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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

Public Hearing
VOLUME I

Monday, June 12, 2023
7:55 p.m. - 9:30 p.m.

Mid County Fire Protection District
184 North Business Route 5
Camdenton, MO 65020
and WebEx

In the Matter of Confluence Rivers)
Utility Operating Company, Inc.'s)
Request for Authority to Implement)
A General Rate Increase for Water) File No. WR-2023-0006
Service and Sewer Service)
Provided in Missouri Service Areas.)

KEN SEYER, Presiding
REGULATORY LAW JUDGE

JASON R. HOLSMAN
GLEN KOLKMEYER,

COMMISSIONERS

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

1 APPEARANCES:

2 On behalf of Confluence Rivers Utility
3 Operating Company, Inc.:

4 1650 Des Peres Road, Suite 303
5 Des Peres, MO 63131

6 BY: DAVID WOODSMALL, ESQ.
7 dwoodsmall@cswrgroup.com

8 On behalf of the Staff of the
9 Public Service Commission:

10 Public Service Commission
11 200 Madison Street
12 P.O. Box 360
13 Jefferson City, MO 65101

14 BY: SCOTT STACEY, ESQ.
15 scott.stacey@psc.mo.gov

16 on behalf of the Office of the Public Counsel:

17 200 Madison Street, Suite 650
18 PO Box 2230
19 Jefferson City, MO 65102

20 BY: JOHN CLIZER, ESQ.
21 nathan.williams@opc.mo.gov
22
23
24
25

1 The following proceedings began at 7:55 p.m.:

2 JUDGE SEYER: We are on the record. Today is
3 June 12, 2023. The time is 7:55 p.m. My name is Ken
4 Seyer. I'm a Regulatory Law Judge with the Missouri
5 Public Service Commission, and I will preside over this
6 portion of the hearing.

7 The Commission has set this time for a local
8 public hearing in File No. WR-2023-0006, which is
9 captioned as In the Matter of Confluence Rivers Utility
10 Operating Company Incorporated's Request for Authority
11 to Implement a General Rate Increase for Water Service
12 and Sewer Service Provided in Missouri Service Areas.

13 The Commission has scheduled this local public
14 hearing to give members of the public a chance to
15 comment about Confluence Rivers rate case. The Missouri
16 Public Service Commission regulates the rates charged by
17 public utility companies in Missouri to ensure that
18 those rates are just and reasonable. The Commission
19 also regulates the quality of service and safety of the
20 operations of public utilities.

21 Confluence Rivers is a public utility under
22 the Missouri Statutes and as such is subject to
23 regulation by the Commission. The Commission is made up
24 of five Commissioners. The Commissioners are appointed
25 by the Governor to fixed terms and confirmed by the

1 Senate. The Commissioners employ a staff of engineers,
2 accountants, attorneys, financial analysts and other
3 specialists in the field of utility regulation.

4 This evening we have two of the Commissioners
5 here in person, Commissioner Jason Holsman and
6 Commissioner Glen Kolkmeyer. This is an official
7 hearing of the Missouri Public Service Commission, and
8 the statements and testimony of witnesses will be
9 recorded by a court reporter and must be given under
10 oath.

11 Once the hearing testimony is transcribed, all
12 of the Commissioners will have the opportunity to read
13 all of the witnesses' remarks, and you should know that
14 the Commissioners do value your comments and input.

15 Now, I know the question-and-answer session at
16 least for us lasted a little longer than usual. So
17 tonight what we'd like to set as a goal is to complete
18 this portion of the hearing by 9:30. I won't be a
19 stickler about this, but I'll try to limit each person's
20 testimony to five minutes.

21 So at this time would either of the
22 Commissioners like to make opening remarks?

23 COMMISSIONER HOLSMAN: Thank you. Thank you
24 and good evening. My name is Jason Holsman. I'm a
25 Commissioner. Nearly every summer I've spent my entire

1 life here at the Lake of the Ozarks. My
2 great-great-grandfather helped build Lake Ozark
3 Christian Church at the end of Dogpatch where my wife
4 and I were married. We had our reception at the Lodge.
5 And we have had a family home here up until now. I feel
6 like I am a member of this community and have been for
7 my entire life. I just wanted to let you guys know that
8 I know where you're coming from. I appreciate you
9 taking your time. A lot of places you could be tonight.
10 You chose to be here. That matters to us. It matters
11 what you testify. We cannot answer any questions, but
12 we are listening and I do want to thank you for being
13 here.

14 JUDGE SEYER: Thank you, Commissioner.
15 Commissioner Kolkmeier.

16 COMMISSIONER KOLKMEYER: Yes, thank you,
17 Judge. And again, good evening. I too am a property
18 owner at the lake over by Laurie. I live at Odessa, but
19 we have a lake home here. So here again we do
20 appreciate your comments. We do listen to them.
21 So thank you for coming and thank you for sharing your
22 opinion. And here again, we're not able to answer any
23 questions. So thank you.

24 JUDGE SEYER: Thank you, Commissioner. Are
25 there other Commissioners listening online? All right.

1 You've probably already been introduced to several of
2 these people tonight; but for the sake of the record,
3 I'd like to have the parties -- the attorneys that are
4 representing the parties in this matter identify
5 themselves and state the party that they're
6 representing. I'll start with the Company, Confluence
7 Rivers.

8 MR. WOODSMALL: Thank you, Your Honor. David
9 Woodsmall on behalf of Confluence Rivers Utility
10 Operating Company, 1630 Des Peres Road, Suite 140, St.
11 Louis, Missouri 63131. As most of you know, with me
12 today are Mr. Thomas, Senior Vice President, and Aaron
13 Silas, our Director of Regulatory Affairs. If you have
14 specific questions for them, I'd ask you to grab them,
15 let us know any specific service issues that you have so
16 we can get them taken care of. Thank you, Your Honor.

17 JUDGE SEYER: Thank you, Mr. Woodsmall. For
18 the Commission Staff.

19 MR. STACEY: Scott Stacey, counsel for Staff,
20 200 Madison Street, Jefferson City, Missouri 65101.

21 JUDGE SEYER: And then for the Office of the
22 Public Counsel.

23 MR. CLIZER: John Clizer on behalf of the
24 Missouri Office of the Public Counsel. My contact
25 information can be found in the record. I will be

1 available after the meeting if people have additional
2 questions. Thank you.

3 JUDGE SEYER: Thank you, Mr. Clizer. The way
4 this portion of the hearing will proceed tonight will be
5 to call the names listed on the sign-up sheet in the
6 order that they appear. When I call your name, please
7 step up to the microphone and then before you speak I
8 will place you under oath and ask you to state and spell
9 your name. And I will also ask you what community you
10 live in or where you're a customer of Confluence Rivers.
11 And then you can offer your comments to the Commission.
12 As I mentioned earlier, we'll try to limit each person's
13 testimony to five minutes to give everyone a chance to
14 testify that wishes to testify tonight.

15 Once you do finish your comments, please
16 remain at the microphone in case there are follow-up
17 questions from the Commissioners or the attorneys for
18 the parties. As a couple of the -- As both the
19 Commissioners touched on, understand that the
20 Commissioners aren't able to answer any of your
21 questions today because they have to remain impartial
22 and only consider evidence presented at the evidentiary
23 hearing in this matter which is currently scheduled for
24 August 10th, 11th and then the 15th through the 17th.

25 The Commission has not made any decisions in

1 this case as to Confluence Rivers rates and other
2 matters in the case. The Commission is interested in
3 your comments and will use them to help make their
4 decision. If you have comments after the hearing, or if
5 you're unable to stay and give your comments on the
6 record, you may submit them via the PSC website
7 psc.mo.gov, and I believe on the right side of the home
8 page there's a column with the heading that starts out
9 how do I, and then in that list is submit comments. But
10 if you do submit comments, always remember to try to
11 cite this case number, file number, and it is
12 WR-2023-0006.

13 I'll just -- I'm sure I'll repeat it before
14 we're done, but I can repeat it right now if you'd like.
15 Okay. All right. So I will call names off the list,
16 and I'll apologize up front if I do not recognize your
17 handwriting or if I just generally mispronounce your
18 name. Mr. Hulett, Ken Hulett.

19 All right. Mr. Hulett, good evening. Would
20 you raise your right hand, please. Thank you. Do you
21 swear or affirm that the testimony you give in this
22 hearing shall be the truth, the whole truth and nothing
23 but the truth?

24 MR. HULETT: Yes, sir.

25 JUDGE SEYER: All right. And could you state

1 your full name?

2 MR. HULETT: Ken Hulett.

3 JUDGE SEYER: Could you spell the last name
4 for us?

5 MR. HULETT: H-u-l-e-t-t.

6 JUDGE SEYER: And where are you a customer of
7 Confluence Rivers?

8 MR. HULETT: President of Cedar Glen Condos.

9 JUDGE SEYER: Cedar Glen Condos. And that's
10 located where?

11 MR. HULETT: In Camdenton.

12 JUDGE SEYER: Okay. Then you can go ahead and
13 proceed with your comments or anything you'd like the
14 Commission to know.

15 MR. HULETT: This will be short. Our request
16 would be to beg for help from Missouri Public Service
17 Commission to stop --

18 JUDGE SEYER: Mr. Hulett.

19 MR. HULETT: Yes, sir.

20 JUDGE SEYER: These microphones pick up much
21 better if you're within just a couple of inches.

22 MR. HULETT: Is this better?

23 JUDGE SEYER: Yes, much better. That will
24 help the court reporter.

25 MR. HULETT: All right. I'll start over. Our

1 request would be to beg for help from the Missouri
2 Public Service Commission to stop the request from
3 Confluence Rivers Utility Operating Company from
4 charging unfair high rates for water and sewer. We
5 think that's why there is a Public Service Commission to
6 protect the homeowners. And that's all I have.

7 JUDGE SEYER: All right. If you could remain
8 there for a second. Do any of the Commissioners have
9 questions for Mr. Hulett? No questions. All right. Do
10 any of the attorneys for the parties have questions?
11 I'm seeing no. Commissioner Kolkmeyer does have a
12 question.

13 COMMISSIONER KOLKMEYER: Yes. Thank you for
14 your comments. How big is your association?

15 MR. HULETT: 212.

16 COMMISSIONER KOLKMEYER: Okay. Thank you very
17 much.

18 JUDGE SEYER: All right. The next names on
19 the list are Norman Thrall and Sandy. Are you both
20 planning on testifying?

21 MS. THRALL: I'll let him.

22 JUDGE SEYER: All right.

23 MR. THRALL: Yes, sir.

24 JUDGE SEYER: Mr. Thrall, would you raise your
25 right hand, please. Thank you. Do you swear or affirm

1 that the testimony you give in this hearing shall be the
2 truth, the whole truth and nothing but the truth?

3 MR. THRALL: Yes, sir.

4 JUDGE SEYER: Thank you. Could you state and
5 spell your name?

6 MR. THRALL: Norman L. Thrall, T-h-r-a-l-l.

7 JUDGE SEYER: Okay. And where are you a
8 customer of Confluence Rivers?

9 MR. THRALL: Glen Meadows Subdivision, Troy
10 Missouri, Lincoln County.

11 JUDGE SEYER: Okay. Just to make sure that
12 the court reporter got that, Glen Meadows Subdivision,
13 Lincoln County, Troy, Missouri?

14 MR. THRALL: Correct, 63379.

15 JUDGE SEYER: All right. Go ahead with your
16 comments.

17 MR. THRALL: I have letters from neighbors
18 right here as evidence, similar complaints. I wish to
19 enter that into the record. Is that possible?

20 JUDGE SEYER: I would say that that's not
21 possible, but they can be entered in the comments
22 section of the website.

23 MR. THRALL: They were not able to attend.
24 Well, they're basically what you heard earlier. We have
25 a lot of widows in our subdivision. My neighbor across

1 the street from me is a single man.

2 JUDGE SEYER: Mr. Thrall, first of all, again,
3 for the sake of the record, are you saying like last
4 name Whittles?

5 MR. THRALL: Widow. Their last name?

6 JUDGE SEYER: Oh, widows. My mistake. I
7 thought you were saying Whittles like W-h-i-t-t-l-e.
8 Mr. Clizer, did you want to say --

9 MR. CLIZER: I was going to offer to take the
10 comments if they wanted to introduce them into the
11 record later as part of the record, but we can deal with
12 that later.

13 MR. THRALL: Back to comments. One of the
14 widows lives two houses away from the wellhouse. Dirty
15 water, low pressure, dirty water quite often. I live
16 probably a quarter mile by street. I've not got dirty
17 water. People that live real close to the pump house,
18 we have horizontal tanks, not a tower. And as far as
19 they're hotlined for repairs and stuff like that. You
20 can't answer the question. But their A team, you know,
21 repair service.

22 Like I said, we have a lot of older people in
23 our subdivision. I'm retired, disabled vet, and I make
24 less than \$40,000 a year. This is an \$1,800 increase if
25 you go with the full amount.

1 JUDGE SEYER: Per year?

2 MR. THRALL: Yeah. Do the math and the
3 numbers they want. It's \$1,800.

4 JUDGE SEYER: Just so I'm clear, you're saying
5 that in your subdivision, in Glen Meadows Subdivision,
6 there's not a tank that provides water pressure by
7 gravity. Instead, it's horizontal.

8 MR. THRALL: Horizontal tanks.

9 JUDGE SEYER: And the water has to be pumped.

10 MR. THRALL: Yeah, they have three of them in
11 the building about the size of a tanker, gas truck.

12 JUDGE SEYER: Okay.

13 MR. THRALL: But as far as the dirty water,
14 that's an everyday occurrence. One of these letters
15 here is about the smell of sewer in their water, and
16 that person is about a hundred yards away from the
17 wellhouse. Ain't no meters and no water hydrants, fire
18 hydrants.

19 JUDGE SEYER: No meters, is that what you said
20 like m-e-t-e-r-s?

21 MR. THRALL: No. 4,000 gallons. That's very
22 excessive amount of usage. I believe that's all I have
23 to say.

24 JUDGE SEYER: Okay. Yes. Commissioner
25 Holsman.

1 COMMISSIONER HOLSMAN: Thank you. So
2 oftentimes in cases like this we'll have distressed
3 water systems that an operator like Confluence will
4 acquire, invest in and then they're seeking through the
5 rate increase the return on those investments. Is your
6 system -- Has your system been invested in? Is this --
7 Are you having the dirty water and the horizontal tanks
8 after Confluence has come and put resources into your
9 system or have they not put resources into your system?

10 MR. THRALL: Mr. Maixner might have the answer
11 to that.

12 MR. MAIXNER: I am actually on the list for
13 testimony as well.

14 THE STENOGRAPHER: Judge, unless he speaks
15 into a microphone, his comment won't go on the record.

16 MR. MAIXNER: I am actually the President of
17 the HOA for Glen Meadows Subdivision. I can answer the
18 questions now or you can wait for the testimony, if you
19 like.

20 MR. THRALL: I believe I'm done.

21 JUDGE SEYER: Okay.

22 MR. THRALL: About the meters? That's a
23 question.

24 JUDGE SEYER: That question we can't answer.
25 Commissioner Holsman, do you have anything further?

1 Commissioner Kolkmeier. Any questions from the
2 attorneys for the parties? Yes, Mr. Clizer.

3 MR. CLIZER: Sorry. Sir, you indicated that
4 you had several letters from other people who are not
5 able to attend; is that correct?

6 MR. THRALL: Yes, yes.

7 MR. CLIZER: The Commission has indicated it
8 does not intend to take that as an exhibit; is that
9 correct?

10 JUDGE SEYER: I don't know that it's proper to
11 take it as an exhibit.

12 MR. CLIZER: That's fine. I just want to know
13 should those be delivered directly to the Commission?
14 Or if you would like, I can take custody of those and
15 we'll have them introduced on our end.

16 JUDGE SEYER: It's perfectly fine with me for
17 you to take custody of those.

18 MR. CLIZER: All right. Please let me have
19 those after the meeting. Thank you. I'm done.

20 JUDGE SEYER: But what if they don't want to
21 stay for the entire meeting? It's even past my bedtime.

22 All right. Do we want to take you out of
23 order, if that's all right with everyone. Sir, I don't
24 know your name. I'm sorry.

25 MR. MAIXNER: Good evening. My name is Joseph

1 Maixner. I am President of the HOA of Glen Meadows
2 Subdivision in Lincoln County.

3 JUDGE SEYER: All right. Very good. You've
4 got your right hand raised. Thank you. Do you swear or
5 affirm that the testimony you give in this hearing shall
6 be the truth, the whole truth and nothing but the truth?

7 MR. MAIXNER: I do.

8 JUDGE SEYER: Could you go ahead and spell
9 your name?

10 MR. MAIXNER: M-a-i-x-n-e-r.

11 JUDGE SEYER: Go ahead.

12 MR. MAIXNER: So we have 235 homes within our
13 subdivision, 235 homes within the subdivision. We are
14 on a subdivision well in a subdivision treatment center.
15 The entity was just purchased in December of 2022. It
16 officially took over January of 2023. So we're six
17 months into this, and we're already being introduced to
18 a rate increase when we have not had any significant
19 improvements made to the facility.

20 The welcome letter that we received stated
21 that they were going to invest \$470,000 into our
22 facility for a multitude of different things. One of
23 them being a disinfection system for chlorinating. To
24 my knowledge, that would be a high health priority.
25 We're six months in. Even that has not been done yet.

1 On top of that, they have neglected the
2 property that they own around the wellhouse area to the
3 point that I had to submit work orders and then threaten
4 to fine them through the HOA to get the grass maintained
5 and the landscaping taken care of. I mean, that's about
6 all I've got other than the fact that based on the
7 minimum increases, which I did learn now, that there's a
8 separate increase proposal for the nonmetered
9 subdivisions. But if they are similar, that \$470,000
10 investment would be paid off just on this rate increase
11 within 20 months. I think that's a little excessive,
12 because they can amortize out the depreciation over like
13 ten years.

14 JUDGE SEYER: Okay. Commissioner Holsman.

15 COMMISSIONER HOLSMAN: So without going into
16 any of the substance of the answers, do you feel like
17 the company provided you answers to your questions
18 during the question-and-answer period of time?

19 MR. MAIXNER: Not really.

20 COMMISSIONER HOLSMAN: Okay. Thank you.

21 JUDGE SEYER: All right. Do any of the
22 attorneys for the parties have any questions for the
23 witness? Hearing none. Thank you for your testimony.

24 MR. MAIXNER: Thank you.

25 JUDGE SEYER: All right. The next person on

1 the list is Theresa LaBoube. Good evening.

2 MS. LaBOUBE: Thank you. Can you hear me?

3 JUDGE SEYER: Yes, I can. Did I pronounce
4 your name correctly?

5 MS. LaBOUBE: Yes, yes, you did. Not many
6 people do.

7 JUDGE SEYER: I'll just say this generally.
8 Even if you're on the list, there's no obligation for
9 you to go ahead and testify if you decide that you don't
10 want to testify; or if you decide that or if you
11 conclude that somebody has already kind of testified to
12 the same thing that you would say. But since I've got
13 you, you're going to testify.

14 MS. LaBOUBE: Okay.

15 JUDGE SEYER: So Ms. LaBoube, could you raise
16 your right hand, please. Thank you. Do you swear or
17 affirm that the testimony you give in this hearing shall
18 be the truth, the whole truth and nothing but the truth?

19 MS. LaBOUBE: I do.

20 JUDGE SEYER: Thank you. Could you spell your
21 first name and last name?

22 MS. LaBOUBE: T-h-e-r-e-s-a L-a-B-o-u-b-e.

23 JUDGE SEYER: All right. Thank you very much.
24 And you're a customer?

25 MS. LaBOUBE: Of Eagle Woods Subdivision.

1 JUDGE SEYER: And that is where?

2 MS. LaBOUBE: That is just right off of KK
3 across from Tan-Tar-A.

4 JUDGE SEYER: Okay. So is it more Osage
5 Beach?

6 MS. LaBOUBE: It's the county.

7 JUDGE SEYER: Okay. So not in Camdenton or
8 Osage Beach?

9 MS. LaBOUBE: Camden County.

10 JUDGE SEYER: Just in unincorporated, I'm
11 making this more complicated than it has to be,
12 unincorporated portion of Camden County?

13 MS. LaBOUBE: Yes, it is.

14 JUDGE SEYER: Okay. Thank you. Go ahead and
15 testify as to what you would like the Commissioners to
16 know.

17 MS. LaBOUBE: First of all, in the reading
18 that I was able to do online and then questions that I
19 was asked here, I learned that Confluence did acquire
20 374 new wastewater and water facilities just in the past
21 ten months, might have been eleven. And then in
22 conversations said that they are now -- they don't make
23 any money. Well, I don't think that sounds like a real
24 prudent way of doing business, which was one of the
25 things that we look at when we're looking at expenses,

1 recovering of expenses, did they make prudent
2 investments. So I just wanted to bring that up.

3 And I asked if they looked at any other models
4 as far as how to make this revenue as opposed to just
5 saying okay, everybody is going to pay this. That
6 seemed like an easy way out for them, not for us. And
7 certainly not for the Office of Public Counsel because
8 they've done their work for them. If you go online and
9 read all of the analysis that's been done and the
10 different ways that this could be paid for, again, I
11 have to commend the Office of Public Counsel for doing
12 that. And I would hope that they would look into some
13 of those models, because I think it is far more
14 equitable. Like I said before, it's not that I don't
15 care about Phelps County or any of the other counties,
16 but what I really care about is equitability for the
17 person that is incurring these costs.

18 And let's see. Some of these things got
19 answered. Bear with me a minute.

20 JUDGE SEYER: Sure.

21 MS. LaBOUBE: Now I'm going to switch to
22 sewer. Our sewer --

23 JUDGE SEYER: I'm going to ask you to get a
24 little closer to the microphone.

25 MS. LaBOUBE: Our sewer problems are a little

1 bit unique in that there is an easement that the
2 Confluence needs in order to get down to our sewer
3 plant. It's been tied up in court for a long time.
4 I don't know how long, but I know it's a long time. I
5 know when I moved in there, it was six or seven years
6 ago, it was in court then.

7 Now Confluence cannot really get down to the
8 sewer plant with their equipment adequately in order to
9 service the plant like it should be serviced. They're
10 doing it by hand the best they can, but it's by far
11 lacking. Although they claim that it is up to par, it's
12 not. I mean, we smell the sewer stink a lot in that
13 area. And I wish that another person was here but they
14 had commented to me that they even saw sewer pipe breaks
15 down below them.

16 The litigation is just unforeseen when that's
17 going to happen. And right now DNR told -- We held a
18 meeting with DNR, the people from Eagle Woods, and were
19 told that they were not going to issue any more building
20 permits for Eagle Woods Subdivision because the sewer
21 system was at max capacity.

22 Right now the developer wants to put more
23 homes in the empty lots and is kind of bugging us to
24 move our stuff off his stuff and everything because he's
25 going to build. I know he doesn't have permits.

1 I think that pretty much everything else did
2 get answered or it was something that I wouldn't bring
3 up because it's irrelevant now.

4 JUDGE SEYER: Okay. All right. Do the
5 Commissioners have any questions?

6 MS. LaBOUBE: One more thing. I'm sorry. I
7 just thought of it.

8 JUDGE SEYER: Sure.

9 MS. LaBOUBE: The water, getting back to the
10 water. The water in our area has a lot of pressure
11 problems, and they explained the fix for us here. And I
12 don't know if Confluence is going to take that fix or
13 not because they're also trying to work a deal with
14 Margaritaville to link into their water system and just
15 distribute to us over there.

16 So all that being up in the air is the reason
17 I can't really talk intelligently about that. But the
18 pressure problem is that people on the low end can get
19 good pressure; but by the time you get up on that hill,
20 you can't do dishes and take a bath at the same time.
21 That's that.

22 JUDGE SEYER: I don't know that I would do
23 dishes and take my bath at the same time.

24 MS. LaBOUBE: There's a way. Depends on how
25 far back in the sticks you came from I guess.

1 JUDGE SEYER: So are you on the low pressure
2 end of that line?

3 MS. LaBOUBE: We are right about in the middle
4 where I can't either. DNR came down and they did a
5 pressure test for us, and it tested to acceptable. But
6 then I said okay, well, come on in the house, because I
7 want to show you what I've got running out of the tap.
8 It wasn't the same as what that pressure should have
9 been.

10 JUDGE SEYER: Gotcha. All right. Do any of
11 the attorneys for the parties have any questions for the
12 witness for Ms. LaBoube? Thank you very much for your
13 testimony.

14 MS. LaBOUBE: Thank you.

15 JUDGE SEYER: Next on the list is W.L.
16 Siefkas, Siefkas?

17 Next person on the list is Nikki Cole. Good
18 evening, Ms. Cole.

19 MS. COLE: Good evening. If you can hear me,
20 then I'm all right.

21 JUDGE SEYER: Ms. Cole, would you raise your
22 right hand, please? Do you swear or affirm that the
23 testimony you give in this hearing shall be the truth,
24 the whole truth and nothing but the truth?

25 MS. COLE: So help me God.

1 JUDGE SEYER: Could you state and spell your
2 first and last name for us?

3 MS. COLE: Nikki, N-i-k-k-i, Cole, C-o-l-e.

4 JUDGE SEYER: All right. Where are you a
5 customer of Confluence Rivers?

6 MS. COLE: I own some rental property in Polk
7 County, Missouri. It's the Prairie Heights Subdivision
8 just south of Bolivar.

9 JUDGE SEYER: Okay. So P-o-l-k, Polk County?

10 MS. COLE: Yes.

11 JUDGE SEYER: All right. Go ahead and testify
12 for us, please.

13 MS. COLE: So I'm not exactly sure, I think
14 it's just been a couple of years that they've owned a
15 well. Our sewer system was annexed into the City of
16 Bolivar. So they just have the well that Mr. and Mr.
17 Gardner -- Mr. and Mrs. Gardner sold them. It's a well.
18 That's it. They do nothing for this well, absolutely
19 nothing, that I've seen, that I've seen.

20 If there's a problem, a break, a leak, because
21 I own three of the six lots of the trailer park that's
22 attached to, there's a trailer park attached to a
23 subdivision called Prairie Heights. So we kind of just
24 got thrown in with them. We've had to fix, my husband
25 or my brother or I've had to hire a plumbing company to

1 come out and fix anything with the main trunk, anything
2 under the ground. They've never fixed anything.

3 When somebody's pipes break, then they usually
4 call me. If my husband is in off the road, he goes and
5 fixes it or I call my brother-in-law or my brother to do
6 it. They've never done that. They've also tried to say
7 that they have a monitoring system. However, they sent
8 me a bill for \$1,500 to one of my empty lots that has
9 nothing but a trunk line. There's no water service to
10 that. If they were monitoring pressure, they would know
11 that there's nothing going there or leaving.

12 I can't remember what the last thing was I was
13 going -- oh, yeah, 237 percent increase for these
14 people, 237. I explained to them if they bought a loaf
15 of bread for \$3, a loaf now that would be \$10.11 per
16 loaf of bread. That's ridiculous. They should not have
17 to pay any -- They should pay for what is incurred
18 there. But as far as this whole state and all their
19 stuff, I mean, no HOAs and condos, these people pay \$350
20 a month to rent a trailer house. We don't have condos,
21 and we shouldn't have to pay because they have different
22 investments in different areas. It should be localized.
23 I believe that's all I've got to say.

24 JUDGE SEYER: Okay. If you'll stay for just a
25 second. Do the Commissioners have any questions? Do

1 the attorneys for the parties have any questions for Ms.
2 Cole? All right. Thank you, Ms. Cole.

3 MS. COLE: Thank you.

4 JUDGE SEYER: All right. Next on the list is
5 Robert Douthit?

6 MR. DOUTHIT: Robert Douthit.

7 JUDGE SEYER: Mr. Douthit, would you raise
8 your right hand, please? Thank you. Do you swear or
9 affirm that the testimony you give in this hearing shall
10 be the truth, the whole truth and nothing but the truth?

11 MR. DOUTHIT: I do.

12 JUDGE SEYER: Robert is your first name?

13 MR. DOUTHIT: Yes.

14 JUDGE SEYER: And spell your last name for us,
15 please.

16 MR. DOUTHIT: D-o-u-t-h-i-t.

17 JUDGE SEYER: Okay. And where are you a
18 customer?

19 MR. DOUTHIT: Cedar Glen.

20 JUDGE SEYER: Cedar Glen. That is where?

21 MR. DOUTHIT: In Camdenton.

22 JUDGE SEYER: Okay. Go ahead.

23 MR. DOUTHIT: From listening to all the
24 questions and answers, from what I understand the
25 company that owns the water and sewer are supposed to

1 make improvements and then they can work for rate
2 increases to recoup the money that they've spent for
3 improvements. In our condo association, there's been no
4 improvements made. It was a very sustainable system
5 when they bought it, and I don't understand how they can
6 put the cart in front of the horse and be asking for
7 these kind of obscene increases when they haven't put
8 any money into the system. It just doesn't make sense.

9 So I'm begging the Commission to take a hard
10 look at this, because they're spending a lot of money
11 but they're spending a lot of money buying a lot of
12 other water and sewer systems around ten states. The
13 money needs to stay and go into improvements and then
14 you can recoup a percentage of those improvements so
15 that the people that are investing in this can expect
16 some kind of a return on their money.

17 But it shouldn't go the cart before the horse
18 and they get these improvements, then they spend money
19 to do improvements and then they're going to be asking
20 for another rate increase. It's just not the way things
21 should be done. And that's all I have.

22 JUDGE SEYER: Okay. Do the Commissioners have
23 any questions? How about the attorneys for the parties?
24 All right.

25 MR. DOUTHIT: Thank you very much for

1 providing this service.

2 JUDGE SEYER: Thank you, sir. Next on the
3 list is Stephanie Meyer.

4 MS. MEYER: Hi.

5 JUDGE SEYER: You've got your right hand
6 raised for the sake of the record. But before I swear
7 you in, I have a very important question for you. Did I
8 pronounce your name correctly?

9 MS. MEYER: You did.

10 JUDGE SEYER: That makes me very happy,
11 because my name is spelled S-e-y-e-r and so I think we
12 both pronounce it correctly, both pronounce our names
13 correctly. If you'd raise your right hand, please.
14 Thank you. Do you swear or affirm that the testimony
15 you give in this hearing shall be the truth, the whole
16 truth and nothing but the truth?

17 MS. MEYER: I do.

18 JUDGE SEYER: Are you ever called Meyer?

19 MS. MEYER: Yes.

20 JUDGE SEYER: I don't understand it. But
21 anyway, where is the property that you are a customer
22 at?

23 MS. MEYER: Cedar Green Condominiums. It's a
24 52-unit condominium in Camdenton.

25 JUDGE SEYER: All right. Go ahead then and

1 proceed with your testimony.

2 MS. MEYER: So during the question and answer,
3 I asked them what improvements they have made to our
4 complex and what the profit margin is after those, and
5 they really didn't know that, which I don't know if they
6 should or not, I don't know, for this hearing. However,
7 I mean, we all want clean water. Over a 200 percent
8 increase seems absolutely ludicrous to me. And I think
9 all we can do is kind of maybe hope that the Service
10 Commission with their history and their experience can
11 weigh in in this and give it, you know, hey, this is
12 fair for this. I completely agree with everyone else I
13 don't want to pay for somebody else's water in another
14 town or district or their improvements. I don't know
15 how many years it would take to even out where, okay,
16 they do this big flat rate for everyone in Missouri. I
17 don't know how long it would take.

18 I don't know that ours is in that big of
19 disarray. I just don't know. That wasn't really
20 answered. It was more general during question and
21 answer and I don't like that. But however, and I don't
22 even know if this is possible, since we're a condo they
23 did say that they want to start metering us individually
24 which would be wonderful especially if we do have this
25 crazy increase because some of us aren't even there half

1 the time of the year.

2 They said the plan for that is maybe three to
3 five years. I don't know if we could stipulate if we're
4 going to have this crazy increase that you need to get
5 the individual meters in sooner. I don't know if that's
6 possible or not.

7 JUDGE SEYER: Okay. Anything else?

8 MS. MEYER: No.

9 JUDGE SEYER: All right. Do the Commissioners
10 have any questions? How about the attorneys for the
11 parties? All right. Thank you for your testimony, Ms.
12 Meyer.

13 THE STENOGRAPHER: Judge, could you give me
14 her name again, please.

15 JUDGE SEYER: Yes. It's Stephanie Meyer, not
16 Meyer, M-e-y-e-r. Stephanie is S-t-e-p-h-a-n-i-e.

17 Okay. The next person on the list is Steve
18 Bouck, Bouck.

19 MR. BOUCK: There's several pronunciations.

20 JUDGE SEYER: Did I get two out of the three?
21 I got two out of three. Okay. You tell me how it
22 should be pronounced.

23 MR. BOUCK: My name is Steven Bouck.

24 JUDGE SEYER: Bouck. Gotcha. If you'd raise
25 your right hand, please. Do you swear or affirm that

1 the testimony you give in this hearing shall be the
2 truth, the whole truth and nothing but the truth?

3 MR. BOUCK: I do.

4 JUDGE SEYER: Go ahead. If you could state
5 and spell your name, please.

6 MR. BOUCK: Steven, S-t-e-v-e-n, Bouck,
7 B-o-u-c-k.

8 JUDGE SEYER: All right. And you're a
9 customer of Confluence Rivers; is that correct?

10 MR. BOUCK: Cedar Glen located in Camden
11 County, not technically Camdenton. We're not in the
12 city limits. Our mailing address is Camdenton.

13 JUDGE SEYER: All right.

14 MR. BOUCK: So the rate of return that the
15 company is expecting, I really don't think they should
16 be expecting a quick rate of return since not all these
17 installations are going to be done quickly. I think
18 they have massively maybe been allowed to massively
19 increase their corporation way too quick and keep -- I
20 don't know of any certain industry that can do that and
21 provide good service.

22 The downfall is they're jumping ahead of the
23 gun, and I would expect the increase to be commensurate
24 with the length of time it takes for them to provide
25 services. In other words, not right now. Slowly at

1 first. Cost of living increase has been typically has
2 been 3 percent, 3 to 4 percent. Inflation has been
3 significantly higher than that. I don't know of anybody
4 on a fixed income, especially if you're on a fixed
5 income, that you can keep up with that, especially this
6 kind of increase. It's very painful especially with the
7 sudden increase.

8 JUDGE SEYER: All right. Do the Commissioners
9 have any questions? The parties, do you have any
10 questions?

11 MR. BOUCK: It was stated that we have known
12 about this. It's been in litigation probably for over
13 ten years. And we did not know we were going to be
14 getting this kind of increase. We knew we were in limbo
15 and didn't know where we were going and we're upset with
16 the fact that we were forced to be a customer of this
17 provider. Given their history, our understanding is
18 that they do come in, take up small places and
19 significantly increase rates. So that's why I am very
20 resistant to accepting the fact that they shouldn't be
21 jumping prices up immediately.

22 JUDGE SEYER: Yes. Mr. Clizer.

23 MR. CLIZER: With regard to the "this" that
24 you referenced being in litigation for ten years, what
25 are you referring to?

1 MR. BOUCK: I believe I'm referring to the
2 receivership from the previous provider.

3 MR. CLIZER: Okay. Thank you.

4 JUDGE SEYER: If there's no further questions,
5 you're free to go, Mr. Bouck.

6 MR. BOUCK: Thank you.

7 JUDGE SEYER: Thank you. Next on the list is
8 Courtney Henderson. And I hate to jinx myself but all
9 the remaining names I think I can handle. Ms.
10 Henderson, could you raise your right hand, please.
11 Thank you. Do you swear or affirm that the testimony
12 you give today in this hearing shall be the truth, the
13 whole truth and nothing but the truth?

14 MS. HENDERSON: I do.

15 JUDGE SEYER: Thank you very much. Now, if
16 you could, spell your first and last name for the
17 record.

18 MS. HENDERSON: C-o-u-r-t-n-e-y.

19 JUDGE SEYER: I'm going to ask you to get
20 closer to the microphone.

21 MS. HENDERSON: C-o-u-r-t-n-e-y Henderson,
22 H-e-n-d-e-r-s-o-n.

23 JUDGE SEYER: Okay. And you're a customer of
24 the company?

25 MS. HENDERSON: Yes, I am from Cedar Glen

1 Condos.

2 JUDGE SEYER: Okay.

3 MS. HENDERSON: And basically, you know, I
4 understand that this is a private company, they have
5 investors, they want some money back. It is not clear
6 what kind of reasonable rate of return they are getting
7 and if it is reasonable. That is somewhat obfuscated.
8 You know, coming in and raising your rates 186 percent
9 seems like it might be predatory business practices to
10 me.

11 This is a private company, but it is also
12 providing essential services to people. And yes, water
13 is a commodity. It's being traded as a commodity. But
14 I do think there has to be some protection of the
15 customer. Many Cedar Glen residents registered with the
16 PSC their wish that our water be taken over by Public
17 Water Company No. 5 and it was not awarded to them. It
18 was awarded to this private company.

19 So I really do -- I don't believe that -- You
20 know, they're a private company, they've got investors,
21 but I do think that they should not be getting any more
22 than 10 or 10-1/2 percent; and if they're getting more
23 than that, I call that into question.

24 I do think they could possibly raise the rates
25 more slowly. You know, how long will it take for them

1 to get 29 million having raised the rates this much.
2 After they get it, you know, are they going to go down?
3 I don't think so. I think they're going to keep going
4 until the next rate hike. That's it. Thank you.

5 JUDGE SEYER: If you don't mind.

6 MS. HENDERSON: Oh, do you have questions?

7 JUDGE SEYER: You worry me about my job
8 security here. But Commissioners, do you have any
9 questions? Commissioner Holsman.

10 COMMISSIONER HOLSMAN: Just one.

11 JUDGE SEYER: Commissioner Holsman, go ahead.

12 COMMISSIONER HOLSMAN: Do you know how long
13 ago it was that you said it was another Public No. 5?

14 MS. HENDERSON: Yes.

15 COMMISSIONER HOLSMAN: Do you know if they
16 submitted a bid for?

17 MS. HENDERSON: I believe they did and the
18 contract was not awarded to them.

19 COMMISSIONER HOLSMAN: Do you know how long
20 ago that happened?

21 MS. HENDERSON: Jeepers. How long ago was
22 that? 2018, 2019, something like that.

23 COMMISSIONER HOLSMAN: Thank you.

24 JUDGE SEYER: Do any of the attorneys for the
25 parties have any questions? The answer is no. Thank

1 you, Ms. Henderson. Next on the list is Lisa Hodges.

2 MS. HODGES: Good evening.

3 JUDGE SEYER: Good evening, Ms. Hodges. Would
4 you raise your right hand, please. Thank you. Do you
5 swear or affirm that the testimony you give in this
6 hearing shall be the truth, the whole truth and nothing
7 but the truth?

8 MS. HODGES: I do.

9 JUDGE SEYER: Thank you. Could you state and
10 spell your last name?

11 MS. HODGES: Lisa, L-i-s-a, Hodges,
12 H-o-d-g-e-s.

13 JUDGE SEYER: Thank you very much. Where are
14 you a customer of Confluence Rivers?

15 MS. HODGES: Cedar Glen.

16 JUDGE SEYER: Cedar Glen. Okay. Go ahead.

17 MS. HODGES: You know, some of the concern is
18 that they have -- we had a prior provider. I've lived
19 at Cedar Glen for approximately six and a half years.
20 Had really no issues at all. When Confluence Rivers
21 took over in approximately 2020, I have had more water
22 issues than I care to address personally. Water
23 pressure is suspect most of the time.

24 I have at my own expense replaced all kinds of
25 plumbing within my condo, a brand new water heater,

1 shower, valves, the list goes on. And for some reason,
2 and I've had plumbers test for the pressure, no one can
3 figure out why my water pressure is just one day it's
4 okay, next day I barely have any. I can barely -- Well,
5 we have two bathrooms for a reason and two showers, but
6 heaven forbid you would try to use both of them at the
7 same time.

8 And also I am actually unable to even run the
9 shower for ten minutes without it being ice cold. So
10 I'm not sure where all of those problems stem from.
11 From some of the testimony given here tonight that I've
12 heard, it appears that Confluence Rivers has
13 overextended themselves and now they are trying to
14 penalize the paying public by increasing rates by an
15 exorbitant amount.

16 They say that they cannot sustain or it's not
17 feasible to have, you know, monthly water rates at we'll
18 say, you know, \$20 to \$30 per month. I find that hard
19 to believe. I have lived in many states, and I have
20 never had water rates of what they, well, personally
21 what they are right now and then what they are asking to
22 have them be.

23 JUDGE SEYER: Okay. Commissioners, do you
24 have any questions? How about the attorneys for the
25 parties? Excuse me. Ms. Hodges, I believe Mr. Clizer

1 here has a question for you.

2 MR. CLIZER: Really quick. You mentioned
3 concerns regarding water pressure. Did those exist at
4 your residence before the acquisition by Confluence?

5 MS. HODGES: No, they did not.

6 MR. CLIZER: No further questions. Thank you.

7 JUDGE SEYER: Thank you. Next on the list is
8 David Howard. Mr. Howard, would you raise your right
9 hand, please. Do you swear or affirm that the testimony
10 you give today in this hearing shall be the truth, the
11 whole truth and nothing but the truth?

12 MR. HOWARD: I do. Thank you.

13 JUDGE SEYER: Could you state and spell your
14 last name.

15 MR. HOWARD: David Howard, H-o-w-a-r-d.

16 JUDGE SEYER: Where are you a customer of
17 Confluence Rivers?

18 MR. HOWARD: Chelsea Rose Subdivision, Sunrise
19 Beach, Missouri. It's actually in the county, Camden
20 County.

21 JUDGE SEYER: Chelsea as in C-h-e-l-s-e-y?

22 MR. HOWARD: S-e-a.

23 JUDGE SEYER: S-e-a. Okay. Gotcha. Go
24 ahead.

25 MR. HOWARD: Can I give you some pictures? I

1 mean, I don't know how I'm going to get them to anybody
2 if I don't give them to you now.

3 JUDGE SEYER: The problem is that the
4 Commissioners can't consider evidence outside the
5 hearing.

6 MR. HOWARD: Well, that's why I'm trying to
7 give them to you now.

8 MR. CLIZER: Your Honor, might I suggest he
9 submit a written copy with the pictures attached in
10 addition to this oral testimony?

11 JUDGE SEYER: What Mr. Clizer is suggesting --

12 MR. HOWARD: Can I show them to you.

13 JUDGE SEYER: Well --

14 MR. HOWARD: I mean, I have to look at it
15 every day. This is pictures of a water container inside
16 of a building that's ate up with woodpecker holes.

17 JUDGE SEYER: Well, but again --

18 MR. HOWARD: I mean, they're not doing much to
19 improve the system.

20 JUDGE SEYER: The problem is that since we're
21 not within an evidentiary hearing where all the parties
22 are present and all parties can examine --

23 MR. HOWARD: Isn't he part of -- Isn't he part
24 of Confluence Rivers?

25 JUDGE SEYER: Again, I don't want to get too

1 deep into this, but there are protections in an
2 evidentiary hearing as far as the authenticity --

3 MR. HOWARD: Evidence.

4 JUDGE SEYER: -- of the evidence, and so
5 forth, that just aren't possible in this local public
6 hearing. So what Mr. Clizer is suggesting, and I would
7 agree with him, is if you would submit those photos or a
8 copy of those photos with a letter explaining -- You can
9 testify tonight as to what the photos depict, and so
10 forth, but to actually have the photos themselves, I
11 can't allow that tonight. But you can send those with
12 comments to the Public Service Commission. I can tell
13 you don't like that answer.

14 MR. HOWARD: Yeah, it doesn't make no sense.
15 That's why we're here.

16 JUDGE SEYER: But again, if you would like to
17 testify as to what those pictures show and essentially
18 show us those pictures. I can't take custody of those
19 pictures is I guess what I'm trying to tell you.

20 MR. HOWARD: At the last Public Service
21 Commission meeting we had, I had pictures and they were
22 dying to get them, they were dying to get them. They
23 had the receiver follow me out of the room and try to
24 talk me out of the pictures. I said \$50 apiece. He
25 said oh, that's too much money. I mean, it's the truth.

1 I'm telling you the truth. I'm under oath here.

2 JUDGE SEYER: But you didn't take that \$50?

3 MR. HOWARD: He wasn't going to put it up.

4 That's for sure.

5 JUDGE SEYER: All right. If you do kind of
6 understand what I'm saying. I have no absolutely no
7 problem with you testifying as to what those pictures
8 show and actually showing us those pictures, but I can't
9 take those with me as evidence.

10 MR. HOWARD: So can I show them to you and
11 then I can take them back?

12 JUDGE SEYER: Yes, because I don't have \$50.
13 Just a second. For the sake of the record, Mr. Howard
14 has brought his photos up to the table here with the
15 Commissioners. And so let's -- Okay. All right. Now,
16 Mr. Howard has a microphone and we'll proceed.

17 MR. HOWARD: These are pictures of a --

18 JUDGE SEYER: I think it's fine. It just
19 needs to be close.

20 MR. HOWARD: These are pictures of a storage
21 tank building that is riddled with woodpecker holes.

22 JUDGE SEYER: Okay. And you're showing us --

23 MR. HOWARD: And rot and foundation falling
24 apart.

25 JUDGE SEYER: Foundation falling apart for the

1 sake of the record. And there's a total of seven photos
2 that we can see here. Mr. Kolkmeier, do you need to see
3 those photos?

4 MR. HOWARD: I mean, if they're supposed to be
5 improving the system, they sure didn't do any improving
6 there. They showed up at my neighbor's house a year or
7 two ago because the pipes froze in this building. And
8 they asked my neighbor if they could hook up to his
9 electricity so they could put a space heater in there to
10 unthaw their pipes.

11 JUDGE SEYER: Okay.

12 MR. HOWARD: Also have pictures of the road
13 washed out.

14 JUDGE SEYER: Tell you what. Let's collect
15 those. Give those back to you. All right.

16 MR. HOWARD: A road washed out down to my boat
17 ramp, as you can see the lake here.

18 JUDGE SEYER: Uh-huh. So at the top of that
19 photo there's a boat ramp. Oh, no. I'm sorry. A dock.

20 MR. HOWARD: Culvert with a hole in it in the
21 middle of the road that goes down to the treatment plant
22 and to the boat ramp.

23 JUDGE SEYER: You're saying --

24 MR. HOWARD: It's just they're not maintained.
25 They're the only ones that use the road except for me

1 because nobody else wants to go down there and walk
2 through the outflow of the treatment plant to put their
3 boat in. There's a picture of the outflow of the
4 treatment plant. The water running down onto the boat
5 ramp from the outflow. I mean, nobody wants to go
6 through the outflow of the treatment plant to put their
7 boat in. Nobody uses that. That's all.

8 JUDGE SEYER: I'm sorry. All right. Thank
9 you, Mr. Howard. Do you have further testimony you'd
10 like to present?

11 MR. HOWARD: Yes. The receiver that took over
12 our system, in his bankruptcy filing I believe it was I
13 went through a lot of your court stuff on the internet.
14 He said that this system would never be up to par
15 because the water and sewer are in the same ditch in
16 areas. So if one has a leak, the other can go into it.
17 If they just shut off the water for a few minutes and
18 the sewer has a leak around there, it can actually draw
19 that sewer into that pipe from the suction from the
20 water.

21 We also have a manhole that's in a guy's
22 garage that nobody knows about but me. The last price
23 was raised in 2009 was like dollars, you know, two and
24 three dollars. It wasn't double and triple the amount
25 like they're trying to get now. A dollar or two people

1 could probably handle, but double and triple, no. I
2 mean, it doesn't make sense. Everybody -- Most of the
3 people here are on fixed wages, fixed incomes. The way
4 prices on everything are now, gas, food, everything is
5 so high, and now they're trying to raise. It's hit
6 everybody while they're down.

7 Let's not wait until the economy is doing good
8 and everybody is doing all right and then try to get a
9 dollar or two. Let's try to triple the rates and get it
10 now. That's all I've got to say.

11 JUDGE SEYER: All right. If you'll stick
12 around for a second. Do the Commissioners have any
13 questions for Mr. Howard? All right.

14 MR. WOODSMALL: Yes, Your Honor, I have a
15 couple questions.

16 JUDGE SEYER: Yes, Mr. Woodsmall.

17 MR. WOODSMALL: I'm new with the company so
18 you're going to have to help me with some clarification,
19 if you would. Did you say that you haven't had a rate
20 increase in 13 years; is that what I heard?

21 MR. HOWARD: No, since 2009.

22 MR. WOODSMALL: 14 years?

23 MR. HOWARD: That was when it was put in
24 receivership because of the people that weren't taking
25 care of it to begin with. The receiver was supposed to

1 take care of it, but he evidently spent most of his time
2 in court with the original owners. So that's where the
3 money went or that's the best I can think. I've called
4 the Public Service Commission and asked them, and they
5 can't tell me where the money went. They have no idea.
6 The receiver should have been keeping really good
7 records. According to the Public Service Commission,
8 they have no idea what happened to the money.

9 MR. WOODSMALL: Okay. So 14 years. Then you
10 were talking about this road with the gully down it, I
11 believe you said, and it goes down to a boat ramp?

12 MR. HOWARD: Yes. It's also the road to the
13 treatment plant.

14 MR. WOODSMALL: Okay. So it's a public access
15 road; more people than just the company can use it?

16 MR. HOWARD: Yes.

17 MR. WOODSMALL: Okay. So it may not
18 necessarily be owned by the company is what you're
19 saying?

20 MR. HOWARD: No, not necessarily, no. They're
21 the ones that uses it. They're there every day and I'm
22 the only other one that uses it. I haven't used it in a
23 year and a half now.

24 MR. WOODSMALL: But it may be a county road
25 for all you know?

1 MR. HOWARD: No, it's not a county road. It's
2 a private road. It's the subdivision private road.

3 MR. WOODSMALL: Okay. Subdivision private
4 road. Finally, you were mentioning this tank house that
5 you said is riddled with woodpecker holes?

6 MR. HOWARD: You didn't see the pictures?

7 MR. WOODSMALL: No.

8 MR. HOWARD: Do you want to see them?

9 MR. WOODSMALL: Let me get some clarification.
10 Are you certain -- Well, let me ask you first, is there
11 a tank up on top of the hill that you're aware of?

12 MR. HOWARD: On top of which hill?

13 MR. WOODSMALL: I've just been told that
14 there's a tank on top of a hill, on top of a hill.

15 MR. HOWARD: There's a tank that's two houses
16 away from me, sitting two houses away from me.

17 MR. WOODSMALL: That's not in this tank house?

18 MR. HOWARD: No, huh-uh. The tank that you're
19 talk about is something they just installed.

20 MR. WOODSMALL: Okay. And so are you certain,
21 I don't know, was this tank house bought by the company
22 or if we're using different --

23 MR. HOWARD: Yes, it's part of the original
24 system, yes.

25 MR. WOODSMALL: But do you know whether the

1 company bought it. It may have been part of the
2 original system.

3 MR. HOWARD: As far as I know, they don't own
4 any of the land that any of this stuff is on. I mean,
5 for a while they didn't own any of it. It was in court
6 so often that who knows. I'm saying that they came to
7 my neighbor and asked him to use his electricity to put
8 a heater in that tank house so it would unthaw the
9 pipes. Confluence Rivers did that.

10 MR. WOODSMALL: Okay. That was all the
11 questions I had. Thank you, Mr. Howard.

12 MR. HOWARD: Thank you.

13 JUDGE SEYER: Are there any follow-up
14 questions for Mr. Howard? Thank you, Mr. Howard.

15 JUDGE SEYER: All right. There are two more
16 names on the list. The first is Jennifer Hawthorne. Is
17 Ms. Hawthorne -- That's you? All right. You might have
18 to lower that microphone some. Thank you. Ms.
19 Hawthorne, would you raise your right hand, please.
20 Thank you. Do you swear or affirm that the testimony
21 you give today in this hearing shall be the truth, the
22 whole truth and nothing but the truth?

23 MS. HAWTHORNE: Yes, sir.

24 JUDGE SEYER: Thank you very much. Could you
25 state and spell your first and last name?

1 MS. HAWTHORNE: Jennifer, J-e-n-n-i-f-e-r,
2 Hawthorne, H-a-w-t-h-o-r-n-e.

3 JUDGE SEYER: You're a customer of Confluence
4 Rivers?

5 MS. HAWTHORNE: Cedar Glen in Camden County.

6 JUDGE SEYER: All right. Go ahead.

7 MS. HAWTHORNE: I'm representing myself and my
8 mother Donna Pohlman, the lovely lady over there at the
9 wall in a turquoise shirt. I have three points to make.
10 The expectation of this increase, how it threatens the
11 affordability for most of us, and the personal impact on
12 it. A lot of people have spoken about just in some
13 generalities in terms of this, but I want to tell you
14 how it impacts myself and my mother. First of all, I
15 feel like this expectation of an increase is normal.
16 We're all going to pay higher rates for many things as
17 the years go on. I also expect that they're going to
18 maintain and improve the systems that we all rely upon.
19 But this is a pretty tough increase to swallow, a 39.7
20 percent for water for our area and 185.9 percent for
21 sewer for our area.

22 Now, I will say we have not -- In our personal
23 condo, we have not had issues with water pressure, with
24 water quality. We also own a rental unit with a very
25 long-term renter in it. She's not reported any of those

1 things either.

2 What it does do though for us personally is
3 threaten the affordability of being able to remain in
4 that home. Us like others in our complex especially are
5 senior residents, many of them living alone as my mother
6 was before I moved here three years ago. We also have,
7 as I spoke of, a rental unit that we've had a long-term
8 renter in there. We have kept that rent moderate,
9 believe that it's best to keep a moderate level of rent
10 for a person and keep them longer term.

11 I question whether that person will be able to
12 stay with us if we have to increase her rent
13 significantly because of this. She has a career here in
14 Camden County and is really valuable to us. She's lived
15 with us for many years. The personal impact, my mother
16 will be 80 next month. As expected, she's on social
17 security and she has some moderate retirement
18 investments that were made over the years. She is
19 elderly, she is disabled and she has significant health
20 concerns. These are the reasons that I am here. She's
21 been a condo resident there for 18 years. She served on
22 our board of directors and was well aware of some of the
23 situations with Cedar Glen.

24 We have needed -- We are in a disability
25 accessible unit. We have needed to modify the interior

1 of that unit so that she can remain in her home. I
2 returned home three years ago because of her health
3 concerns. My goal was to keep her in her home. I did
4 leave a professional career making a lot more than I've
5 been able to make here. I was in another state and I
6 will tell you that water in that state is expensive.

7 I was in an area where we were on the edge of
8 the desert, and it is pricey to have your water. So I
9 know what a really high rate of water was. I was also
10 making eight times what I've been able to make here to
11 afford that water. Here I've taken on part-time and
12 seasonal work. That means I'm making now what I made in
13 1984 as a full-time employee in my first job out of
14 college. That means I'm now low income. I'm 59. I
15 just turned 59 June 4. I'm too young to withdraw
16 retirement funds and I'm too young for social security.

17 So in order to care for my mother, we are
18 frugal, we are very cautious about our budget and what
19 we spend. Our incomes are limited and somewhat fixed.
20 This excessive rate increase really truly makes it
21 likely that us and others in some of the same situations
22 that I'm very aware of at Cedar Glen and I'm sure exist
23 in some of these other condo areas and home areas. For
24 us it means we've needed to discuss whether we sell and
25 leave the area.

1 Obviously with my mother's limitations finding
2 something affordable that is also completely disability
3 accessible is really challenging in this area. Those
4 are situations we don't want to have to face. And so I
5 ask you to consider each person's personal story,
6 personal situation as you go forward with these
7 proceedings. Thank you.

8 JUDGE SEYER: Thank you. Do the Commissioners
9 have any questions for Ms. Hawthorne? Any of the
10 parties have questions? All right. Ms. Hawthorne,
11 thank you.

12 MR. HOWARD: Can I do one more?

13 JUDGE SEYER: Mr. Howard. All right. If
14 you'll step back to the microphone, you are still under
15 oath. If you could make it quick, please. This is
16 David Howard.

17 MR. HOWARD: Yeah. My name is David Howard,
18 H-o-w-a-r-d, Chelsea Rose Subdivision. The original
19 owner of this water and sewer system, it was taken away
20 from them. It was sold. But they got the money out of
21 it. What kind of deal is that. What kind of deal is
22 that. They got the system taken away from them. It was
23 sold, but they got the money out of it. We're still
24 paying for it. In any right mind, that doesn't make any
25 sense. None at all. The person they paid to install

1 the system they took to court and didn't pay him because
2 oh, gee, it wasn't put in right.

3 It's funny how the money goes around. They
4 take the system away from him, and then they sell it and
5 then they give him all the money instead of giving it
6 back to the customers, or at least give some of it to
7 the customers. We've been paying extra since 2009 and
8 we've been putting up with the leaks ever since we
9 bought the place.

10 JUDGE SEYER: Okay. All right. I do
11 appreciate your testimony, Mr. Howard. All right. The
12 last name on the list is Wendy Rogers. All right. Good
13 evening, Ms. Rogers.

14 MS. ROGERS: Good evening.

15 JUDGE SEYER: Would you raise your right hand,
16 please. Do you swear or affirm that the testimony you
17 give in this hearing shall be the truth, the whole truth
18 and nothing but the truth?

19 MS. ROGERS: Yes.

20 JUDGE SEYER: And you're Wendy Rogers?

21 MS. ROGERS: Yes.

22 JUDGE SEYER: Could you spell that last name
23 for us?

24 MS. ROGERS: R-o-g-e-r-s.

25 JUDGE SEYER: Just so I'm positive about this,

1 you spell your first name W-e-n-d-y?

2 MS. ROGERS: That is correct.

3 JUDGE SEYER: Thank you. And you're a
4 customer of Confluence Rivers?

5 MS. ROGERS: Actually I represent Cedar Glen
6 condo complex. I am the association manager.

7 JUDGE SEYER: All right.

8 MS. ROGERS: They've asked me to speak on
9 behalf of them, if that's all right.

10 JUDGE SEYER: Yeah, go ahead.

11 MS. ROGERS: So first of all, it was
12 concerning that only six days were given for this
13 hearing because there are a lot of people who live at
14 Cedar Glen who would have wanted to be here and I didn't
15 know we could submit letters or I would have encouraged
16 that. But it was not possible for them to be here. So
17 that's not a lot of notice.

18 Receivership was mentioned earlier. Cedar
19 Glen, because of this receivership situation, it made
20 them vulnerable to something like this taking place. A
21 newly-appointed receiver assigned Central States Josiah
22 Cox to be a stalking horse bidder. Because of that,
23 they were able to acquire Cedar Glen without having to
24 bid more. All they had to do was match. And we had a
25 public provider bid \$800,000 for our system and all

1 Josiah Cox as the stalking horse bidder had to do was
2 say yes, that he would take it and he didn't have to bid
3 a dollar more.

4 So we went through the hearings with the PSC.
5 We went through that whole process. We tried to
6 petition the PSC to have the public provider because
7 people from Cedar Glen could sit on that board, people
8 from Cedar Glen and that Board use the same water, care
9 about the community as opposed to somebody who is off in
10 St. Louis or wherever to dictate what happens to their
11 water and sewer. All the way to the Missouri Supreme
12 Court we fought that and did not prevail.

13 The PSC decision was that the private provider
14 get the system and that's what it stayed at. We had 147
15 plus or minus people make comments on the PSC's public
16 comment section which you have referenced today. I
17 don't know if that gets monitored or appreciated because
18 that's a lot of people to express they did not want this
19 private company to have their water sewer system. 147
20 is a lot. And I don't know if it was valued.

21 The PSC gets to approve this kind of thing.
22 The PSC gets to let this company which went ten years
23 ago from owning two systems in Missouri to owning 69.
24 By their report they proudly said they have 69. So in
25 the state of Missouri they now have that many, plus

1 they've exceeded, they've grown exponentially to ten
2 different states and, of course, you said that doesn't
3 matter with what's happening in Missouri. In Missouri
4 alone, 69 different companies. And now they want to
5 combine and make all that funds come from everybody.
6 This is not right, because when they first took over
7 Cedar Glen it was supposed to be that the PSC approve
8 the purchase, they based it on the promises that were
9 made of improvements that would need to be done, that
10 they were going to do the improvements, and then we knew
11 that they would increase the rates because they had a
12 track record of doing that, which is one of the reasons
13 we fought it so hard. They had a track record of
14 exponentially increasing rates even back then. So I
15 understand now the term is considered reasonable return.

16 So now we end up with our people have posted
17 71 public comment section comments not wanting this rate
18 increase. I don't know if they've been read. I don't
19 know if they've been acknowledged. I understand the
20 purpose of the PSC is to prevent harm, prevent harm, and
21 that's not just whether the water quality is good.
22 That's if the rates completely make it impossible for
23 those people to live or stay in their home.

24 Harm is many things. Harm is letting a
25 company grow so big that they don't have the revenue to

1 go ahead and do the things they said they would do for
2 each system that they knew what it was like when they
3 bought it. They knew when they bought it because they
4 had to come and tell you. They had to come and talk to
5 you about it.

6 And they had to tell what they wanted to
7 change about it. And they knew what the rate was that
8 was going to be paid. So there was no blind eye turned
9 to any of this. They knew exactly what was coming. So
10 rate hikes now to be over 100 to 300 percent is harm.
11 Nobody is going to say that's not harmful.

12 We've also had issues -- I'm just going to go
13 ahead and continue because I get five minutes you said.

14 Reports of issues were handled like a
15 subdivision. We have a condo complex and I presume most
16 of the water systems they buy up are subdivisions
17 because in their computer system we are a subdivision
18 and when we try to report things that were going on like
19 septic flowing over the side of the storage tank between
20 buildings, they would say well, we need to know which
21 customer is reporting this because we're going to bill
22 them if we get there and it's not happening. I'm like
23 it's not like this. This is a condo complex. They said
24 no, we see it as a subdivision so you have to give us
25 the person and we're going to bill that person if we get

1 there and it's not still overflowing.

2 So you're scared to call and say something
3 because they're going to bill some innocent person who
4 lives there at the condo and I'm trying to help because
5 septic is flowing over the top of the tank. They
6 threatened in the last week to shut off five customers.
7 Five customers were going to get their water shut off
8 and every single one turned out to be a billing error.
9 So I'm just saying there's a lot of things that need to
10 be improved within the system, and part of it is that
11 you don't have a condo complex built into your billing
12 system it would appear from every time we've talked to
13 them.

14 The other thing that's going on is our sand
15 filtration system at Cedar Glen is still recorded as
16 Cedar Glen Construction and they haven't paid the taxes.
17 We have talked to our attorney, our attorney has tried
18 to talk to this company, this company has still not paid
19 the taxes or recorded it properly as being their
20 property. So that's another issue that needs to be
21 taken care of.

22 JUDGE SEYER: All right. Okay. Commissioner
23 Holsman.

24 COMMISSIONER HOLSMAN: Thank you. When you
25 called the company for the overflow of the sewage, did

1 they arrive and fix the problem?

2 MS. ROGERS: Eventually but we were threatened
3 with if you did that. I was really worried because what
4 if it did quit before they got there. You know what I
5 mean. I could see that it was happening in that moment,
6 but does that mean an innocent owner was going to get
7 potentially billed for something because I was trying to
8 help this situation which obviously needs to be
9 corrected.

10 COMMISSIONER HOLSMAN: Thank you.

11 MS. ROGERS: Well, yeah.

12 JUDGE SEYER: Would you like to repeat what he
13 said for the record?

14 MS. ROGERS: He said that they've installed a
15 system for monitoring.

16 JUDGE SEYER: I believe what he said was the
17 alarms didn't go off.

18 MS. ROGERS: The alarms didn't go off, yeah.

19 JUDGE SEYER: Is that your experience?

20 MS. ROGERS: That is correct.

21 JUDGE SEYER: Commissioner Kolkmeyer.

22 COMMISSIONER KOLKMEYER: Yes. It's
23 troublesome that you only knew six days, you had six
24 days notice. We've had probably a month. This has been
25 on my calendar for probably a month. So it's definitely

1 been more than six days. So I'm not sure where the ball
2 was dropped there. But I sure apologize on that. It's
3 not too late for your people to send comments to the
4 PSC, and the Judge is going to tell you how to do that
5 in just a minute.

6 MS. ROGERS: I think we know how to do it.
7 We've been doing it. That's what I'm saying. We posted
8 147 the first time and we've already posted 71 the last
9 time I checked.

10 COMMISSIONER KOLKMEYER: You made the comment
11 it's too late to send comments.

12 MS. ROGERS: Well, I meant if I had been able
13 to provide a written comment that was going to go to the
14 Office of Public Counsel, because he does represent the
15 concerns of the people, I would have done that.

16 COMMISSIONER KOLKMEYER: But it's still not
17 too late.

18 MS. ROGERS: Okay.

19 JUDGE SEYER: Just speaking for myself, I do
20 know that as of I believe Friday morning it was up to
21 104 comments. I think you said 72. Are there questions
22 from the attorneys for the parties? Mr. Woodsmall.

23 MR. WOODSMALL: Just real quick. Just to be
24 completely up front with you just so you know and the
25 people that are at your subdivision, there is a virtual

1 local public hearing on Wednesday. So they can get
2 online to participate in that. So it should be in your
3 notice in case you want to share that.

4 MS. ROGERS: It was in the letter. I've
5 shared. It said that in the letter.

6 JUDGE SEYER: All right. Thank you, Ms.
7 Rogers. Now, Ms. Rogers is the last name on the list.
8 Are there any others? I'm seeing some hands. Okay.
9 I'll take you first, ma'am. All right. Will you state
10 your name, please?

11 MS. WALLANDER: Marsha Wallander.

12 JUDGE SEYER: We're going to get that
13 microphone adjusted for you.

14 MS. WALLANDER: Marsha Wallander.

15 JUDGE SEYER: Could you -- Well, actually let
16 me place you under oath first. Then I'll have you spell
17 your name. Make sure you don't mislead us about how to
18 spell your name. Would you raise your right hand,
19 please. Do you swear or affirm that the testimony you
20 give in this hearing shall be the truth, the whole truth
21 and nothing but the truth?

22 MS. WALLANDER: I do.

23 JUDGE SEYER: All right. Go ahead and state
24 your name and spell it for us.

25 MS. WALLANDER: Marsha, M-a-r-s-h-a,

1 Wallander, W-a-l-l-a-n-d-e-r.

2 JUDGE SEYER: Okay. And are you a Confluence
3 Rivers customer?

4 MS. WALLANDER: Yes.

5 JUDGE SEYER: Where is your property located?

6 MS. WALLANDER: Cedar Green in Camden County.

7 JUDGE SEYER: Cedar Green, G-r-e-e-n?

8 MS. WALLANDER: Correct.

9 JUDGE SEYER: All right.

10 MS. WALLANDER: I'm here -- I get a little
11 nervous here. We have a rate increase of over 200
12 percent proposed to us. We was recently purchased. We
13 have passed, always have passed any of the DNR tests for
14 the water testing for our treatment plant. And since we
15 are a small community of only 52 condos, a lot of our
16 people could not attend tonight because of the short
17 notice which was given. And I am encouraging the PSC
18 Board to watch very closely, encourage them to watch
19 this request of a raise, because we feel a 200 percent
20 raise is astronomical. I mean, we have not seen any
21 improvements done. I know they have pictures that
22 showed the sludge. Also, when they do that work, do
23 they send something to the Board to tell us? How do we
24 know what they're doing out there? How do we know?
25 We've never had any problems. So I am just really

1 encouraging before this raise be passed that everything
2 is looked into. That's it.

3 JUDGE SEYER: Okay. Are there any questions?
4 All right. Thank you, Ms. Wallander. I saw another
5 hand. Yes, sir. If you'll step up to the microphone,
6 please. All right. Would you raise your right hand to
7 be sworn. Thank you. Do you swear or affirm that the
8 testimony you give in this hearing shall be the truth,
9 the whole truth and nothing but the truth?

10 MR. BROWN: I do.

11 JUDGE SEYER: And what is your name?

12 MR. BROWN: David Brown.

13 JUDGE SEYER: B-r-o-w-n?

14 MR. BROWN: Correct.

15 JUDGE SEYER: Mr. Brown, are you a Confluence
16 Rivers customer?

17 MR. BROWN: Yes.

18 JUDGE SEYER: Where is your property located?

19 MR. BROWN: I'm the President of The Missing
20 Well, Incorporated HOA in Benton County.

21 JUDGE SEYER: So M-i-s-s-i-n-g?

22 MR. BROWN: Correct.

23 JUDGE SEYER: W-e-l-l?

24 MR. BROWN: Correct.

25 JUDGE SEYER: Okay. Go ahead.

1 MR. BROWN: A few points. I agree with much
2 of what's been said here tonight. Our current rates are
3 at \$20 a month for water and around \$20 a month for
4 sewer or \$18 a month for sewer. The letter we received
5 showed increases of 236.7 percent for water and 314.8
6 percent for sewer.

7 They are right now currently installing water
8 lines, new water lines to connect to the rural water
9 there in Benton County. Right now the way this
10 association or the properties were developed by the
11 developers there are numerous lots that are on lateral
12 fields. So many of them are not connected to the sewer
13 system.

14 JUDGE SEYER: Just for the sake of the record,
15 lateral fields?

16 MR. BROWN: Yes. And then many people are
17 also not connected at all. Benton County put a hold on
18 anyone connecting to the sewage lagoon. So they are on
19 pumpout tanks. They can only pump, have a service come
20 in and pump the tanks. So there's got to be an
21 opportunity there down the road that those people should
22 be able to connect. In some areas those sewer lines
23 don't even run near their property. The other problem
24 we have is that many of those residents down there,
25 there's maybe 50 percent of our owners are there full

1 time. The other ones are part-time residents over the
2 weekend, may come down, spend a week or two during the
3 summer and then they're done.

4 Right now we do not have metered connections.
5 In the letter we received that the rates -- the ask is
6 that the rates would be implemented by November of this
7 year, 2023. So while everyone here was speaking
8 tonight, I did get on to EFIS and look up a testimony by
9 Mr. John Seaver with the Public Service Commission. He
10 had proposed a rate of return of 7.7 percent in the
11 sworn testimony. He's also recommended basically five
12 different rate levels and he's recommended one for water
13 and one for sewer for metered services and then he's
14 also recommended rates for unmetered water and then the
15 sewer rate to go along with that. That seems to be a
16 more appropriate recommendation based on that testimony.

17 JUDGE SEYER: Do you know how to spell his
18 name?

19 MR. BROWN: It's John Seaver, S-e-a-v-e-r.

20 AUDIENCE: Jordan.

21 MR. BROWN: Jordan, yes. That testimony was
22 done on June 8.

23 JUDGE SEYER: In this case? In this file
24 number?

25 MR. BROWN: Yes. The other issue we've got is

1 most of the people that are living there full time are
2 limited income, which we've heard again tonight. In
3 Benton County, your median income is around 48,000.
4 Your per capita income is around 28,000. And again,
5 those people are on limited income. Benton County is
6 actually considered an impoverished county. That's
7 really all I have tonight.

8 JUDGE SEYER: Are there any questions from the
9 Commissioners? All right.

10 So for the sake of the record, Commissioner
11 Holsman would like to make some comments at the close of
12 the hearing but does not have any questions for you at
13 this time. Do any of the parties have any questions?
14 All right. Thank you, Mr. Brown, for your testimony.

15 Is there anyone else that would like to
16 testify? Yes, ma'am. If you'd come up to the
17 microphone, please. All right. Would you raise your
18 right hand, please? Thank you. Do you swear or affirm
19 that the testimony you give tonight in this hearing
20 shall be the truth, the whole truth and nothing but the
21 truth?

22 I do.

23 JUDGE SEYER: Thank you. What is your name?

24 MS. REITER: My name is Sara Reiter,
25 R-e-i-t-e-r.

1 JUDGE SEYER: And I'm going to have to ask you
2 if your first name is spelled with an h or without an h?

3 MS. REITER: Without.

4 JUDGE SEYER: Okay. So S-a-r-a?

5 MS. REITER: S-a-r-a.

6 JUDGE SEYER: Are you a Confluence Rivers
7 customer?

8 MS. REITER: I am.

9 JUDGE SEYER: Where is that property?

10 MS. REITER: I live at Cedar Glen.
11 Correction. I did live at Cedar Glen. I still own a
12 piece of property there which is almost the total of the
13 estate that I have. I was a public school teacher and
14 I'm on teacher retirement. And I have been able to move
15 into a retirement center in Columbia. And this year we
16 had an 11 percent increase in our monthly cost.

17 My condo, if I get this increase, I will be
18 paying an equal amount for water and sewer. And I use
19 the minimum because I'm there occasionally and my family
20 is there a lot or more often than I am. But we still
21 use just the minimum of everything.

22 My electric bill for the heat, air, light,
23 water heater, everything, runs between 600 and \$800
24 annually. I currently pay the minimum for the water,
25 \$53.78. And that's about 600 annually. If this

1 increase goes in, the best I can figure I'm going to be
2 nearly double. I'm going to have a 50 percent increase
3 annually. I do not have social security even though I
4 have been married twice, because in Missouri if you're a
5 teacher you can't double dip although the world and the
6 United States is full of people who double dip. I have
7 cousins who were in the service and they have social
8 security and they have other private investments.
9 Teachers in Missouri do not.

10 I do not want to see this rate increase and I
11 know there must be other people like me. I'm 87. I'm
12 not going to be around probably more than 13 more years,
13 and I would like very much to be able to keep that condo
14 for my children. Thank you.

15 JUDGE SEYER: Ms. Reiter, could you stick
16 around just in case. Do the Commissioners have any
17 questions? Do the attorneys for the parties? All
18 right. Ms. Reiter, thank you for your years of service
19 as a teacher. Thank you for your testimony tonight.
20 Are there any other persons that wish to testify? All
21 right. If there are no other people to testify, we'll
22 give the Commissioners a chance to make closing remarks.
23 Commissioner Holsman.

24 COMMISSIONER HOLSMAN: Just want to take a
25 minute and thank everybody for coming out tonight. I

1 know public speaking can sometimes be terrifying; but if
2 you care enough about something, you'll get up and say
3 your piece. This is a process. This is one step in the
4 process. This is our opportunity to hear from you,
5 which we have done, and we appreciate that. We will
6 then have an evidentiary hearing where all of the facts
7 will be presented. The legislature has established by
8 law an authorized rate of return. That is to
9 incentivize and to create the framework by which
10 companies like Confluence will pick up distressed
11 systems, make investments and then get a return on that.
12 That is by law they have the ability to do that, which
13 guarantees investment in our state. But that doesn't
14 mean that what they've asked for is what they're going
15 to get. It doesn't mean that they won't get that. It
16 just means that that's the starting point for what they
17 believe that their investments should return to their
18 investors. And then the evidentiary hearing we will go
19 through the facts of the case and Staff and OPC will
20 present their side of the issue to better determine and
21 understand what those investments truly are and then we
22 as a Commission will make a determination what that
23 final rate of return is. So I just wanted to give you
24 an insight into the fact that this is a process, and I
25 promise you that we will do our due diligence to make

1 sure that whatever the end result will be will be
2 reflective of what the facts are so that we can have a
3 good state with healthy and clean water for everybody.
4 So thank you for coming tonight and we appreciate your
5 time.

6 JUDGE SEYER: Thank you. Could we wait until
7 we go off the record for that question.

8 Okay. Thank you. Commissioner Kolkmeyer.

9 COMMISSIONER KOLKMEYER: Yes. Thank you,
10 Judge. Again, I want to thank everyone for coming out.
11 I want to kind of piggyback on what Commissioner Holsman
12 said. We, the PSC, employ, like the Judge said in his
13 opening comments, attorneys, auditors, economists and
14 staff that will dig into what's been asked and then come
15 back and make recommendations to us, the Commissioners.
16 So we also have this staff that does a deep dive, and
17 then we also have the Office of Public Counsel that also
18 a lot of their comments -- a lot of your comments go to
19 them and then we hear from them. And so here again,
20 this is a process. This is one step. So thank you for
21 coming out. We appreciate everyone's comments, and we
22 do take those under advisement. So thanks again.

23 JUDGE SEYER: Thank you, Commissioner. Again,
24 I want to go back and if you have family, friends, who,
25 whether because of short notice or they just couldn't

1 make it tonight would like to submit comments, you can
2 do that on the Public Service Commission website. That
3 is psc.mo.gov. And if you'll reference this file
4 number, this case number, WR-2023-0006.

5 So if there's nothing further, I'll adjourn
6 the hearing and we'll go off the record. Going off the
7 record.

8 (Thereupon, the hearing concluded at 9:30
9 p.m.)

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I N D E X

	Page
Opening Remarks by Commissioner Holsman	4
Opening Remarks by Commissioner Kolkmeyer	5
Witnesses:	
Ken Hulett	9
Norman Thrall	11
Joseph Maixner	16
Theresa LaBoube	19
Nikki Cole	24
Robert Douthit	26
Stephanie Meyer	29
Steven Bouck	31
Courtney Henderson	34
Lisa Hodges	36
David Howard	38
Jennifer Hawthorne	48
David Howard	51
Wendy Rogers	53
Marsha Wallander	61
David Brown	63
Sara Reiter	66
Closing Statement by Commissioner Holsman	67
Closing Statement by Commissioner Kolkmeyer	69
Certificate of Reporter	72

16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER

STATE OF MISSOURI)
COUNTY OF COLE)

I, Beverly Jean Bentch, RPR, CCR No. 640, do hereby certify that I was authorized to and did stenographically report the foregoing Public Service Commission local public hearing; and that the transcript, pages 1 through 71, is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or counsel connected with the action, nor am I financially interested in the action.

Dated this 3rd day of July, 2023.

Beverly Jean Bentch

Beverly Jean Bentch, RPR, CCR No. 640

<hr/>	17th 7:24	4,000 13:21	ability 68:12
\$	18 49:21	48,000 65:3	absolutely 24:18 29:8 41:6
\$1,500 25:8	185.9 48:20	<hr/>	acceptable 23:5
\$1,800 12:24 13:3	186 34:8	5	accepting 32:20
\$10.11 25:15	1984 50:13	<hr/>	access 45:14
\$18 63:4	<hr/>	5 34:17 35:13	access 45:14
\$20 37:18 63:3	2	50 63:25 67:2	accessible 49:25 51:3
\$3 25:15	<hr/>	52 61:15	accountants 4:2
\$30 37:18	20 17:11	52-unit 28:24	acknowledged 55:19
\$350 25:19	200 6:20 29:7 61:11,19	59 50:14,15	acquire 14:4 19:19 53:23
\$40,000 12:24	2009 43:23 44:21 52:7	<hr/>	acquisition 38:4
\$470,000 16:21 17:9	2018 35:22	6	addition 39:10
\$50 40:24 41:2,12	2019 35:22	600 66:23,25	additional 7:1
\$53.78 66:25	2020 36:21	63131 6:11	address 31:12 36:22
\$800 66:23	2022 16:15	63379 11:14	adequately 21:8
\$800,000 53:25	2023 3:3 16:16 64:7	65101 6:20	adjusted 60:13
<hr/>	212 10:15	69 54:23,24 55:4	advisement 69:22
1	<hr/>	<hr/>	Affairs 6:13
10 34:22	235 16:12,13	7	affirm 8:21 10:25 16:5 18:17 23:22 26:9 28:14 30:25 33:11 36:5 38:9 47:20 52:16 60:19 62:7 65:18
10-1/2 34:22	236.7 63:5	7.7 64:10	afford 50:11
100 56:10	237 25:13,14	71 55:17 59:8	affordability 48:11 49:3
104 59:21	27 25:13,14	72 59:21	affordable 51:2
10th 7:24	28,000 65:4	7:55 3:1,3	agree 29:12 40:7 63:1
11 66:16	29 35:1	<hr/>	ahead 9:12 11:15 16:8,11 18:9 19:14 24:11 26:22 28:25 31:4,22
11th 7:24	<hr/>	8	
12 3:3	3 32:2	8 64:22	
13 44:20 67:12	300 56:10	80 49:16	
14 44:22 45:9	314.8 63:5	87 67:11	
140 6:10	374 19:20	<hr/>	
147 54:14,19 59:8	39.7 48:19	9	
15th 7:24	<hr/>	9:30 4:18	
1630 6:10	4	<hr/>	
	4 32:2 50:15	A	
		Aaron 6:12	

35:11 36:16 38:24 48:6 53:10 56:1, 13 60:23 62:25	ate 39:16	bath 22:20,23	bread 25:15,16
air 22:16 66:22	attached 24:22 39:9	bathrooms 37:5	break 24:20 25:3
alarms 58:17,18	attend 11:23 15:5 61:16	Beach 19:5,8 38:19	breaks 21:14
allowed 31:18	attorney 57:17	Bear 20:19	bring 20:2 22:2
amortize 17:12	attorneys 4:2 6:3 7:17 10:10 15:2 17:22 23:11 26:1 27:23 30:10 35:24 37:24 59:22 67:17 69:13	bedtime 15:21	brother 24:25 25:5
amount 12:25 13:22 37:15 43:24 66:18	AUDIENCE 64:20	beg 9:16 10:1	brother-in-law 25:5
analysis 20:9	auditors 69:13	began 3:1	brought 41:14
analysts 4:2	August 7:24	begging 27:9	Brown 62:10,12, 14,15,17,19,22,24 63:1,16 64:19,21, 25 65:14
annexed 24:15	authenticity 40:2	begin 44:25	budget 50:18
annually 66:24,25 67:3	Authority 3:10	behalf 6:9,23 53:9	bugging 21:23
answers 17:16,17 26:24	authorized 68:8	Benton 62:20 63:9,17 65:3,5	build 5:2 21:25
apiece 40:24	awarded 34:17,18 35:18	bid 35:16 53:24,25 54:2	building 13:11 21:19 39:16 41:21 42:7
apologize 8:16 59:2	aware 46:11 49:22 50:22	bidder 53:22 54:1	buildings 56:20
appears 37:12		big 10:14 29:16,18 55:25	built 57:11
appointed 3:24		bill 25:8 56:21,25 57:3 66:22	business 19:24 34:9
appreciated 54:17	B	billed 58:7	buy 56:16
approve 54:21 55:7	B-O-U-C-K 31:7	billing 57:8,11	buying 27:11
approximately 36:19,21	B-R-O-W-N 62:13	bit 21:1	C
area 17:2 21:13 22:10 48:20,21 50:7,25 51:3	back 12:13 22:9, 25 34:5 41:11 42:15 51:14 52:6 55:14 69:15,24	blind 56:8	C-H-E-L-S-E-Y 38:21
areas 3:12 25:22 43:16 50:23 63:22	ball 59:1	board 49:22 54:7, 8 61:18,23	C-O-L-E 24:3
arrive 58:1	bankruptcy 43:12	boat 42:16,19,22 43:3,4,7 45:11	C-O-U-R-T-N-E-Y 33:18,21
assigned 53:21	barely 37:4	Bolivar 24:8,16	calendar 58:25
association 10:14 27:3 53:6 63:10	based 17:6 55:8 64:16	Bouck 30:18,19, 23,24 31:3,6,10, 14 32:11 33:1,5,6	call 7:5,6 8:15 25:4,5 34:23 57:2
astronomical 61:20	basically 11:24 34:3 64:11	bought 25:14 27:5 46:21 47:1 52:9 56:3	called 24:23 28:18 45:3 57:25
		brand 36:25	

Camden 19:9,12 31:10 38:19 48:5 49:14 61:6	children 67:14	59:10,13	10 10:3 17:17 24:25 26:25 31:15 33:24 34:4,11,17, 18,20 44:17 45:15,18 46:21 47:1 54:19,22 55:25 57:18,25
Camdenton 9:11 19:7 26:21 28:24 31:11,12	chlorinating 16:23	commented 21:14	complaints 11:18
capacity 21:21	chose 5:10	comments 4:14 5:20 7:11,15 8:3, 4,5,9,10 9:13 10:14 11:16,21 12:10,13 40:12 54:15 55:17 59:3, 11,21 65:11 69:13,18,21	complete 4:17
capita 65:4	Christian 5:3	Commission 3:5, 7,13,16,18,23 4:7 6:18 7:11,25 8:2 9:14,17 10:2,5 15:7,13 27:9 29:10 40:12,21 45:4,7 64:9 68:22	completely 29:12 51:2 55:22 59:24
captioned 3:9	Church 5:3	Commissioner 4:5,6,23,25 5:14, 15,16,24 10:11, 13,16 13:24 14:1, 25 15:1 17:14,15, 20 35:9,10,11,12, 15,19,23 57:22,24 58:10,21,22 59:10,16 65:10 67:23,24 69:8,9, 11,23	complex 29:4 49:4 53:6 56:15,23 57:11
care 6:16 17:5 20:15,16 36:22 44:25 45:1 50:17 54:8 57:21 68:2	cite 8:11	Commissioners 3:24 4:1,4,12,14, 22 5:25 7:17,19, 20 10:8 19:15 22:5 25:25 27:22 30:9 32:8 35:8 37:23 39:4 41:15 44:12 51:8 65:9 67:16,22 69:15	complicated 19:11
career 49:13 50:4	city 6:20 24:15 31:12	commodity 34:13	computer 56:17
cart 27:6,17	claim 21:11	community 5:6 7:9 54:9 61:15	concern 36:17
case 3:15 7:16 8:1,2,11 60:3 64:23 67:16 68:19	clarification 44:18 46:9	companies 3:17 55:4 68:10	concerns 38:3 49:20 50:3 59:15
cases 14:2	clean 29:7 69:3	company 3:10 6:6,	conclude 18:11
cautious 50:18	clear 13:4 34:5		condo 27:3 29:22 36:25 48:23 49:21 50:23 53:6 56:15, 23 57:4,11 66:17 67:13
Cedar 9:8,9 26:19, 20 28:23 31:10 33:25 34:15 36:15,16,19 48:5 49:23 50:22 53:5, 14,18,23 54:7,8 55:7 57:15,16 61:6,7 66:10,11	Clizer 6:23 7:3 12:8,9 15:2,3,7, 12,18 32:22,23 33:3 37:25 38:2,6 39:8,11 40:6		condominium 28:24
center 16:14 66:15	close 12:17 41:19 65:11		Condominiums 28:23
Central 53:21	closely 61:18		condos 9:8,9 25:19,20 34:1 61:15
challenging 51:3	closer 20:24 33:20		confirmed 3:25
chance 3:14 7:13 67:22	closing 67:22		Confluence 3:9, 15,21 6:6,9 7:10 8:1 9:7 10:3 11:8 14:3,8 19:19 21:2, 7 22:12 24:5 31:9 36:14,20 37:12 38:4,17 39:24
change 56:7	cold 37:9		
charged 3:16	Cole 23:17,18,19, 21,25 24:3,6,10, 13 26:2,3		
charging 10:4	collect 42:14		
checked 59:9	college 50:14		
Chelsea 38:18,21 51:18	Columbia 66:15		
	column 8:8		
	combine 55:5		
	commend 20:11		
	commensurate 31:23		
	comment 3:15 14:15 54:16 55:17		

47:9 48:3 53:4 61:2 62:15 66:6 68:10	45:24 46:1 48:5 49:14 61:6 62:20 63:9,17 65:3,5,6	December 16:15	distressed 14:2 68:10
connect 63:8,22	couple 7:18 9:21 24:14 44:15	decide 18:9,10	distribute 22:15
connected 63:12, 17	court 4:9 9:24 11:12 21:3,6 43:13 45:2 47:5 52:1 54:12	decision 8:4 54:13	district 29:14
connecting 63:18	Courtney 33:8	decisions 7:25	ditch 43:15
connections 64:4	cousins 67:7	deep 40:1 69:16	dive 69:16
considered 55:15 65:6	Cox 53:22 54:1	delivered 15:13	DNR 21:17,18 23:4 61:13
Construction 57:16	crazy 29:25 30:4	Depends 22:24	dock 42:19
contact 6:24	create 68:9	depict 40:9	Dogpatch 5:3
container 39:15	Culvert 42:20	depreciation 17:12	dollar 43:25 44:9 54:3
continue 56:13	current 63:2	Des 6:10	dollars 43:23,24
contract 35:18	custody 15:14,17 40:18	desert 50:8	Donna 48:8
conversations 19:22	customer 7:10 9:6 11:8 18:24 24:5 26:18 28:21 31:9 32:16 33:23 34:15 36:14 38:16 48:3 53:4 56:21 61:3 62:16 66:7	determination 68:22	double 43:24 44:1 67:2,5,6
copy 39:9 40:8	customers 52:6,7 57:6,7	determine 68:20	Douthit 26:5,6,7, 11,13,16,19,21,23 27:25
corporation 31:19		developed 63:10	downfall 31:22
correct 11:14 15:5,9 31:9 53:2 58:20 61:8 62:14, 22,24	D	developer 21:22	draw 43:18
corrected 58:9		developers 63:11	dropped 59:2
Correction 66:11		dictate 54:10	due 68:25
correctly 18:4 28:8,12,13		dig 69:14	dying 40:22
cost 32:1 66:16	D-O-U-T-H-I-T 26:16	diligence 68:25	E
costs 20:17	David 6:8 38:8,15 51:16,17 62:12	dip 67:5,6	Eagle 18:25 21:18, 20
counsel 6:19,22, 24 20:7,11 59:14 69:17	day 37:3,4 39:15 45:21	directly 15:13	earlier 7:12 11:24 53:18
counties 20:15	days 53:12 58:23, 24 59:1	Director 6:13	easement 21:1
county 11:10,13 16:2 19:6,9,12 20:15 24:7,9 31:11 38:19,20	deal 12:11 22:13 51:21	directors 49:22	easy 20:6
		dirty 12:14,15,16 13:13 14:7	economists 69:13
		disability 49:24 51:2	economy 44:7
		disabled 12:23 49:19	edge 50:7
		disarray 29:19	EFIS 64:8
		discuss 50:24	
		dishes 22:20,23	
		disinfection 16:23	

elderly 49:19	Eventually 58:2	extra 52:7	32:4 44:3 50:19
electric 66:22	everyday 13:14	eye 56:8	fixes 25:5
electricity 42:9 47:7	everyone's 69:21	<hr/>	flat 29:16
eleven 19:21	evidence 7:22 11:18 39:4 40:3,4 41:9	F	flowing 56:19 57:5
else's 29:13	evidentiary 7:22 39:21 40:2 68:6, 18	face 51:4	follow 40:23
employ 4:1 69:12	evidently 45:1	facilities 19:20	follow-up 7:16 47:13
employee 50:13	examine 39:22	facility 16:19,22	food 44:4
empty 21:23 25:8	exceeded 55:1	fact 17:6 32:16,20 68:24	forbid 37:6
encourage 61:18	excessive 13:22 17:11 50:20	facts 68:6,19 69:2	forced 32:16
encouraged 53:15	Excuse 37:25	fair 29:12	forward 51:6
encouraging 61:17 62:1	exhibit 15:8,11	falling 41:23,25	fought 54:12 55:13
end 5:3 15:15 22:18 23:2 55:16 69:1	exist 38:3 50:22	family 5:5 66:19 69:24	found 6:25
engineers 4:1	exorbitant 37:15	feasible 37:17	foundation 41:23, 25
ensure 3:17	expect 27:15 31:23 48:17	feel 5:5 17:16 48:15 61:19	framework 68:9
enter 11:19	expectation 48:10,15	field 4:3	free 33:5
entered 11:21	expected 49:16	fields 63:12,15	Friday 59:20
entire 4:25 5:7 15:21	expecting 31:15, 16	figure 37:3 67:1	friends 69:24
entity 16:15	expense 36:24	file 3:8 8:11 64:23	front 8:16 27:6 59:24
equal 66:18	expenses 19:25 20:1	filing 43:12	froze 42:7
equipment 21:8	expensive 50:6	filtration 57:15	frugal 50:18
equitability 20:16	experience 29:10 58:19	final 68:23	full 9:1 12:25 63:25 65:1 67:6
equitable 20:14	explained 22:11 25:14	Finally 46:4	full-time 50:13
error 57:8	explaining 40:8	financial 4:2	funds 50:16 55:5
essential 34:12	exponentially 55:1,14	find 37:18	funny 52:3
essentially 40:17	express 54:18	finding 51:1	<hr/>
established 68:7		fine 15:12,16 17:4 41:18	G
estate 66:13		finish 7:15	<hr/>
evening 4:4,24 5:17 8:19 15:25 18:1 23:18,19 36:2,3 52:13,14		fire 13:17	G-R-E-E-N 61:7
		fix 22:11,12 24:24 25:1 58:1	gallons 13:21
		fixed 3:25 25:2	garage 43:22
			Gardner 24:17

gas 13:11 44:4
gee 52:2
general 3:11 29:20
generalities 48:13
generally 8:17
 18:7
give 3:14 7:13 8:5,
 21 11:1 16:5
 18:17 23:23 26:9
 28:15 29:11 30:13
 31:1 33:12 36:5
 38:10,25 39:2,7
 42:15 47:21 52:5,
 6,17 56:24 60:20
 62:8 65:19 67:22
 68:23
giving 52:5
Glen 4:6 9:8,9
 11:9,12 13:5
 14:17 16:1 26:19,
 20 31:10 33:25
 34:15 36:15,16,19
 48:5 49:23 50:22
 53:5,14,19,23
 54:7,8 55:7 57:15,
 16 66:10,11
goal 4:17 50:3
God 23:25
good 4:24 5:17
 8:19 15:25 16:3
 18:1 22:19 23:17,
 19 31:21 36:2,3
 44:7 45:6 52:12,
 14 55:21 69:3
Gotcha 23:10
 30:24 38:23
Governor 3:25
grab 6:14
grass 17:4
gravity 13:7

great-great-grandfather 5:2
Green 28:23 61:6,
 7
ground 25:2
grow 55:25
grown 55:1
guarantees 68:13
guess 22:25 40:19
gully 45:10
gun 31:23
guy's 43:21
guys 5:7

H

H-A-W-T-H-O-R-N-E 48:2
H-E-N-D-E-R-S-O-N 33:22
H-O-D-G-E-S 36:12
H-O-W-A-R-D 38:15 51:18
H-U-L-E-T-T 9:5
half 29:25 36:19
 45:23
hand 8:20 10:25
 16:4 18:16 21:10
 23:22 26:8 28:5,
 13 30:25 33:10
 36:4 38:9 47:19
 52:15 60:18 62:5,
 6 65:18
handle 33:9 44:1
handled 56:14
hands 60:8
handwriting 8:17

happen 21:17
happened 35:20
 45:8
happening 55:3
 56:22 58:5
happy 28:10
hard 27:9 37:18
 55:13
harm 55:20,24
 56:10
harmful 56:11
hate 33:8
Hawthorne 47:16,
 17,19,23 48:1,2,5,
 7 51:9,10
heading 8:8
health 16:24 49:19
 50:2
healthy 69:3
hear 18:2 23:19
 68:4 69:19
heard 11:24 37:12
 44:20 65:2
hearing 3:6,8,14
 4:7,11,18 7:4,23
 8:4,22 11:1 16:5
 17:23 18:17 23:23
 26:9 28:15 29:6
 31:1 33:12 36:6
 38:10 39:5,21
 40:2,6 47:21
 52:17 53:13 60:1,
 20 62:8 65:12,19
 68:6,18
hearings 54:4
heat 66:22
heater 36:25 42:9
 47:8 66:23
heaven 37:6

Heights 24:7,23
held 21:17
helped 5:2
Henderson 33:8,
 10,14,18,21,25
 34:3 35:6,14,17,
 21 36:1
hey 29:11
high 10:4 16:24
 44:5 50:9
higher 32:3 48:16
hike 35:4
hikes 56:10
hill 22:19 46:11,
 12,14
hire 24:25
history 29:10
 32:17
hit 44:5
HOA 14:17 16:1
 17:4 62:20
HOAS 25:19
Hodges 36:1,2,3,
 8,11,15,17 37:25
 38:5
hold 63:17
hole 42:20
holes 39:16 41:21
 46:5
Holsman 4:5,23,
 24 13:25 14:1,25
 17:14,15,20 35:9,
 10,11,12,15,19,23
 57:23,24 58:10
 65:11 67:23,24
 69:11
home 5:5,19 8:7
 49:4 50:1,2,3,23
 55:23

homeowners 10:6	idea 45:5,8	55:11,18 61:11	investment 17:10
homes 16:12,13	identify 6:4	66:16,17 67:1,2,	68:13
21:23	immediately 32:21	10	investments 14:5
Honor 6:8,16 39:8	impact 48:11	increases 17:7	20:2 25:22 49:18
44:14	49:15	27:2,7 63:5	67:8 68:11,17,21
hook 42:8	impacts 48:14	increasing 37:14	investors 34:5,20
hope 20:12 29:9	impartial 7:21	55:14	68:18
horizontal 12:18	Implement 3:11	incurred 25:17	irrelevant 22:3
13:7,8 14:7	implemented 64:6	incurring 20:17	issue 21:19 57:20
horse 27:6,17	important 28:7	individual 30:5	64:25 68:20
53:22 54:1	impossible 55:22	individually 29:23	issues 6:15 36:20,
hotlined 12:19	impoverished	industry 31:20	22 48:23 56:12,14
house 12:17 23:6	65:6	Inflation 32:2	J
25:20 42:6 46:4,	improve 39:19	information 6:25	J-E-N-N-I-F-E-R
17,21 47:8	48:18	innocent 57:3	48:1
houses 12:14	improved 57:10	58:6	January 16:16
46:15,16	improvements	input 4:14	Jason 4:5,24
Howard 38:8,12,	16:19 27:1,3,4,13,	inside 39:15	Jeepers 35:21
15,18,22,25 39:6,	14,18,19 29:3,14	insight 68:24	Jefferson 6:20
12,14,18,23 40:3,	55:9,10 61:21	install 51:25	Jennifer 47:16
14,20 41:3,10,13,	improving 42:5	installations	48:1
16,17,20,23 42:4,	incentivize 68:9	31:17	jinx 33:8
12,16,20,24 43:9,	inches 9:21	installed 46:19	job 35:7 50:13
11 44:13,21,23	income 32:4,5	58:14	John 6:23 64:9,19
45:12,16,20 46:1,	50:14 65:2,3,4,5	installing 63:7	Jordan 64:20,21
6,8,12,15,18,23	incomes 44:3	intelligently 22:17	Joseph 15:25
47:3,11,12,14	50:19	intend 15:8	Josiah 53:21 54:1
51:12,13,16,17	Incorporated	interested 8:2	Judge 3:2,4 5:14,
52:11	62:20	interior 49:25	17,24 6:17,21 7:3
huh-uh 46:18	Incorporated's	internet 43:13	8:25 9:3,6,9,12,
Hulett 8:18,19,24	3:10	introduce 12:10	18,20,23 10:7,18,
9:2,5,8,11,15,18,	increase 3:11	introduced 6:1	22,24 11:4,7,11,
19,22,25 10:9,15	12:24 14:5 16:18	15:15 16:17	15,20 12:2,6 13:1,
hundred 13:16	17:8,10 25:13	invest 14:4 16:21	4,9,12,19,24
husband 24:24	27:20 29:8,25	invested 14:6	14:14,21,24
25:4	30:4 31:19,23	investing 27:15	15:10,16,20 16:3,
hydrants 13:17,18	32:1,6,7,14,19		8,11 17:14,21,25
I	44:20 48:10,15,19		18:3,7,15,20,23
ice 37:9	49:12 50:20		

19:1,4,7,10,14
 20:20,23 22:4,8,
 22 23:1,10,15,21
 24:1,4,9,11 25:24
 26:4,7,12,14,17,
 20,22 27:22 28:2,
 5,10,18,20,25
 30:7,9,13,15,20,
 24 31:4,8,13 32:8,
 22 33:4,7,15,19,
 23 34:2 35:5,7,11,
 24 36:3,9,13,16
 37:23 38:7,13,16,
 21,23 39:3,11,13,
 17,20,25 40:4,16
 41:2,5,12,18,22,
 25 42:11,14,18,23
 43:8 44:11,16
 47:13,15,24 48:3,
 6 51:8,13 52:10,
 15,20,22,25 53:3,
 7,10 57:22 58:12,
 16,19,21 59:4,19
 60:6,12,15,23
 61:2,5,7,9 62:3,
 11,13,15,18,21,
 23,25 63:14
 64:17,23 65:8,23
 66:1,4,6,9 67:15
 69:6,10,12,23

jumping 31:22
 32:21

June 3:3 50:15
 64:22

K

keeping 45:6

Ken 3:3 8:18 9:2

kind 18:11 21:23
 24:23 27:7,16
 29:9 32:6,14 34:6
 41:5 51:21 54:21
 69:11

kinds 36:24

KK 19:2

knew 32:14 55:10
 56:2,3,7,9 58:23

knowledge 16:24

Kolkmeier 4:6
 5:15,16 10:11,13,
 16 15:1 42:2
 58:21,22 59:10,16
 69:8,9

L

L-A-B-O-U-B-E
 18:22

L-I-S-A 36:11

Laboube 18:1,2,5,
 14,15,19,22,25
 19:2,6,9,13,17
 20:21,25 22:6,9,
 24 23:3,12,14

lacking 21:11

lady 48:8

lagoon 63:18

lake 5:1,2,18,19
 42:17

land 47:4

landscaping 17:5

lasted 4:16

late 59:3,11,17

lateral 63:11,15

Laurie 5:18

law 3:4 68:8,12

leak 24:20 43:16,
 18

leaks 52:8

learn 17:7

learned 19:19

leave 50:4,25

leaving 25:11

legislature 68:7

length 31:24

letter 16:20 40:8
 60:4,5 63:4 64:5

letters 11:17 13:14
 15:4 53:15

letting 55:24

level 49:9

levels 64:12

life 5:1,7

light 66:22

limbo 32:14

limit 4:19 7:12

limitations 51:1

limited 50:19 65:2,
 5

limits 31:12

Lincoln 11:10,13
 16:2

lines 63:8,22

link 22:14

Lisa 36:1,11

list 8:9,15 10:19
 14:12 18:1,8
 23:15,17 26:4
 28:3 30:17 33:7
 36:1 37:1 38:7
 47:16 52:12 60:7

listed 7:5

listen 5:20

listening 5:12,25
 26:23

litigation 21:16
 32:12,24

live 5:18 7:10
 12:15,17 53:13
 55:23 66:10,11

lived 36:18 37:19
 49:14

lives 12:14 57:4

living 32:1 49:5
 65:1

loaf 25:14,15,16

local 3:7,13 40:5
 60:1

localized 25:22

located 9:10 31:10
 61:5 62:18

Lodge 5:4

long 21:3,4 29:17
 34:25 35:12,19,21

long-term 48:25
 49:7

longer 4:16 49:10

looked 20:3 62:2

lot 5:9 11:25 12:22
 21:12 22:10
 27:10,11 43:13
 48:12 50:4 53:13,
 17 54:18,20 57:9
 61:15 66:20 69:18

lots 21:23 24:21
 25:8 63:11

Louis 6:11 54:10

lovely 48:8

low 12:15 22:18
 23:1 50:14

lower 47:18

ludicrous 29:8

M

M-A-I-X-N-E-R

16:10	married 5:4 67:4	mile 12:16	months 16:17,25 17:11 19:21
M-A-R-S-H-A 60:25	Marsha 60:11,14, 25	million 35:1	morning 59:20
m-e-t-e-r-s 13:20	massively 31:18	mind 35:5 51:24	mother 48:8,14 49:5,15 50:17
M-E-Y-E-R 30:16	match 53:24	minimum 17:7 66:19,21,24	mother's 51:1
M-I-S-S-I-N-G 62:21	math 13:2	minus 54:15	move 21:24 66:14
made 3:23 7:25 16:19 27:4 29:3 49:18 50:12 53:19 55:9 59:10	matter 3:9 6:4 7:23 55:3	minute 20:19 59:5 67:25	moved 21:5 49:6
Madison 6:20	matters 5:10 8:2	minutes 4:20 7:13 37:9 43:17 56:13	multitude 16:22
mailing 31:12	max 21:21	mislead 60:17	<hr/> N <hr/>
main 25:1	Meadows 11:9,12 13:5 14:17 16:1	mispronounce 8:17	N-I-K-K-I 24:3
maintain 48:18	means 50:12,14, 24 68:16	Missing 62:19	names 7:5 8:15 10:18 28:12 33:9 47:16
maintained 17:4 42:24	meant 59:12	Missouri 3:4,12, 15,17,22 4:7 6:11, 20,24 9:16 10:1 11:10,13 24:7 29:16 38:19 54:11,23,25 55:3 67:4,9	necessarily 45:18, 20
Maixner 14:10,12, 16 15:25 16:1,7, 10,12 17:19,24	median 65:3	mistake 12:6	needed 49:24,25 50:24
make 4:22 8:3 11:11 12:23 19:22 20:1,4 27:1,8 40:14 44:2 48:9 50:5,10 51:15,24 54:15 55:5,22 60:17 65:11 67:22 68:11,22,25 69:15	meeting 7:1 15:19, 21 21:18 40:21	models 20:3,13	neglected 17:1
makes 28:10 50:20	member 5:6	moderate 49:8,9, 17	neighbor 11:25 42:8 47:7
making 19:11 50:4,10,12	members 3:14	modify 49:25	neighbor's 42:6
man 12:1	mentioned 7:12 38:2 53:18	moment 58:5	neighbors 11:17
manager 53:6	mentioning 46:4	money 19:23 27:2, 8,10,11,13,16,18 34:5 40:25 45:3,5, 8 51:20,23 52:3,5	nervous 61:11
manhole 43:21	metered 64:4,13	monitored 54:17	newly-appointed 53:21
Margaritaville 22:14	metering 29:23	monitoring 25:7, 10 58:15	Nikki 23:17 24:3
margin 29:4	meters 13:17,19 14:22 30:5	month 25:20 37:18 49:16 58:24,25 63:3,4	nonmetered 17:8
	Meyer 28:3,4,9,17, 18,19,23 29:2 30:8,12,15,16	monthly 37:17 66:16	normal 48:15
	microphone 7:7, 16 14:15 20:24 33:20 41:16 47:18 51:14 60:13 62:5 65:17		Norman 10:19 11:6
	microphones 9:20		notice 53:17 58:24 60:3 61:17 69:25
	middle 23:3 42:21		November 64:6
			number 8:11 64:24

numbers 13:3	order 7:6 15:23 21:2,8 50:17	10:10 15:2 17:22 23:11 26:1 27:23 30:11 32:9 35:25 37:25 39:21,22 51:10 59:22 65:13 67:17	person's 4:19 7:12 51:5
numerous 63:11	orders 17:3		personal 48:11,22 49:15 51:5,6
<hr/> O <hr/>	original 45:2 46:23 47:2 51:18		personally 36:22 37:20 49:2
oath 4:10 7:8 41:1 51:15 60:16	Osage 19:4,8	party 6:5	persons 67:20
obfuscated 34:7	outflow 43:2,3,5,6	passed 61:13 62:1	petition 54:6
obligation 18:8	overextended 37:13	past 15:21 19:20	Phelps 20:15
obscene 27:7	overflow 57:25	pay 20:5 25:17,19, 21 29:13 48:16 52:1 66:24	photo 42:19
occasionally 66:19	overflowing 57:1	paying 37:14 51:24 52:7 66:18	photos 40:7,8,9, 10 41:14 42:1,3
occurrence 13:14	owned 24:14 45:18	penalize 37:14	pick 9:20 68:10
Odessa 5:18	owner 5:18 51:19 58:6	people 6:2 7:1 12:17,22 15:4 18:6 21:18 22:18 25:14,19 27:15 34:12 43:25 44:3, 24 45:15 48:12 53:13 54:7,15,18 55:16,23 59:3,15, 25 61:16 63:16,21 65:1,5 67:6,11,21	picture 43:3
offer 7:11 12:9	owners 45:2 63:25		pictures 38:25 39:9,15 40:17,18, 19,21,24 41:7,8, 17,20 42:12 46:6 61:21
Office 6:21,24 20:7,11 59:14 69:17	owning 54:23		piece 66:12 68:3
official 4:6	owns 26:25		piggyback 69:11
officially 16:16	Ozark 5:2		pipe 21:14 43:19
oftentimes 14:2	Ozarks 5:1		pipes 25:3 42:7,10 47:9
older 12:22	<hr/> P <hr/>		place 7:8 52:9 53:20 60:16
online 5:25 19:18 20:8 60:2	P-O-L-K 24:9	percent 25:13 29:7 32:2 34:8,22 48:20 56:10 61:12,19 63:5,6, 25 64:10 66:16 67:2	places 5:9 32:18
OPC 68:19	p.m. 3:1,3	percentage 27:14	plan 30:2
opening 4:22 69:13	paid 17:10 20:10 51:25 56:8 57:16, 18	Peres 6:10	planning 10:20
Operating 3:10 6:10 10:3	painful 32:6	perfectly 15:16	plant 21:3,8,9 42:21 43:2,4,6 45:13 61:14
operations 3:20	par 21:11 43:14	period 17:18	plumbers 37:2
operator 14:3	park 24:21,22	permits 21:20,25	plumbing 24:25 36:25
opinion 5:22	part 12:11 39:23 46:23 47:1 57:10	person 4:5 13:16 17:25 20:17 21:13 23:17 30:17 49:10,11 51:25 56:25 57:3	Pohlman 48:8
opportunity 4:12 63:21 68:4	part-time 50:11 64:1		point 17:3 68:16
opposed 20:4 54:9	participate 60:2		
oral 39:10	parties 6:3,4 7:18		

points 48:9 63:1	problem 22:18 24:20 39:3,20 41:7 58:1 63:23	provider 32:17 33:2 36:18 53:25 54:6,13	quarter 12:16
Polk 24:6,9	problems 20:25 22:11 37:10 61:25	providing 28:1 34:12	question 10:12 12:20 14:23,24 28:7 29:2,20 34:23 38:1 49:11 69:7
portion 3:6 4:18 7:4 19:12	proceed 7:4 9:13 29:1 41:16	prudent 19:24 20:1	question-and- answer 4:15 17:18
positive 52:25	proceedings 3:1 51:7	PSC 8:6 34:16 54:4,6,13,21,22 55:7,20 59:4 61:17 69:12	questions 5:11,23 6:14 7:2,17,21 10:9,10 14:18 15:1 17:17,22 19:18 22:5 23:11 25:25 26:1,24 27:23 30:10 32:9, 10 33:4 35:6,9,25 37:24 38:6 44:13, 15 47:11,14 51:9, 10 59:21 62:3 65:8,12,13 67:17
possibly 34:24	process 54:5 68:3, 4,24 69:20	PSC's 54:15	quick 31:16,19 38:2 51:15 59:23
posted 55:16 59:7, 8	professional 50:4	psc.mo.gov 8:7	quickly 31:17
potentially 58:7	profit 29:4	public 3:5,8,13,14, 16,17,20,21 4:7 6:22,24 9:16 10:2, 5 20:7,11 34:16 35:13 37:14 40:5, 12,20 45:4,7,14 53:25 54:6,15 55:17 59:14 60:1 64:9 66:13 68:1 69:17	quit 58:4
practices 34:9	promise 68:25	pump 12:17 63:19, 20	<hr/> R <hr/>
Prairie 24:7,23	promises 55:8	pumped 13:9	R-E-I-T-E-R 65:25
predatory 34:9	pronounce 18:3 28:8,12	pumpout 63:19	R-O-G-E-R-S 52:24
present 39:22 43:10 68:20	pronounced 30:22	purchase 55:8	raise 8:20 10:24 18:15 23:21 26:7 28:13 30:24 33:10 34:24 36:4 38:8 44:5 47:19 52:15 60:18 61:19,20 62:1,6 65:17
presented 7:22 68:7	pronunciations 30:19	purchased 16:15 61:12	raised 16:4 28:6 35:1 43:23
preside 3:5	proper 15:10	purpose 55:20	raising 34:8
President 6:12 9:8 14:16 16:1 62:19	properly 57:19	put 14:8,9 21:22 27:6,7 41:3 42:9 43:2,6 44:23 47:7 52:2 63:17	ramp 42:17,19,22 43:5 45:11
pressure 12:15 13:6 22:10,18,19 23:1,5,8 25:10 36:23 37:2,3 38:3 48:23	properties 63:10	putting 52:8	
presume 56:15	property 5:17 17:2 24:6 28:21 57:20 61:5 62:18 63:23 66:9,12	<hr/> Q <hr/>	
pretty 22:1 48:19	proposal 17:8	quality 3:19 48:24 55:21	
prevail 54:12	proposed 61:12 64:10		
prevent 55:20	protect 10:6		
previous 33:2	protection 34:14		
price 43:22	protections 40:1		
prices 32:21 44:4	proudly 54:24		
pricey 50:8	provide 31:21,24 59:13		
prior 36:18	provided 3:12 17:17		
priority 16:24			
private 34:4,11,18, 20 46:2,3 54:13, 19 67:8			

rate 3:11,15 14:5 16:18 17:10 27:1, 20 29:16 31:14,16 34:6 35:4 44:19 50:9,20 55:17 56:7,10 61:11 64:10,12,15 67:10 68:8,23	record 3:2 6:2,25 8:6 11:19 12:3,11 14:15 28:6 33:17 41:13 42:1 55:12, 13 58:13 63:14 65:10 69:7	repair 12:21	Rivers 3:9,15,21 6:7,9 7:10 8:1 9:7 10:3 11:8 24:5 31:9 36:14,20 37:12 38:17 39:24 47:9 48:4 53:4 61:3 62:16 66:6
rates 3:16,18 8:1 10:4 32:19 34:8, 24 35:1 37:14,17, 20 44:9 48:16 55:11,14,22 63:2 64:5,6,14	recorded 4:9 57:15,19	replaced 36:24	road 6:10 25:4 42:12,16,21,25 45:10,12,15,24 46:1,2,4 63:21
read 4:12 20:9 55:18	records 45:7	report 54:24 56:18	Robert 26:5,6,12
reading 19:17	recoup 27:2,14	reported 48:25	Rogers 52:12,13, 14,19,20,21,24 53:2,5,8,11 58:2, 11,14,18,20 59:6, 12,18 60:4,7
real 12:17 19:23 59:23	recovering 20:1	reporter 4:9 9:24 11:12	room 40:23
reason 22:16 37:1, 5	referenced 32:24 54:16	reporting 56:21	Rose 38:18 51:18
reasonable 3:18 34:6,7 55:15	referring 32:25 33:1	Reports 56:14	rot 41:23
reasons 49:20 55:12	reflective 69:2	represent 53:5 59:14	run 37:8 63:23
received 16:20 63:4 64:5	regard 32:23	representing 6:4,6 48:7	running 23:7 43:4
receiver 40:23 43:11 44:25 45:6 53:21	registered 34:15	request 3:10 9:15 10:1,2 61:19	runs 66:23
receivership 33:2 44:24 53:18,19	regulates 3:16,19	residence 38:4	rural 63:8
recently 61:12	regulation 3:23 4:3	resident 49:21	
reception 5:4	Regulatory 3:4 6:13	residents 34:15 49:5 63:24 64:1	S
recognize 8:16	Reiter 65:24 66:3, 5,8,10 67:15,18	resistant 32:20	S-A-R-A 66:4,5
recommendation 64:16	rely 48:18	resources 14:8,9	S-E-A 38:22,23
recommendations 69:15	remain 7:16,21 10:7 49:3 50:1	result 69:1	S-E-A-V-E-R 64:19
recommended 64:11,12,14	remaining 33:9	retired 12:23	S-E-Y-E-R 28:11
	remarks 4:13,22 67:22	retirement 49:17 50:16 66:14,15	S-T-E-P-H-A-N-I-E 30:16
	remember 8:10 25:12	return 14:5 27:16 31:14,16 34:6 55:15 64:10 68:8, 11,17,23	S-T-E-V-E-N 31:6
	rent 25:20 49:8,9, 12	returned 50:2	safety 3:19
	rental 24:6 48:24 49:7	revenue 20:4 55:25	sake 6:2 12:3 28:6 41:13 42:1 63:14 65:10
	renter 48:25 49:8	riddled 41:21 46:5	sand 57:14
		ridiculous 25:16	

Sandy 10:19	sewage 57:25 63:18	23,25 63:14 64:17,23 65:8,23 66:1,4,6,9 67:15 69:6,23	situations 49:23 50:21 51:4
Sara 65:24	sewer 3:12 10:4 13:15 20:22,25 21:2,8,12,14,20 24:15 26:25 27:12 43:15,18,19 48:21 51:19 54:11,19 63:4,6,12,22 64:13,15 66:18	share 60:3	size 13:11
scared 57:2	Seyer 3:2,4 5:14, 24 6:17,21 7:3 8:25 9:3,6,9,12, 18,20,23 10:7,18, 22,24 11:4,7,11, 15,20 12:2,6 13:1, 4,9,12,19,24 14:21,24 15:10, 16,20 16:3,8,11 17:14,21,25 18:3, 7,15,20,23 19:1,4, 7,10,14 20:20,23 22:4,8,22 23:1,10, 15,21 24:1,4,9,11 25:24 26:4,7,12, 14,17,20,22 27:22 28:2,5,10,18,20, 25 30:7,9,15,20, 24 31:4,8,13 32:8, 22 33:4,7,15,19, 23 34:2 35:5,7,11, 24 36:3,9,13,16 37:23 38:7,13,16, 21,23 39:3,11,13, 17,20,25 40:4,16 41:2,5,12,18,22, 25 42:11,14,18,23 43:8 44:11,16 47:13,15,24 48:3, 6 51:8,13 52:10, 15,20,22,25 53:3, 7,10 57:22 58:12, 16,19,21 59:19 60:6,12,15,23 61:2,5,7,9 62:3, 11,13,15,18,21,	shared 60:5	slowly 31:25 34:25
scheduled 3:13 7:23		sharing 5:21	sludge 61:22
school 66:13		sheet 7:5	small 32:18 61:15
Scott 6:19		shirt 48:9	smell 13:15 21:12
seasonal 50:12		short 9:15 61:16 69:25	social 49:16 50:16 67:3,7
Seaver 64:9,19		show 23:7 39:12 40:17,18 41:8,10	sold 24:17 51:20, 23
section 11:22 54:16 55:17		showed 42:6 61:22 63:5	somebody's 25:3
security 35:8 49:17 50:16 67:3, 8		shower 37:1,9	sooner 30:5
seeking 14:4		showers 37:5	sounds 19:23
sell 50:24 52:4		showing 41:8,22	south 24:8
Senate 4:1		shut 43:17 57:6,7	space 42:9
send 40:11 59:3, 11 61:23		side 8:7 56:19 68:20	speak 7:7 53:8
senior 6:12 49:5		Siefkas 23:16	speaking 59:19 64:7 68:1
sense 27:8 40:14 44:2 51:25		sign-up 7:5	speaks 14:14
separate 17:8		significant 16:18 49:19	specialists 4:3
septic 56:19 57:5		significantly 32:3, 19 49:13	specific 6:14,15
served 49:21		Silas 6:13	spell 7:8 9:3 11:5 16:8 18:20 24:1 26:14 31:5 33:16 36:10 38:13 47:25 52:22 53:1 60:16, 18,24 64:17
service 3:5,11,12, 16,19 4:7 6:15 9:16 10:2,5 12:21 21:9 25:9 28:1 29:9 31:21 40:12, 20 45:4,7 63:19 64:9 67:7,18		similar 11:18 17:9	spelled 28:11 66:2
serviced 21:9		single 12:1 57:8	spend 27:18 50:19 64:2
services 31:25 34:12 64:13		sir 8:24 9:19 10:23 11:3 15:3,23 28:2 47:23 62:5	spending 27:10, 11
session 4:15		sit 54:7	spent 4:25 27:2 45:1
set 3:7 4:17		sitting 46:16	spoke 49:7
		situation 51:6 53:19 58:8	

spoken 48:12	sticks 22:25	sustain 37:16	18,21 47:8 56:19 57:5
St 6:10 54:10	stink 21:12	sustainable 27:4	tanker 13:11
Stacey 6:19	stipulate 30:3	swallow 48:19	tanks 12:18 13:8 14:7 63:19,20
staff 4:1 6:18,19 68:19 69:14,16	stop 9:17 10:2	swear 8:21 10:25 16:4 18:16 23:22 26:8 28:6,14 30:25 33:11 36:5 38:9 47:20 52:16 60:19 62:7 65:18	tap 23:7
stalking 53:22 54:1	storage 41:20 56:19	switch 20:21	taxes 57:16,19
start 6:6 9:25 29:23	story 51:5	sworn 62:7 64:11	teacher 66:13,14 67:5,19
starting 68:16	street 6:20 12:1,16	system 14:6,9 16:23 21:21 22:14 24:15 25:7 27:4,8 39:19 42:5 43:12, 14 46:24 47:2 51:19,22 52:1,4 53:25 54:14,19 56:2,17 57:10,12, 15 58:15 63:13	Teachers 67:9
starts 8:8	stuff 12:19 21:24 25:19 43:13 47:4	systems 14:3 27:12 48:18 54:23 56:16 68:11	team 12:20
state 6:5 7:8 8:25 11:4 24:1 25:18 31:4 36:9 38:13 47:25 50:5,6 54:25 60:9,23 68:13 69:3	subdivision 11:9, 12,25 12:23 13:5 14:17 16:2,13,14 18:25 21:20 24:7, 23 38:18 46:2,3 51:18 56:15,17,24 59:25	T	technically 31:11
stated 16:20 32:11	subdivisions 17:9 56:16	T-H-E-R-E-S-A 18:22	telling 41:1
statements 4:8	subject 3:22	T-H-R-A-L-L 11:6	ten 17:13 19:21 27:12 32:13,24 37:9 54:22 55:1
states 27:12 37:19 53:21 55:2 67:6	submit 8:6,9,10 17:3 39:9 40:7 53:15	table 41:14	term 49:10 55:15
Statutes 3:22	submitted 35:16	takes 31:24	terms 3:25 48:13
stay 8:5 15:21 25:24 27:13 49:12 55:23	substance 17:16	taking 5:9 44:24 53:20	terrifying 68:1
stayed 54:14	suction 43:19	talk 22:17 40:24 46:19 56:4 57:18	test 23:5 37:2
stem 37:10	sudden 32:7	talked 57:12,17	tested 23:5
STENOGRAPHER 14:14 30:13	suggest 39:8	talking 45:10	testified 18:11
step 7:7 51:14 62:5 68:3 69:20	suggesting 39:11 40:6	Tan-tar-a 19:3	testify 5:11 7:14 18:9,10,13 19:15 24:11 40:9,17 65:16 67:20,21
Stephanie 28:3 30:15,16	Suite 6:10	tank 13:6 41:21 46:4,11,14,15,17,	testimony 4:8,11, 20 7:13 8:21 11:1 14:13,18 16:5 17:23 18:17 23:13,23 26:9 28:14 29:1 30:11 31:1 33:11 36:5 37:11 38:9 39:10 43:9 47:20 52:11, 16 60:19 62:8 64:8,11,16,21
Steve 30:17	summer 4:25 64:3		
Steven 30:23 31:6	Sunrise 38:18		
stick 44:11 67:15	supposed 26:25 42:4 44:25 55:7		
stickler 4:19	Supreme 54:11		
	suspect 36:23		

65:14,19 67:19	top 17:1 42:18 46:11,12,14 57:5	unable 8:5 37:8	W-E-L-L 62:23
testing 61:14	total 42:1 66:12	understand 7:19 26:24 27:5 28:20 34:4 41:6 55:15, 19 68:21	W-E-N-D-Y 53:1
tests 61:13	touched 7:19	understanding 32:17	W-H-I-T-T-L-E 12:7
Theresa 18:1	tough 48:19	unfair 10:4	W.L. 23:15
thing 18:12 22:6 25:12 54:21 57:14	tower 12:18	unforeseen 21:16	wages 44:3
things 16:22 19:25 20:18 27:20 48:16 49:1 55:24 56:1, 18 57:9	town 29:14	unincorporated 19:10,12	wait 14:18 44:7 69:6
Thomas 6:12	track 55:12,13	unique 21:1	walk 43:1
thought 12:7 22:7	traded 34:13	unit 48:24 49:7,25 50:1	wall 48:9
Thrall 10:19,21,23, 24 11:3,6,9,14,17, 23 12:2,5,13 13:2, 8,10,13,21 14:10, 20,22 15:6	trailer 24:21,22 25:20	United 67:6	Wallander 60:11, 14,22,25 61:1,4,6, 8,10 62:4
threaten 17:3 49:3	transcribed 4:11	unmetered 64:14	wanted 5:7 12:10 20:2 53:14 56:6 68:23
threatened 57:6 58:2	treatment 16:14 42:21 43:2,4,6 45:13 61:14	unthaw 42:10 47:8	wanting 55:17
threatens 48:10	triple 43:24 44:1,9	upset 32:15	washed 42:13,16
thrown 24:24	troublesome 58:23	usage 13:22	wastewater 19:20
tied 21:3	Troy 11:9,13	usual 4:16	watch 61:18
time 3:3,7 4:21 5:9 17:18 21:3,4 22:19,20,23 30:1 31:24 36:23 37:7 45:1 57:12 59:8,9 64:1 65:1,13 69:5	truck 13:11	utilities 3:20	water 3:11 10:4 12:15,17 13:6,9, 13,15,17 14:3,7 19:20 22:9,10,14 25:9 26:25 27:12 29:7,13 34:12,16, 17 36:21,22,25 37:3,17,20 38:3 39:15 43:4,15,17, 20 48:20,23,24 50:6,8,9,11 51:19 54:8,11,19 55:21 56:16 57:7 61:14 63:3,5,7,8 64:12, 14 66:18,23,24 69:3
times 50:10	trunk 25:1,9	utility 3:9,17,21 4:3 6:9 10:3	ways 20:10
today 3:2 6:12 7:21 33:12 38:10 47:21 54:16	truth 8:22,23 11:2 16:6 18:18 23:23, 24 26:10 28:15,16 31:2 33:12,13 36:6,7 38:10,11 40:25 41:1 47:21, 22 52:17,18 60:20,21 62:8,9 65:20,21	<hr/> V <hr/>	website 8:6 11:22
told 21:17,19 46:13	turned 50:15 56:8 57:8	valuable 49:14	Wednesday 60:1
tonight 4:17 5:9 6:2 7:4,14 37:11 40:9,11 61:16 63:2 64:8 65:2,7, 19 67:19,25 69:4	turquoise 48:9	valued 54:20	
	typically 32:1	valves 37:1	
	<hr/> U <hr/>	vet 12:23	
	Uh-huh 42:18	Vice 6:12	
		virtual 59:25	
		vulnerable 53:20	
		<hr/> W <hr/>	
		W-A-L-L-A-N-D-E-R 61:1	

week 57:6 64:2		
weekend 64:2		
weigh 29:11		
wellhouse 12:14 13:17 17:2		
Wendy 52:12,20		
Whittles 12:4,7		
Widow 12:5		
widows 11:25 12:6,14		
wife 5:3		
wishes 7:14		
withdraw 50:15		
witnesses 4:8		
witnesses' 4:13		
wonderful 29:24		
woodpecker 39:16 41:21 46:5		
Woods 18:25 21:18,20		
Woodsmall 6:8,9, 17 44:14,16,17,22 45:9,14,17,24 46:3,7,9,13,17,20, 25 47:10 59:22,23		
words 31:25		
work 17:3 20:8 22:13 27:1 50:12 61:22		
world 67:5		
worried 58:3		
worry 35:7		
WR-2023-0006 3:8 8:12		
written 39:9 59:13		
	Y	
	yards 13:16	
	year 12:24 13:1 30:1 42:6 45:23 64:7 66:15	
	years 17:13 21:5 24:14 29:15 30:3 32:13,24 36:19 44:20,22 45:9 48:17 49:6,15,18, 21 50:2 54:22 67:12,18	
	young 50:15,16	