In the Matter of Missouri-American Water Company Hearing before: John Clark January 26, 2023 Vol 8





BEFORE THE PUBLIC SERVICE COMMISSION STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing

Thursday, January 26, 2023 6:45 p.m. - 7:44 p.m.

WebEx

VOLUME 8 Pages 1 - 46

In the Matter of Missouri-American)
Water Company's Request for)
Authority to Implement General Rate) File No.
Increase for Water and Sewer) WR-2022-0303
Service Provided in Missouri)
Service Areas)

JOHN CLARK, Presiding SENIOR REGULATORY LAW JUDGE

JASON R. HOLSMAN, Commissioner GLEN KOLKMEYER, Commissioner

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

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1 The following proceedings began at 6:45 p.m.: 2 JUDGE CLARK: Let's go ahead and go on the Today is January 26th, 2023, and the current 3 time is 6:45 p.m. As I indicated off the record, the 4 5 question and answer portion of the public hearing just 6 ended. And if you had questions about this rate case, I 7 hope you were able to get answers. Now, the Missouri Public Service Commission 8 9 has set aside this time for a local public hearing in 10 File No. WR-2022-0303, which is captioned as In the Matter of Missouri-American Water Company's Request for 11 12 Authority to Implement General Rate Increase for Water and Sewer Service Provided in Missouri Service Areas. 13 My name is John Clark, and I'm the Regulatory 14 15 Law Judge overseeing this hearing tonight. Now, the Missouri Public Service Commission regulates the rates 16 17 charged by investor-owned utilities in Missouri to 18 ensure that those rates are just and reasonable. 19 The Commission also regulates the quality of 20 service and safety of operations of investor-owned 21 utilities. Now, the Commission is made up of five 22 Commissioners: Chairman Scott Rupp and Commissioners 23 Maida Coleman, Jason Holsman and Glen Kolkmeyer. 24 Commission seat is vacant at the moment. 25 Commissioners are appointed by the Governor to a fixed

- 1 term and are confirmed by the Senate. Now, the
- 2 Commission employs a staff of engineers, accountants,
- 3 attorneys, financial analysts and other specialists in
- 4 the field of utility regulation. With me tonight so far
- 5 you've heard Commissioner Holsman. He's in attendance.
- 6 And as I indicated, we may have other Commissioners join
- 7 us.
- 8 Now, the court reporter is transcribing the
- 9 hearing so that the Commissioners that are not present
- 10 will be able to review and read your comments later.
- 11 If you are not speaking, because this is a WebEx local
- 12 public hearing, if you're not speaking, I'm going to ask
- 13 that you mute yourself. If you're participating by
- 14 phone and you need to unmute yourself at any time,
- 15 please dial *6. And I'm just going to say now I've got
- one person signed up to offer comments so far. If
- 17 you're on the fence about offering comments to the
- 18 Commission, I would encourage you to lean towards doing
- 19 so.
- The Commission will have an opportunity to
- 21 hear the arguments of the parties, as well as see the
- 22 evidence at the evidentiary hearing and in briefs that
- 23 are filed by the parties. But this is the Commission's
- 24 opportunity to hear from the public. And the Commission
- 25 is genuinely interested in what you have to say about

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Page 6 this case. And we want to know how this case affects 1 2 you and your community. If you're on the fence about 3 offering comments, again I would lean towards offering them, although at the end of the hearing I will provide 4 5 another outlet to offer comments if you wish to provide written comments to the Commission. 7 Now, at this time I'm going to ask counsel to 8 enter their appearance for the record starting with 9 Missouri-American Water Company. I'm going to have to 10 ask you to unmute yourself. I can't hear you. 11 Niemeier, I was unable to hear you. I will come back to 12 Missouri-American Water Company. On behalf of the Commission Staff. 13 14 MS. NIEMEIER: Can you hear me, Judge? 15 I can hear you now. Go ahead. JUDGE CLARK: On behalf of Missouri-American Water Company. 16 17 MS. NIEMEIER: Sorry about that. Technical difficulties. My name is Rachel Niemeier on behalf of 18 19 Missouri-American Water Company. 20 Thank you, Ms. Niemeier. JUDGE CLARK: 21 behalf of the Commission Staff. 22 MR. VANDERGRIFF: Good evening. I'm Eric 23 Vandergriff on behalf of the Staff of the Missouri 24 Public Service Commission.

JUDGE CLARK: Thank you, Mr. Vandergriff.

- 1 behalf of the Office of the Public Counsel.
- MS. VanGERPEN: Good evening, everyone.
- 3 Lindsay VanGerpen on behalf of the Office of the Public
- 4 Counsel.
- 5 JUDGE CLARK: Thank you, Ms. VanGerpen. There
- 6 are a number of intervenors. Are there any parties I
- 7 haven't called?
- 8 Okay. I don't hear anybody. So we're going
- 9 to move on. For those who would like to provide
- 10 comments today, I will call the names listed on the
- 11 sign-up sheet in the order they appear. As I indicated,
- 12 right now that's just one person. When I call your
- 13 name, I'm going to ask you to state and spell your name
- 14 for the record. I'll also place you under oath. At
- 15 that time I will ask you to offer your comments to the
- 16 Commission.
- 17 And after you offer your comments, don't just
- 18 immediately log off. I might have questions for you. I
- 19 might not. Generally I don't but sometimes I do. And
- 20 if the attorneys have any questions for anybody who's
- 21 offering comments tonight, don't use the hold up your
- 22 hand feature in WebEx. Please just say something to get
- 23 my attention. That's a lot easier and ensures that I
- 24 don't miss you.
- Now, the Commission, myself included, will not

Page 8 1 be able to answer your questions today. That's because 2 they have to remain impartial until the evidence is presented at the evidentiary hearing. If you have 3 questions, please speak to the parties that spoke to you 4 5 earlier: Representatives of the Company, the Commission Staff or the Office of the Public Counsel. 6 7 you're listening to people speak today, I'm going to ask 8 that you be polite and courteous and remember that 9 people are here to offer comments and treat them as you 10 would like to be treated. With that in mind, I'm going to call the first witness to offer comments. 11 12 Is there a Jon Stambaugh? 13 MR. STAMBAUGH: Yes, this is Jon Stambaugh, 14 Jon, J-o-n, Stambaugh, S-t-a-m-b-a-u-g-h, from out in 15 Wardsville, Missouri. 16 JUDGE CLARK: Thank you very much. I'm going 17 to say that because of the Commission's confidentiality 18 rules, which does not allow us to disclose customer 19 specific information, if you want to tell me a general area you're from or a city, that's fine. Please do not 20 21 give me any more information than that in regard to 22 where you live. 23 Mr. Stambaugh, would you raise your right hand 24 to be sworn. 25 MR. STAMBAUGH: Yes.

Page 9 1 Do you swear that the testimony JUDGE CLARK: 2 you're about to give at this local public hearing is the 3 truth? MR. STAMBAUGH: Yes. JUDGE CLARK: And what would you like to tell 5 6 the Commission this evening? 7 MR. STAMBAUGH: Yes. A couple concerns I have 8 with this rate increase more so on the wastewater charge 9 for out in our area. It is a flat fee type of fee 10 structure versus a volumetric usage fee structure. 11 like in our household for what they're even using as an 12 average usage, it's just my wife and I, and therefore we 13 use substantially less water than probably the average 14 household but yet we're charged the exact same rate. So if we use 2,500 gallons a month and 15 16 somebody uses 25,000 gallons a month, we're charged the 17 same fee in the amount of effect that our usage is on 18 the plant and plant operation is significantly less than 19 somebody that's, you know, using 25,000 gallons, you 20 know, a month. To me that is a very unfair fee 21 structure for, you know, our wastewater, and out in our 2.2 area as a general rule my sewer bill under the flat fee 23 structure is basically two times my water charge which to me again is pretty ludicrous in itself but because of 24 that flat rate charge, you know, that's just the way it 25

works out, you know, for our household. To me it's kind 1 2 of like I can give a scenario on how would, you know, 3 one of the Commissioners like it that, you know, you pull up to the gas station in your Prius and you put in, 4 5 you know, 5 or 10 gallons of gas and I pull up in a great big SUV and put in 50 gallons of gas but yet at 6 7 the end of the day we pay the same charge. To me it's 8 just kind of an unfair type fee structure. I talked with the individual from 9 10 American-Water earlier on how they, you know, on the volumetric side they do it and that's the way the 11 12 village in which we live. When we used to run it ourselves, they used that same structure basically use 13 like three months through the winter to calculate your 14 15 average water usage and then use that for your monthly charge for your sewer fee because, you know, once you 16 17 get into the spring and summer months you're using a lot 18 more water that doesn't go into the sewer system in 19 which you shouldn't be charged for. 20 But you know, like I said, I would like to see 21 more of a volumetric type charge. That way it's equal 2.2 for everybody because you're paying for what, you know, 23 for the usage that you're using the sewer plant for. You know, and also the overall 25.7 percent rate 24 25 increase, that seems a little bit exorbitant to me. Ι

Page 11 kind of understand a lot of times in these proceedings, 1 2 you know, they'll ask for the world and accept something less. I'm quite sure that the Public Service Commission 3 will do something similar to that, you know, in this 4 situation. But like I say, on the sewer end that was my 5 biggest concern and biggest complaint on the flat fee 6 7 versus just your pay for what you use. Thank you very 8 much. Thank you, Mr. Stambaugh. 9 JUDGE CLARK: 10 appreciate your comments. I don't have any questions for you at this time. At this time since I indicated 11 12 before that's the only name I had listed to speak. there anybody else at this point who would like to offer 13 comments to the Commission? I see one person with their 14 15 Would you please give me your name? MS. BARNES: Good evening. My name is Latasha 16 17 I'm an attorney with Legal Services of Eastern 18 Missouri. Would you like our address for the record? 19 JUDGE CLARK: I don't need your address for 20 the record. Thank you very much. Would you please --21 Ms. Barnes, would you please raise your right hand to be 2.2 sworn. Do you swear or affirm that the testimony you're 23 about to give at this local public hearing is the truth? 24 MS. BARNES: Yes. 25 JUDGE CLARK: Okay, Ms. Barnes, go ahead. Ι

Page 12 1 believe I remember you from a previous public hearing; is that correct? 3 MS. BARNES: Yes, sir. JUDGE CLARK: Please, I'd love to hear what 4 5 you have to say. 6 LATASHA BARNES, 7 having been first duly sworn, testified as follows: 8 MS. BARNES: Thank you, Your Honor, and to the 9 Commission, thank you for allowing me an opportunity to 10 speak. My name again is Latasha Barnes. attorney with Legal Services of Eastern Missouri. 11 12 work in our senior law program. Legal Services is a nonprofit organization that provides free legal help to 13 low income Missourians for over 60 years. 14 15 We partner with the community to improve 16 lives, promote fairness and create opportunities for those in need. Our core values are action, justice and 17 18 Through our work we advocate with and for clients 19 that are most often underrepresented by many of the infrastructure systems in place to benefit all of us. 20 21 Historically many of the urban and rural and low income communities, as well as communities of colors 2.2 23 that we serve have been excluded from improvements to water and sewer infrastructure while other communities 24 25 have almost nearly exclusively benefited from these

Page 13 1 improvements. Because of these disparities, any utility 2 rate increase will result in environmental, social and economic harm for the Missourians that we serve, and we 3 cover 21 counties in eastern Missouri. 4 Water is essential to the life of our clients. 5 6 Despite this fact, access to water and other services 7 have steadily risen over the past 10 years by an average 8 of approximately 80 percent while federal aid to public water utilities has plummeted. 9 The Low Income Water 10 Household Assistance Program was introduced to support 11 households during COVID but is expected to end shortly. 12 Inability to pay for water leads to shutoff and often snowballs into chronic health problems, 13 housing crises and family and community disruption. 14 For 15 instance, we spoke to a senior couple that live in Florissant, Missouri. They're both in their 70s and 16 17 retired veterans. Their income is extremely fixed. 18 were told that they pay -- that after they pay their 19 monthly bills and medical expenses they barely have 20 enough money left to buy food. If the water bills 21 increase, I do not know how we'll be able to continue to 2.2 live in our home which happens to be down the street 23 from our church where we volunteer. 24 Ms. Matlock specifically stated these types of 25 increases hurt seniors and folks like us the most.

Page 14 1 also spoke to Ms. Graves who was a single mother who 2 works two jobs just to make ends meet. Her medical expenses are rapidly increasing, and she does not know 3 4 what she will do if she cannot pay for both water and 5 medical care. Lastly, we heard from Ms. Ingram who's the 7 mother of a child with a disability. She stated that 8 she's already struggling to make ends meet and does not 9 know where she will get the extra money to pay for the 10 increased rate. Here at LSCM our clients' health and 11 welfare is paramount to us. We emphasize the necessity 12 of access to water as a fundamental right and we urge the Commission to reject the request for a water rate 13 increase. We also urge American Water to consider 14 15 creating additional sustainable water affordability 16 programs that can be adjusted for income and includes 17 protection to our most vulnerable populations. 18 you. 19 JUDGE CLARK: Thank you, Ms. Barnes. I don't 20 mean to put you on the spot. I'm going to ask you one 21 thing that occurred to me. You said early on you said that it would cause environmental, social and economic 2.2 23 harm. I'm curious about the environmental aspect of 24 that. 25 MS. BARNES: That's a great question, Your

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I'd be happy to do so.

Page 15 We actually have research that we have attached 1 2 to our formal letter of opposition that goes into a lot 3 of that detail. I can't say that I'm qualified to explain it in a way that would clearly articulate it and 4 5 make sure that it's understandable but we did attach that research to our formal opposition so that it would 6 7 be a part of the public record and available for 8 everyone to review. 9 JUDGE CLARK: This letter of opposition, what 10 did you do with that? 11 MS. BARNES: We electronically filed it in the 12 case. 13 JUDGE CLARK: Okay. So it's filed with the 14 comments? 15 MS. BARNES: Yes. 16 JUDGE CLARK: Okay. I just wanted to be sure 17 if we didn't have it that we somehow got it. 18 MS. BARNES: Sure, and we're happy to submit 19 it. We can email it directly to the Office of the 20 Public Counsel or to the Commission if that would be 21 helpful. 22 JUDGE CLARK: I will leave that up to you if 23 you would like me to attach that as an exhibit, as a

hearing exhibit to this local public hearing transcript,

Page 16 MS. BARNES: That would be wonderful. We will 1 2 email it over this evening. JUDGE CLARK: Okay. And Ms. VanGerpen, you 3 4 will get that to me? 5 MS. VanGERPEN: Yes, Your Honor. As soon as 6 we receive it, we'll get it over to you. 7 JUDGE CLARK: I appreciate that. I'm sorry to 8 rely on you as the intermediary for this. I will label 9 that opposition letter of Legal Aid Services, Hearing 10 Exhibit 1. 11 (HEARING EXHIBIT 1 WILL BE MARKED AS AN 12 EXHIBIT WHEN IT IS RECEIVED BY THE COMMISSION.) 13 JUDGE CLARK: Ms. Barnes, did you have any other comments? 14 15 MS. BARNES: No further comments. Thank you 16 for your time. 17 JUDGE CLARK: Thank you for your comments. Is 18 there anybody else at this time that would like to offer 19 comments to the Commission? I see a hand. 20 MS. OXFORD: I would, Mr. Clark. 21 JUDGE CLARK: Go ahead. 22 MS. OXFORD: I'm sorry I'm running late. I 23 had to work late this evening. 24 JUDGE CLARK: Ms. Oxford; is that correct? 25 MS. OXFORD: Yes.

Page 17 1 Okay. Would you please state JUDGE CLARK: 2 and spell your name for the record. 3 MS. OXFORD: It's Jeanette, J-e-a-n-e-t-t-e, Mott, M-o-t-t, no hyphen, Oxford, O-x-f-o-r-d. 4 JUDGE CLARK: Would you raise your right hand 5 to be sworn. Do you swear or affirm that the testimony 6 7 you're about to give at this public hearing is the 8 truth? 9 MS. OXFORD: I do. 10 JUDGE CLARK: What would you like to tell the Commission this evening? 11 12 JEANETTE MOTT OXFORD, having been first duly sworn, testified as follows: 13 14 Thank you for this opportunity. MS. OXFORD: 15 I'm sorry to arrive late. I had a late-day meeting at work that went a little long. 16 17 I presently work at Paraguad, which is an 18 independent living center for people living with 19 disabilities, and I've had a long career of working in public policy, especially with very vulnerable 20 21 populations, those with low incomes, those with 2.2 disabilities and those that have a number of structural 23 barriers in their way when it comes to securing basic 24 human needs. 25 JUDGE CLARK: I'm sorry. Could you back up

Page 18 1 one sentence, Ms. Oxford. Our court reporter was having 2 a hard time hearing. 3 MS. OXFORD: Sure. I don't have a manuscript, so I don't know exactly what I said. But I said I've 4 5 worked in public policy with vulnerable populations for about 40 years, including people living in poverty, 6 7 people with disabilities and others that have barriers 8 in the way of them succeeding or securing their basic 9 human needs. 10 So when I see that there is a rate request by 11 American Water that could raise water bills by \$150 a 12 year, I know that there's a lot of my neighbors that cannot afford that. There's a study that MIT produces 13 It's called the Living Wage Study. 14 each year. 15 rather than being a minimum wage study of, you know, what does the minimum wage pay, it's a study of what 16 17 does it really cost to have the basics in life, not an 18 extravagant lifestyle, not a lifestyle where you can 19 take expensive vacations but to have a decent level of housing, transportation, adequate supply of food, so 20 21 just to cover your basics. And that includes some 2.2 things like some money for health care, some money set 23 aside for retirement, so things that would be really basic for you. And that study shows here in St. Louis 24 25 City a family of four, two parents and two children,

- 1 would need more than \$76,000 a year to live. I can put
- 2 in the chatbox for you the link to the study when I'm
- 3 finished speaking in case you'd like to save that.
- 4 JUDGE CLARK: Please don't put anything into
- 5 the chatbox. That kind of goes for everybody. That's
- 6 not a part of the hearing record.
- 7 MS. OXFORD: Okay.
- 8 JUDGE CLARK: If you want to verbally give it
- 9 to me at the end of your comments, I'll be happy to
- 10 write it down.
- MS. OXFORD: Okay. Very good. I'll be glad
- 12 to give you that web address.
- 13 JUDGE CLARK: You were saying a family of four
- 14 would need 76,000?
- MS. OXFORD: Yeah. Let me pull it up right in
- 16 front of me here so I can tell you the exact amount.
- 17 They've got it expressed in an hourly wage. So let me
- 18 multiply it quickly here. It's actually more than
- 19 78,000, \$78,457.60 if you were going to have a decent
- 20 level of housing, food, transportation, other very basic
- 21 needs in the City of St. Louis.
- Now, there's a whole lot of people in St.
- 23 Louis and throughout our state that are American Water
- 24 customers who don't have those kind of incomes. The
- 25 median income in Missouri, these figures are a little

Page 20 1 bit out of date. But let me pull that up real quick 2 here. 3 JUDGE CLARK: Are all of these things you're telling me now from the MIT Living Wage Study? 4 5 MS. OXFORD: No, the newest study -- the 6 newest numbers I was going to tell you is actually from 7 the Institute on Taxation and Economic Policy has a report on incomes in the state of Missouri and how much 8 9 people pay in taxes. And they publish something, a 10 report periodically. Let me pull that up real quickly. Here we go. This was based on which tax year. 11 it's dated October 2018, so I'm guessing this is either 12 tax year 2017 or 2018, that the median income in 13 Missouri at that point was \$43,500 meaning half of 14 Missourians make less than \$43,500 a year. 15 16 When you go up to the fourth quintile, you get 17 to an average income for that group of \$72,800. 18 would mean, you know, that a whole lot of Missourians, 19 more than half of Missourians, have less than what it 20 costs to secure those basic human needs. So I believe, 21 as was said earlier, water is an absolute essential in 2.2 life and people can't bear a \$150, a whole lot of our 23 neighbors cannot bear a \$150 a year increase. 24 When I served in the Missouri House of 25 Representatives from 2005 to 2012, I was a part of the

- 1 National Caucus of Environmental Legislators and we
- 2 studied how outdated water systems are around our
- 3 country and what a desperate need there is there. So I
- 4 do understand that this is something that has not been
- 5 attended to by our society and that it's really
- 6 important that we bring our water system up to modern
- 7 standards for safety sake, for health sake, for security
- 8 sake around matters of national security when there are
- 9 people that sometimes like to try to harm others through
- 10 things like attacking water supplies or electric grids,
- 11 et cetera. We have to think about things like that.
- 12 Somehow we have to balance that all out so that we don't
- 13 create hardships for families that are really struggling
- 14 to make it.
- So I think that this is a larger increase than
- 16 the public can bear. So I hope that the Public Service
- 17 Commission will significantly reduce it and that for the
- 18 poorest of my neighbors some type of public assistance,
- 19 you know, grants or reductions, some type of aid program
- 20 to reduce the bill would be available for those that
- 21 are, you know, say in the bottom fifth of income earners
- 22 in the state of Missouri. They are truly already very
- 23 transient in their housing because they can't afford to
- 24 pay and often utility bills including water bills create
- 25 a chain of events in their lives where they may have

- 1 spells of homelessness or miss being able to renew
- 2 prescriptions and other things that are really desperate
- 3 situations in their lives. I'm very concerned about
- 4 this having worked with families that are very, very
- 5 poor for a long time and currently working with people
- 6 with disabilities who often have inadequate incomes from
- 7 either the jobs that they can secure or from public
- 8 assistance programs. And I thank you for letting me
- 9 enter at the last minute. As I said, I had to work late
- 10 and I hustled home to get my computer booted up and onto
- 11 this call.
- 12 JUDGE CLARK: I'm very happy you were able to
- 13 attend. You said you were going to give me the web
- 14 address for the MIT study.
- MS. OXFORD: Yeah. The MIT study is at
- 16 livingwage, that's l-i-v-i-n-g-w-a-g-e,
- 17 .mit.edu/counties/29510 gives you the St. Louis City
- 18 information. If you use that same address
- 19 livingwage.mit.edu/states/29/locations, you can look at
- 20 every county in the state of Missouri to see what it
- 21 truly costs for a family to have an adequate level of
- 22 income to meet their needs.
- JUDGE CLARK: Thank you very much for your
- 24 comments, Ms. Oxford.
- MS. OXFORD: You're welcome.

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1	Page 23 JUDGE CLARK: And I have no questions for you
2	beyond what I've already asked. I saw a hand up earlier
3	from Ms. Bradley. Ms. Bradley, did you have comments
4	you wanted to offer to the Commission this evening?
5	MS. BRADLEY: Yes, Commissioner.
6	JUDGE CLARK: We're getting feedback.
7	MS. BRADLEY: I'm so sorry.
8	JUDGE CLARK: Would you please state and spell
9	your name for the court reporter.
10	MS. BRADLEY: I apologize, Commissioner. I
11	could not hear anything. Could you repeat?
12	JUDGE CLARK: Yes, of course. I said can you
13	please state and spell your name for the court reporter.
14	MS. BRADLEY: Yes. My name is Nyree Bradley.
15	My name is spelled N-y-r-e-e, last name B-r-a-d-l-e-y.
16	JUDGE CLARK: And Ms. Bradley, would you raise
17	your right hand to be sworn.
18	MS. BRADLEY: Yes.
19	JUDGE CLARK: Do you swear or affirm that the
20	testimony you're about to give at this local public
21	hearing is the truth?
22	MS. BRADLEY: Yes.
23	JUDGE CLARK: Okay. What comments would you
24	like to offer for the Commission?
25	NYREE BRADLEY,

Page 24 having been first duly sworn, testified as follows: 1 2 MS. BRADLEY: I wanted to first start off by 3 introducing myself. My name is Nyree Bradley, and I'm a 4 resident of St. Louis County. I'm a student at St. 5 Louis University School of Law and I'm also a single parent of three small children. It's July 1, 2022, it 6 7 looks like filing, American Water included a description of the impact its proposal would have on residential 8 customers in each district utilizing 3,000, 5,000 and 9 10 7,000 gallons monthly usage levels identified as it looks like Appendix B reflecting an increase of 37.9 to 11 12 39 percent change in present rates. Most notably its description illustrates that households with higher 13 utilizations will be impacted the most if its rate 14 15 request is approved. 16 I urge the Commissioners to consider this 17 information before making its determination, as research 18 supports that approving this increase will disproportionately affect single parent and 19 20 multi-generational households in St. Louis County. 21 The American Community Survey reported that at 2.2 least 28.1 percent of St. Louis County households are 23 comprised of single parent family households. households similar to my own typically have limited 24 25 It is estimated by the water industry that an income.

Page 25 average person uses 3,000 gallons of water monthly. 1 2 a family of four like my family would use 12,000 gallons for bathing, cooking, washing, recreation and watering. 3 It goes without saying that it would be an 4 5 injustice to allow American Water to impose a significant additional financial burden on single parent 6 7 families like my own in comparison to a household 8 comprising of one single adult. Moreover, multi-generational households would 9 10 also be unjustly burdened if American Water's rate 11 increase is approved. Multi-generational households are defined as households that include two or more adult 12 generations or a skip generation which consists of 13 grandparents and their grandchildren younger than the 14 age of 25. Research provided by the Pew Research Center 15 shows that financial issues top the list of reasons 16 17 adults live in multi-generational homes. Parents living with adult children and adults living with parents are 18 about equally likely to say finances are a major reason 19 20 for their living arrangements. 21 It is important to note that households 22 comprised of multiple adults do not necessarily equate 23 with increased income capability. What many multi-generational households are comprised of senior 24 25 citizens who are unable to work and receive a fixed

- 1 income. I noted that the latest increase, which was 8.7
- 2 percent of Social Security Income federal payments for
- 3 seniors became effective this month, January 2023, and
- 4 are \$914 worth of payments for an eligible individual.
- 5 That amount alone would not be enough to meet basic
- 6 living expenses for one person let alone senior citizens
- 7 that also have to pay for additional expenses such as
- 8 health care and necessary prescription costs.
- 9 So therefore I urge the Commission to consider
- 10 this information and deny American Water's request for a
- 11 rate increase. Thank you for this opportunity for
- 12 giving me a chance to speak.
- JUDGE CLARK: Thank you, Ms. Bradley. I've
- 14 got a couple questions just because I was writing slow
- 15 enough I didn't catch the number. The Social Security
- 16 increase percentage you gave, you said it was 9; is that
- 17 correct?
- MR. BRADLEY: So I have it noted as 8.7
- 19 percent. So it's not quite 9 percent yet, but it looks
- 20 like it became effective January of 2023.
- JUDGE CLARK: And just because I don't have
- the case file open in front of me on my computer, you
- 23 had referenced me to in regard to the 3, 5 and 7,000
- 24 gallon usage to Appendix B of one of Missouri-American's
- 25 pleadings, and is that in their petition?

Page 27 1 MS. BRADLEY: Yes. 2 JUDGE CLARK: Okay. When was it filed? Just 3 so I can go reference it later. 4 MS. BRADLEY: It looks like it was filed on 5 July 1 of 2022. 6 Okay. So this is the pleading JUDGE CLARK: 7 opening the case? 8 MS. BRADLEY: Yes. 9 JUDGE CLARK: Okay. All right. Thank you 10 very much, Ms. Bradley, for your comments. I appreciate 11 your time. 12 MS. BRADLEY: No problem. Thank you. Is there anybody else at this time who would like to offer 13 comments to the Commission on Missouri-American? 14 MS. EFFMAN: Hi, this is Nicolle Effman. 15 16 Hello? 17 JUDGE CLARK: Yes, I can hear you. I'm sorry. 18 Would you please state your name again, I'm sorry I 19 didn't catch your last name, and then spell your name 20 for the record. 21 MS. EFFMAN: Sure. My name is Nicolle Effman. 2.2 That's N-i-c-o-l-l-e Effman, E-f-f-m-a-n. 23 JUDGE CLARK: And Ms. Effman, would you raise 24 your right hand and be sworn. 25 MS. EFFMAN: Yes, sir.

Page 28 1 JUDGE CLARK: I'm sorry? 2 MS. EFFMAN: I said yes, sir. 3 JUDGE CLARK: Thank you. Do you swear or 4 affirm that the testimony you're about to give at this 5 local public hearing is the truth? MS. EFFMAN: 6 I do. 7 JUDGE CLARK: What would you like to tell the 8 Commission this evening? 9 NICOLLE EFFMAN, 10 having been first duly sworn, testified as follows: 11 I have spoke with the Office of MS. EFFMAN: 12 the Public Counsel and they felt that I should be here today to speak. I received the water report from 13 Missouri-American Water and I have health issues from 14 15 the water. I have Hashimoto's hypothyroidism. I live 16 east of Westport but grew up in Chesterfield. The 17 endocrinologist stated it was from the chemicals in the 18 water why I have this autoimmune disease. 19 I also am a cancer survivor. My mother is a 20 four-time cancer survivor. The rates of cancer, I could 21 go on and on. My best friend's mom, my aunt has two kinds of cancer, her daughter is recovering from a 22 23 The things that are in the water are causing 24 cancer. Every hospital has a cancer center. The rates 25 of cancer are unbelievable. We have to protect our

Page 29 Missouri children have a right to healthy, clean 1 2 water, and they deserve a starting chance. With the 3 chemicals we inhale through showering and bathing, washing dishes, being a stay-at-home mom, you know, I 4 5 know that this is being absorbed through the skin. I have invested in a Kangen Water Machine to 7 help with the drinking water and how I clean and take 8 care of my home to reduce toxins and exposure to what is in the water. 9 10 My father built -- I live near the 11 headquarters. My father built a lot of Creve Coeur. feel we can do better for some Missourians here. 12 JUDGE CLARK: You had indicated that your 13 doctor told you that your health issues in regard to the 14 15 Hashimoto's, and I'm getting some feedback so I'm going to remind everybody once again if you're not currently 16 17 testifying, please mute yourself. You had indicated 18 that your health issues in regard to the Hashimoto's 19 thyroid disease, your doctor had indicated that that had 20 been caused by chemicals in the water? 21 MS. EFFMAN: That's correct. Chlorine and one 2.2 other chemical. I have a multinodular thyroid which 23 means that there's a lot of scar tissue from my body rejecting the chemicals in the water. 24 25 JUDGE CLARK: And you don't know what the

Page 30 other chemical your doctor indicated besides chlorine? 1 2 MS. EFFMAN: I believe she said chloride. I 3 could be mistaken though. JUDGE CLARK: Chloride. 4 MS. EFFMAN: I'm familiar with the water plant 5 in the Missouri bottoms also. 6 7 JUDGE CLARK: Would you care to expound on 8 that or explain the significance of that? MS. EFFMAN: Well, I just have seen how the 9 10 water is treated and I feel like we should do better for the future of the state and, you know, our children 11 12 deserve a fighting chance and I know that it's been 13 brought up a lot about people not being able to pay for 14 the water if there's an increase, and I feel that the 15 people who have spoke have exhausted that topic. 16 one thing I feel is that maybe it should go to a ballot 17 or that there should be federal money given to 18 Missouri-American Water and not expecting Missourians to 19 pay this. 20 JUDGE CLARK: And I don't mean to put you on 21 the spot again but I'm going to ask you. You said you 2.2 had seen how they treat the water. What specifically 23 have you observed? 24 MS. EFFMAN: Just where it goes through the 25 tubes and that. I haven't seen inside the plant or

- 1 anything like that.
- 2 JUDGE CLARK: Okay. So just from the outside
- 3 of the plant?
- 4 MS. EFFMAN: Right. I know they do get some
- 5 of their chemicals from the state of Florida. That's
- 6 all I know.
- JUDGE CLARK: I don't have any further
- 8 questions for you. Did you have any other comments you
- 9 wanted to offer?
- 10 MS. EFFMAN: I think that covers it. I'll go
- 11 ahead and contact the Department of Natural Resources
- 12 for further information about all this.
- JUDGE CLARK: Ms. Effman, thank you very much.
- 14 I appreciate your time and I appreciate the comments
- 15 you've offered the Commission tonight.
- MS. EFFMAN: Thank you, sir.
- 17 JUDGE CLARK: Is there anybody else who would
- 18 like to offer comments to the Commission tonight about
- 19 Missouri-American's rate case? Okay. I'm not hearing
- 20 -- I'm sorry?
- 21 MR. KINDIG: I do have something. Sorry, I
- 22 have something.
- JUDGE CLARK: Yes, sir. What's your name?
- MR. KINDIG: My name is Derek Kindig. That is
- 25 D-e-r-e-k K-i-n-d-i-q.

Page 32 1 JUDGE CLARK: K-i-n-d-i-q? 2 MR. KINDIG: Yes. JUDGE CLARK: And would you raise your right 3 4 hand to be sworn. Do you swear or affirm that the 5 testimony you're about to give at this local public 6 hearing is the truth? 7 MR. KINDIG: Yes. 8 JUDGE CLARK: And what would you like -- What 9 comments would you like to offer to the Commission this 10 evening? 11 DEREK KINDIG, 12 having been first duly sworn, testified as follows: 13 MR. KINDIG: In the first half of this call I was encouraged to voice my question in the second half. 14 15 That's why I'm speaking now. There I asked about the 16 percentage of revenue that was put into a savings account or if there was a savings account of some kind 17 18 within American Water's company to put forth against 19 these types of projects. And that's when it was 20 explained that process is more retrospective. So as 21 they put funds towards these projects they then seek the funds afterwards. So it was brought up that I should 2.2 23 bring that up here and I feel that that would be worth a That was a question I had actually whether 24 discussion. 25 or not there were questions, conversations, so on and so

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Page 33 1 That way -- sorry, I'm hearing forth happening. 2 feedback. I don't know if --3 JUDGE CLARK: I was catching you earlier, but I'm hearing you clearly now. It was just one incident. 4 MR. KINDIG: Sorry. Okay. Sorry. 5 So the 6 thought is if there were some sort of savings accounts 7 or discussion toward that I think that could be an 8 opportunity to try to avoid these types of situations. I understand that there are a multitude of other issues 9 10 that come with this whether it's affordability, and so 11 on and so forth, but it's a little surprising to me that 12 there wouldn't be some sort of reserve funds to try to get ahead of these situations, and I just really wanted 13 to offer that up as why is that really not in place type 14 15 of thing has to be a topic of conversation to see if it's an option to try to avoid an increase every three 16 or four months. And then as someone else mentioned 17 18 earlier regarding their bill, it could just be a line 19 item there, right, saying, you know, 2 percent, 3 20 percent, whatever it is, goes towards this type of 21 maintenance. I think that would provide more to 2.2 customers. That's really just where my head is at on 23 that.

I've got this right, you're wondering whether there had

JUDGE CLARK: Just to summarize to see that

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Page 34 been discussions about some sort of -- whether 1 2 Missouri-American had some sort of reserve fund for the 3 purpose of dealing with infrastructure; is that correct? MR. KINDIG: Essentially, yes, it would be 4 5 similar to an individual having emergency fund, right, like we're kind of expected to save for any kind of 6 7 emergency that may happen for us. I guess it's 8 surprising to me that an organization such as Missouri-American Water wouldn't have that and it was 9 10 kind of indicated that it wasn't allowed to. Whether that's the case or not, I don't know. But that's kind 11 12 of where that was going, and I was encouraged to bring this up during this call. 13 JUDGE CLARK: Thank you for bringing that to 14 my attention. 15 I appreciate that. As I indicated earlier, the Commission can't answer questions, because 16 17 we have to remain impartial until after such times as the Commission has heard all the evidence and had an 18 19 opportunity to make its decision. But thank you for 20 bringing that to my attention. I've got no further 21 questions for you, Mr. -- is it Kindig; is that correct? 2.2 MR. KINDIG: Yes, Kindig, yep. 23 JUDGE CLARK: Thank you very much for your time and thank you for attending tonight. 24

MR. KINDIG:

Yes, thank you.

1	Page 35 JUDGE CLARK: Is there anybody else at this
2	time that would like to offer their comments or thoughts
3	to the Commission?
4	MS. VALDEZ: This is Susanne Valdez.
5	JUDGE CLARK: Ms. Valdez, would you please
6	spell your name for the court reporter.
7	MS. VALDEZ: Yes. Susanne, S-u-s-a-n-n-e,
8	Franza, F-r-a-n-z-a, Valdez, V-a-l-d-e-z.
9	JUDGE CLARK: Ms. Valdez, would you raise your
10	right hand to be sworn.
11	MS. VALDEZ: Yes, sir.
12	JUDGE CLARK: Do you swear or affirm that the
13	testimony you're about to give at this local public
14	hearing is the truth?
15	MS. VALDEZ: It is, yes.
16	JUDGE CLARK: What would you like to tell the
17	Commission this evening?
18	SUSANNE FRANZA VALDEZ,
19	having been first duly sworn, testified as follows:
20	MS. VALDEZ: Well, this is more to you, sir.
21	JUDGE CLARK: If you could speak just a little
22	bit louder, I'm having just a touch.
23	MS. VALDEZ: Yes. Can you hear me now?
24	JUDGE CLARK: I can. Thank you. Go ahead.
25	MS. VALDEZ: I am now involved in this

- 1 practice that the Commission has and that you so
- 2 wonderfully serve because of a horrible destruction of
- 3 my next door neighbor's home when water flowed out of a
- 4 1940 pipe for over an hour. Had that not happened, I
- 5 don't think I would have ever thought about our Public
- 6 Service Commission or rate increases from
- 7 Missouri-American Water, Ameren, Spire, any of those
- 8 companies. The bills come and I pay them. Okay. And I
- 9 guess I'm one of those people who has the benefit of an
- 10 income that allows me to pay those bills not unlike
- 11 others who have been introduced to you this evening. My
- 12 concern is a failure to communicate, and I believe that
- 13 failure to communicate is with our utility companies and
- 14 with our Commission.
- I learned today that I cannot pick up the
- 16 phone and call Maida Coleman and talk to her about what
- 17 my concerns are. Something seems to be amiss for me
- 18 when a resident of the state of Missouri cannot speak to
- 19 the members of the Board of Commission who are appointed
- 20 by our Governor. That's a critical issue for me as a
- 21 taxpaying resident.
- I'm a resident of University City, I'm a
- 23 resident of St. Louis County, and I'm a resident of the
- 24 state of Missouri. As a resident taxpayer, it seems to
- 25 me like I should have access to all of those individuals

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Page 37 because they are in those positions to serve me as a 1 2 resident. My concern now is, again, I have learned so much since the first weekend of October about how the 3 4 process works. And like so many other people who have 5 addressed you this evening, there are probably hundreds 6 7 of thousands of people in the state of Missouri who have no idea of what's going on with this system. 8 And water is basic. Heating is basic. 9 Communication is basic. I believe we are at the point 10 where we need to be telling people in these 11 12 neighborhoods when a pipe bursts and the water flows for an hour, somebody needs to be here in our neighborhood 13 talking to us. We shouldn't have to second guess about 14 15 what's going on. I made two calls to Missouri-American Water 16 17 soon after that accident occurred. I was assured that I 18 was going to receive a call back. And Your Honor, we 19 are now at the end of January 2023, and never once has 20 Missouri-American Water called me back to answer my 21 questions. That is a failure in the business of 2.2 providing us with water. 23 My comment to you this evening is how, or the

question, how can we within the state of Missouri do a

much better job of having those elected and appointed

Page 38 officials talk to us, let us know what's happening. 1 2 have a full block of people right now who are waiting to see when the third piece of that pipe breaks, because 3 when that third piece breaks, Your Honor, it's probably 4 5 going to affect the house that I live in and I don't want to wait to see that happen. 6 7 When they were out here repairing the work that happened in October, it took them until the end of 8 9 December, sir, to complete the job, and never once did I 10 see the same group of people working on that problem. 11 It was a company after a company after a company and they were all doing work on behalf of Missouri-American 12 They all just came out, did hit or miss as far 13 Water. as I'm concerned, reconstruction of that problem and 14 that just spelled to us in this neighborhood another 15 problem is going to happen and none of us, none of us 16 has received any information from Missouri-American 17 18 Water about the problem and how they're addressing it 19 and how they were going forward. And so this evening I 20 had the opportunity to ask that direct question to the 21 president, and he assured me that I send them an email 22 and they'll let me know where my street rests with the 23 next action that can be taken to complete the process of taking a 1940 piping system to completion so we don't 24 25 have to worry about the next problem. So for me, sir,

- 1 it's not a matter of paying what I have to pay to have
- 2 the water. It's a matter of saying if you're
- 3 responsible for the water system, you need to fix it,
- 4 you need to let us know what's happening, and no more
- 5 quesswork. If I call Missouri-American Water and ask to
- 6 speak with someone, I believe they have an obligation to
- 7 call me back and answer my questions. That's my
- 8 comment. Thank you.
- JUDGE CLARK: Okay. Ms. Valdez, thank you for
- 10 your comments. I can certainly hear the frustration in
- 11 your voice. As I indicated earlier, the Commission
- 12 can't answer questions at this public comment. What I
- 13 will say is at least in regard to the Commission is that
- 14 the Commissioners have to follow very specific
- 15 regulations that set out what kind of communications
- 16 they can have outside of the case.
- 17 The Public Service Commission has a consumer
- 18 services department. And if you don't have that number,
- 19 I would be more than happy to give it to you. I will
- 20 also tell you that the Missouri Public Service
- 21 Commission has a complaint process by which both
- 22 informal complaints are made and investigated and formal
- 23 complaints can be made and adjudicated before the
- 24 Commission. Would you be interested in that consumer
- 25 services number?

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Page 40 1 MS. VALDEZ: Let me offer you this 2 information. Since October, I have gone through the online information about the Commission, who the staff 3 are, and as of today I have names and phone numbers for 4 5 three or four people. So thank you for offering that, but I've done a lot of online research and it's there. 6 7 I guess the unfortunate thing, sir, though is that in order to have that information you have to go online and 8 do a lot of research to get to that. It would be good 9 10 if maybe it was a more easily available piece of information for all of us. 11 12 I do understand the process. I've studied it in quite a bit of detail and I understand what the 13 14 process is. Thank you. 15 I apologize. I did not mean to JUDGE CLARK: 16 imply that you didn't understand the process. I was 17 just trying to offer. 18 MS. VALDEZ: No, sir, you did not, I did not 19 take it that way. I greatly appreciate your willingness 20 to offer the assistance. Yeah, it's just taken me --21 I've lived here for a long time, but it took me a few 2.2 months to get a better understanding of what the 23 Commission is and how the procedures that it follows.

greatly appreciate that.

Thank you for your service to the state of Missouri.

Page 41 1 Thank you again for showing up JUDGE CLARK: 2 tonight and taking the time out of your day to offer 3 comments. I will certainly take back to the Commission your comments and concerns regarding communication 4 I do have one question because you had said at 5 least two times to my noting that it was a 1940s pipe 6 7 you believe that ruptured. I'm just curious how you 8 came to that number. Is it based on the age of the 9 house or did you receive that information from 10 elsewhere? 11 MS. VALDEZ: We, my next door neighbor and I, have received that information from elsewhere. We live 12 in University City. We know that the street on which we 13 reside that those pipes were laid in 1940. Yes, we've 14 15 done background on that, yes. 16 JUDGE CLARK: You indicated it was a pipe inside the house that burst? 17 MS. VALDEZ: No, sir. It's the piping that 18 19 runs down the street. So in two different spots on the street there have been breakages. The first one was 20 21 fixed pretty quickly. The second one unfortunately the 2.2 water flowed for over an hour. 23 JUDGE CLARK: You said it took from October to 24 December to get that repaired? 25 MS. VALDEZ: Yes, sir, that's correct.

Page 42 Again, thank you very much for 1 JUDGE CLARK: 2 your comments. I appreciate them. 3 MS. VALDEZ: Yes, thank you. 4 MS. NIEMEIER: Judge, may I ask a clarifying 5 question? 6 JUDGE CLARK: I'm sorry. Is that Ms. 7 Niemeier? 8 MS. NIEMEIER: Yes. 9 Okay. Missouri-American, go JUDGE CLARK: 10 ahead. 11 MS. NIEMEIER: Ms. Valdez, I just want to 12 confirm you're the individual that we spoke to on the Q&A and we asked that you send us an email? I just 13 wanted to confirm we have that correct. 14 15 JUDGE CLARK: Ms. Valdez? Ms. Valdez, are you still there? 16 17 MS. VALDEZ: Hello. JUDGE CLARK: Yes. Missouri-American asked if 18 19 you, in fact, talked to them during the Q&A and you 20 provided the email; is that correct? 21 MS. VALDEZ: Yes, I am the person, correct, 2.2 yes. 23 JUDGE CLARK: Okay. Thank you. You had a 24 follow up? Go ahead. 25 MS. NIEMEIER: Thank you for clarifying.

Page 43 1 MS. VALDEZ: Yes, and thank you. 2 JUDGE CLARK: Is there anybody else this evening that wanted to offer comments to the Commission 3 4 about Missouri-American's rate case? Okay. I'm hearing 5 I'm going to check just for my own record right now. I know that Commissioner Holsman is in attendance. 6 7 Do we have any other Commissioners on tonight that I did 8 not get? Yes, Judge, this is 9 COMMISSIONER KOLKMEYER: 10 Commissioner Kolkmeyer. I'm in attendance. 11 JUDGE CLARK: Thank you, Commissioner 12 Kolkmeyer. I appreciate it. 13 COMMISSIONER HOLSMAN: I'm still here, Judge. Thanks, Commissioner Holsman. 14 JUDGE CLARK: 15 Did either of you wish to offer a closing comment today? 16 COMMISSIONER HOLSMAN: Sure. Thank you, 17 We just want to thank everybody for taking their 18 time to share their opinions with us. We do listen and 19 we do take them into consideration when making 20 decisions. I believe this is the last hearing that 21 we're going to have on this issue. So I want to thank 2.2 all the people who took their time over the course of 23 this last week to testify and just appreciate you as well, Judge. Thank you for being part of this and we'll 24 25 talk to you soon.

Page 44 1 Thank you very much. Ι JUDGE CLARK: 2 appreciate your closing remarks today. I am going to say while this was originally scheduled to be the last 3 public hearing for this, because we did convert the one 4 the other day in St. Louis to a WebEx hearing, because 5 of the forecast weather at that time, we are currently 7 looking about rescheduling an in-person hearing in St. 8 Louis. So you may want to watch the media outlets, because there may be something in relation to that. 9 10 don't believe it's been determined when that's going to be rescheduled for. We're looking at available times 11 12 and venues. I'd like to thank everyone who participated 13 today and for all of those that took the time out of 14 15 their day to get their questions answered as well as offer comments to the Commission. If you have 16 17 additional comments that you want to make or you know 18 someone who was unable to attend tonight who would like 19 to offer their comments and thoughts to the Commission 20 about this rate case, they may do so, offer written 21 comments by going to either the Commissions's web page 22 which has a link I believe to offer comments. You will 23 need to know the case number for that which is, I 24 believe, WR-2022-0303. You can also email comments to 25 pscinfo@psc.mo.gov or by contacting the Office of the

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1	Page 45 Public Counsel. They are also willing to see that your
2	comments are appropriately filed with the Commission.
3	Again I would like to thank everybody for
4	taking time to participate tonight and this hearing is
5	now adjourned. We will go off the record.
6	COMMISSIONER KOLKMEYER: Thank you, Judge.
7	JUDGE CLARK: Thank you, Commissioner.
8	COMMISSIONER HOLSMAN: Thank you, Judge.
9	JUDGE CLARK: Thank you, Commissioner.
10	(The proceedings concluded at 7:44 p.m.)
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1	Page 46 CERTIFICATE OF REPORTER
2	STATE OF MISSOURI)
3	COUNTY OF COLE)
4	I, Beverly Jean Bentch, RPR, CCR No. 640, do
5	hereby certify that I was authorized to and did
6	stenographically report the foregoing Public Service
7	Commission local public hearing and that the transcript,
8	pages 1 through 45, is a true record of my stenographic
9	notes.
10	I FURTHER CERTIFY that I am not a relative,
11	employee, attorney, or counsel of any of the parties,
12	nor am I a relative or counsel connected with the
13	action, nor am I financially interested in the action.
14	Dated this 14th day of February, 2023.
15	Beverly Jean Bentch
16	Charley Jean Genter
17	Beverly Jean Bentch, RPR, CCR No. 640
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