone</b> 5:14 <b>pipe</b> 11:9 <b>place</b> 23:22 <b>places</b> 15:13,14 <b>please</b> 3:3 9:10 16:5 16:13 <b>plenty</b> 13:23 <b>PO</b> 4:14,17 <b>POA</b> 25:3,4 <b>podium</b> 3:10 <b>point</b> 5:20 20:10 <b>Pointe</b> 22:20 24:8 25:1 <b>pools</b> 22:20 <b>possible</b> 23:5 <b>possibly</b> 10:19 20:7 20:8	<b>pot</b> 8:19 <b>potable</b> 21:3 <b>potential</b> 13:8,18 <b>present</b> 12:12 <b>presiding</b> 1:13 3:7 <b>pressure</b> 13:23,24 <b>pretty</b> 7:11,20 9:25 18:3,15,16 <b>previous</b> 12:17 23:25 <b>price</b> 15:7 <b>private</b> 5:25 <b>privilege</b> 17:9 19:14 22:19 <b>problem</b> 7:17 13:23 14:6 18:14 19:4,6 24:17,18 <b>problems</b> 4:1 7:14 7:15 21:11 <b>procedures</b> 23:21 <b>proceeding</b> 4:4 <b>PROCEEDINGS</b> 1:4 <b>process</b> 23:8 <b>product</b> 10:20 21:7 <b>professionally</b> 24:13 <b>properties</b> 25:5 <b>proposal</b> 12:4 <b>proposed</b> 10:13 11:4,20,20 <b>proves</b> 20:21 <b>provide</b> 7:16 <b>provided</b> 3:20 4:6 <b>public</b> 1:2,5 2:2,4,5 3:3,7,18,22,23 4:14,16,19 <b>published</b> 11:5 <b>pull</b> 14:11 <b>punished</b> 19:8 <b>put</b> 13:16 18:5 19:4 <b>putting</b> 19:20 <b>p.m</b> 1:18 25:13 <b>P.O</b> 2:3,6 <hr/> <p align="center"><b>Q</b></p> <hr/> <b>quality</b> 14:6 21:10 <b>question</b> 18:17 23:23 24:2 <b>questions</b> 5:12 6:11 9:5 12:19 17:22 21:1,24 25:7 <b>question-and-ans...</b> 5:10 <b>quick</b> 19:13 <b>quicker</b> 24:14 <b>quickly</b> 24:1 <b>Quite</b> 15:18
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**PUBLIC SERVICE COMMISSION 3/15/2011**

<b>R</b>	<b>respond</b> 24:1,12 <b>response</b> 24:14 <b>restaurant</b> 13:11 <b>review</b> 4:6 <b>Richard</b> 5:7 27:2 <b>right</b> 3:15 4:22 5:3 6:15 8:16 9:11 14:6 15:15 16:13 18:1,20,20 19:11 19:24 22:1,11 <b>Robert</b> 1:15 3:15,17 <b>role</b> 24:6 <b>Royale</b> 22:20 24:9 25:1 <b>rust</b> 14:15,16 <b>R-a-n-k-i-n</b> 22:9	<b>sitting</b> 14:16,18 <b>situations</b> 23:23 <b>six</b> 9:21 11:13,13 <b>Small</b> 1:10 <b>snappy</b> 18:16 <b>snowball</b> 20:20 <b>Social</b> 12:8,9 <b>soften</b> 9:23 <b>solve</b> 24:17 <b>some</b> 6:21 7:22 8:19 10:19 13:5 14:4 15:1,12,14 18:22 19:22 20:9,15 22:22,25 23:24 25:5 <b>somebody</b> 5:25 <b>someone</b> 21:25 <b>something</b> 13:21 17:18 20:8 23:3,3 <b>sometime</b> 10:22 <b>sometimes</b> 10:17 <b>sort</b> 13:5 14:4 <b>sound</b> 21:24 <b>sounds</b> 16:11 <b>South</b> 2:11 <b>specific</b> 3:20 7:8 24:2 <b>specifically</b> 19:19 <b>spectrum</b> 6:18 <b>spell</b> 5:5 9:14 16:8 <b>Springfield</b> 2:12 <b>springing</b> 23:9 <b>sprinkler</b> 7:21 8:8,9 15:18 <b>staff</b> 2:2 3:23 4:12 4:13 22:1 <b>stagnate</b> 12:11 <b>start</b> 5:2 8:7 17:11 17:15 19:15,16 <b>started</b> 1:18 13:6 20:19 <b>starting</b> 12:1 <b>state</b> 1:1 15:11 20:14,14 22:17 26:4,20 <b>States</b> 12:8 <b>statewide</b> 7:7 <b>Steakhouse</b> 13:12 13:15 <b>steward</b> 23:16 <b>still</b> 16:20,21 17:3,5 22:2 <b>stood</b> 24:16 <b>Street</b> 2:6 <b>stuck</b> 19:22 <b>stuff</b> 21:15,16 <b>substantial</b> 23:14 <b>suck</b> 13:20 <b>sucked</b> 13:16	<b>suggest</b> 23:6 <b>suggested</b> 23:7 <b>Suite</b> 2:6,11 <b>summer</b> 11:12 <b>supplying</b> 10:12 <b>supposed</b> 21:1 <b>sure</b> 6:12 11:12 12:20 14:10 18:10 19:24 20:1,1,3 21:5,6 22:5 <b>swamp</b> 21:22 <b>swear</b> 3:11 5:3 9:11 <b>sworn</b> 5:4 9:12 16:15 22:12 26:6 <b>sympathize</b> 15:17 <b>system</b> 4:5 7:21,25 8:8,9 13:21 15:18 19:25 20:3 21:9 22:21 <b>systems</b> 21:8,9	18:21 19:7,7 21:18 <b>think</b> 5:24 6:9 8:2,4 8:15,19,20 10:20 12:6,13 13:21 14:1,5,8 15:3,5 20:9 23:14 <b>thought</b> 13:8 <b>thousand</b> 12:2 17:11,13,16 <b>three</b> 7:25 8:6 13:3 13:4,6 14:3 15:13 <b>through</b> 5:10 8:9 14:11 <b>throughout</b> 15:11 15:11 20:14 <b>tight</b> 23:8 <b>time</b> 8:22,22 10:18 12:12,14,15 13:4 15:6 17:25 19:19 22:16 23:25 24:14 25:11 <b>times</b> 10:17 13:3 15:13 <b>Titanic</b> 6:4,5 <b>today</b> 5:14 <b>Todd</b> 24:17 <b>together</b> 4:1 11:19 24:20 <b>told</b> 5:17 <b>tonight</b> 3:8,20 4:4,7 <b>top</b> 17:13,16,17 18:8 <b>tough</b> 22:16 <b>Tracie</b> 1:17 2:9 26:3 <b>transcript</b> 1:4 4:3 <b>treat</b> 18:13 <b>tried</b> 17:1 <b>Tri-Lakes</b> 9:20 <b>Tri-States</b> 1:11 3:4 4:21 9:21 10:11 10:14,19 11:17 13:1,14 <b>trying</b> 13:16 19:23 24:1,17 <b>turn</b> 8:7 14:19 17:10 18:23,23 19:3,5 20:1 <b>turned</b> 8:17 10:24 13:13 14:15,20 <b>turning</b> 19:25 <b>turn-off</b> 19:1,2 <b>two</b> 3:12,13 11:23 12:10 13:2 14:3 17:4 <b>type</b> 22:18 23:12 <b>typewriting</b> 26:8
	<b>S</b>	<b>T</b>		
<b>R</b> 3:1 <b>raise</b> 5:3 9:10 16:13 18:7 20:9 22:10 <b>ramped-up</b> 23:8 <b>ran</b> 24:13 <b>Rankin</b> 22:9,9,15 25:2,8 27:5 <b>rate</b> 1:10 3:4 4:19 5:17,18 10:13,21 10:23 11:5,10,13 11:14,20 12:2,4 18:5 23:2,5,7,10 23:13 24:6 <b>rates</b> 10:20 11:5,7 11:11 12:1,12 15:13,14 20:15 21:8 24:24 <b>rather</b> 23:9 <b>read</b> 10:8 <b>real</b> 15:12 <b>really</b> 14:2 17:2 18:18 19:13 <b>rearranging</b> 6:4 <b>reason</b> 7:23 10:7,15 21:7 <b>reasons</b> 19:22 <b>received</b> 11:8 <b>receiving</b> 18:2 <b>record</b> 4:4,7 <b>reduced</b> 26:8 <b>referred</b> 8:22 <b>regard</b> 8:23 <b>regarding</b> 22:22 <b>regular</b> 6:23 14:2 <b>regulations</b> 23:21 <b>Regulatory</b> 1:14 3:6 <b>related</b> 26:9 <b>relative</b> 26:11 <b>remember</b> 13:4,10 14:13 <b>repairs</b> 24:5 <b>REPORTED</b> 1:17 <b>reporter</b> 2:8 9:14 26:1,3,18 <b>representative</b> 3:24 <b>representatives</b> 3:24 <b>represented</b> 4:22 <b>representing</b> 22:19 24:25 <b>request</b> 3:4 <b>requests</b> 23:5 <b>require</b> 21:9 <b>residence</b> 10:15 <b>resident</b> 22:23 <b>residential</b> 10:12 <b>residents</b> 22:24	<b>same</b> 5:18 <b>sat</b> 5:10 14:14 <b>saying</b> 8:3 <b>Security</b> 12:8,9 <b>see</b> 25:10 <b>seem</b> 8:16 <b>seemed</b> 13:9 15:2 <b>seems</b> 6:1 11:1 12:25 14:8,9 18:12 23:9 <b>seen</b> 23:19,22 24:7 24:11 <b>SENIOR</b> 2:5 <b>sense</b> 6:3 <b>sent</b> 10:9 11:6 <b>serve</b> 22:18 25:2 <b>service</b> 1:2 2:2 3:7 3:18,22 4:2,14 7:13,13,14,15,16 8:23 10:1,17,18 12:21,23 13:25 14:6,25 18:1,4,11 21:11 <b>SERVICES</b> 2:10 <b>session</b> 5:11 <b>several</b> 10:16,17,18 13:10 23:11 <b>sheet</b> 11:6 <b>shortly</b> 9:22 <b>shows</b> 16:23 <b>shut</b> 7:25 8:5 <b>shutoffs</b> 10:3 <b>sides</b> 23:17 <b>signed</b> 3:9 <b>silly</b> 13:7 <b>similar</b> 22:24 <b>Simple</b> 13:15 <b>simply</b> 12:15 <b>since</b> 10:21 <b>sir</b> 9:7 22:8			
			<b>U</b>	

**PUBLIC SERVICE COMMISSION 3/15/2011**

<b>under</b> 6:6 11:4,7 25:4 26:8 <b>understand</b> 16:21 17:2,24 20:16 <b>understanding</b> 12:23 <b>understands</b> 23:15 <b>United</b> 12:7 <b>unpunished</b> 19:11 <b>until</b> 8:7 16:22 <b>upsetting</b> 7:20 <b>usage</b> 7:4 11:24 23:16 <b>use</b> 5:23 6:23 8:1,5 8:17 16:25 17:5 21:4 <b>used</b> 5:16 10:16 11:11,16 14:2 15:22 17:19 18:9 19:15 <b>user</b> 6:17,17 7:10 8:20 11:7,18 12:4 <b>using</b> 8:7 11:5,25 <b>usually</b> 3:25 23:14 <b>Utilities</b> 3:4 4:21 <b>utility</b> 3:21,25 4:2 7:5 9:21 10:11,12 10:19 13:2,14 <hr/> <b>V</b> <hr/> <b>valve</b> 19:1,2 <b>varies</b> 20:13 <b>versus</b> 24:3,12 <b>very</b> 5:14 8:25 11:4 14:9 15:15,24 25:7 <b>virtually</b> 12:11 <b>vocal</b> 24:18 <b>Volume</b> 1:9 <hr/> <b>W</b> <hr/> <b>want</b> 3:11 9:13 20:19 <b>wanted</b> 20:5 22:24 <b>wanting</b> 17:21 <b>wants</b> 3:13 <b>wasn't</b> 10:6 23:22 <b>water</b> 5:13,16,23 6:3,6,14,17,17,23 6:24 7:21 8:1,7,23 9:21,23,24,24 10:2,12,15 11:8 13:2,3,6,8,13,13 13:14,20,22 14:9 14:11,14,16,25 15:13,14,19,21 19:3,25 20:14,25 21:2,17,18,22 <b>way</b> 5:12,24 6:1,5,6	9:1 10:24 15:20 19:1,24 20:25 <b>weather</b> 13:9 <b>weeks</b> 17:4 <b>welcome</b> 3:3 16:1 <b>well</b> 4:22 6:20,22 7:20 8:14 12:25 13:14 15:1 16:18 17:1 18:8 19:3 20:13,24 21:15 <b>went</b> 13:4,6,12 19:20 <b>were</b> 5:14 8:2 10:24 11:5 13:1 16:25 18:2,7 19:21 24:1 24:17,19 <b>we'll</b> 3:13 <b>we're</b> 7:23 9:1,2 20:23 23:24,25 <b>we've</b> 17:25 23:20 <b>while</b> 13:4 14:16 <b>wide</b> 24:11 <b>wife</b> 11:23 <b>willingness</b> 22:18 <b>winter</b> 11:12 <b>wintertime</b> 7:24 <b>wish</b> 22:7 25:9 <b>witness</b> 4:11,23 5:4 9:12 16:15 22:12 26:5,7 <b>wonderful</b> 3:25 <b>wondering</b> 21:25 <b>Woodland</b> 9:16 <b>Woodlands</b> 9:16 <b>Woodruff</b> 1:13 3:2 3:6 4:10,16,21 5:2 5:5 9:4,10,13,18 16:3,8,11,13,16 17:22 22:7,10,13 24:25 25:9 <b>word</b> 23:7 <b>words</b> 17:14 <b>work</b> 4:1 8:25 <b>worked</b> 23:11 <b>works</b> 20:3 23:17 <b>world</b> 23:4 <b>worse</b> 10:10 <b>worth</b> 10:20 <b>wrong</b> 12:23 13:21 <b>WR-2011-0037</b> 1:10 3:5 <hr/> <b>X</b> <hr/> <b>X</b> 27:1 <hr/> <b>Y</b> <hr/> <b>yeah</b> 6:24 14:9,20 15:9,23,23 16:12 18:3,21 19:12	20:5,16 21:20 25:2 <b>year</b> 5:16 10:2,14 10:17 12:17 13:3 13:24 20:21 24:9 <b>years</b> 9:21 10:3,16 12:10 13:1,10 20:20 23:9,13,20 24:9 <b>yucky</b> 21:16 <hr/> <b>Z</b> <hr/> <b>zero</b> 17:10 <hr/> <b>\$</b> <hr/> <b>\$20</b> 12:4 <b>\$25</b> 18:23 <b>\$6.60</b> 16:24 <b>\$8</b> 17:18 <hr/> <b>1</b> <hr/> <b>1</b> 1:9,9 <b>1,000</b> 11:10 <b>1,500</b> 17:5 <b>1-800-280-DEPO</b> 2:14 <b>100</b> 18:6 <b>104,000</b> 20:8 <b>11</b> 5:20 24:9 <b>11.1</b> 5:23 <b>12.05</b> 11:25 12:3 <b>15</b> 1:6 <b>16</b> 14:11 27:4 <b>17.50</b> 11:18,20 <b>176</b> 16:7 <b>178</b> 5:8 <b>18</b> 13:25 <b>1911</b> 2:11 <b>1980s</b> 10:22 <hr/> <b>2</b> <hr/> <b>2</b> 11:19 <b>2,000</b> 11:8,10 12:1 16:24 17:6,17,19 18:7,9 19:16 <b>2.725</b> 11:11,15 <b>200</b> 2:6 <b>2008</b> 10:5 <b>2011</b> 1:6 10:11 <b>21</b> 12:5 <b>22</b> 27:5 <b>2230</b> 2:6 4:18 <b>24</b> 11:22 <b>24.6</b> 5:19,24 6:2,8 <b>26.59</b> 11:20 <b>28</b> 10:11 <hr/> <b>3</b> <hr/> <b>3.19</b> 17:12 18:7	<b>3.58</b> 17:12 <b>360</b> 2:3 4:15 <hr/> <b>4</b> <hr/> <b>4,000</b> 11:24 12:4 <b>402</b> 2:11 <b>417</b> 2:13 <b>454</b> 9:16 <hr/> <b>5</b> <hr/> <b>5</b> 27:2 <b>5,000</b> 7:2,6,6 <b>5/8ths</b> 11:9 <b>52</b> 11:21 15:3 <hr/> <b>6</b> <hr/> <b>6</b> 12:3,3 <b>6,000</b> 11:18 <b>6.60</b> 17:4,6 18:9 <b>6:37</b> 1:18 <b>61,900</b> 6:24 <b>620</b> 1:17 2:9 <b>650</b> 2:6 <b>65102</b> 2:3,7 4:15,18 <b>65804</b> 2:12 <b>660</b> 17:6 <b>660,000</b> 20:6 <b>68</b> 12:5,14,16 15:3 <hr/> <b>7</b> <hr/> <b>7</b> 17:17,18 <b>7.45</b> 17:8,13,15 18:8 19:14 <b>7:05</b> 25:13 <b>76</b> 6:5 <hr/> <b>8</b> <hr/> <b>850</b> 25:5 <b>877-9700</b> 2:13 <hr/> <b>9</b> <hr/> <b>9</b> 27:3 <b>953</b> 22:20 25:4
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