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STATE OF MISSOURI PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing

September 24, 2014

Cape Girardeau, Missouri

Volume I

In the Matter Of The Joint)
Application Of Brandco)
Investments, LLC and)
Hillcrest Utility Operating)
Company, Inc., For Hillcrest)
To Acquire Certain Water And) File No. WO-2014-0340
Sewer Assets Of Brandco and,) File No. SO-2014-0341
In Connection Therewith,)
Issue Indebtedness And)
Encumber Assets)

Ronald D. Pridgin, Presiding

SENIOR REGULATORY LAW JUDGE

REPORTED BY: Joanna Charlton, RPR, CCR(MO), CSR(IL)

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

2 *****

3 JUDGE PRIDGIN: We're on the record. Good
4 evening, and thank you for attending tonight's local
5 public hearing in WO-2014-0340. Let me try this
6 without the microphone. I'll try to project. Can
7 everyone hear me all right? Very good. My name is Ron
8 Pridgin. I am one of the judges with the Missouri
9 Public Service Commission. My job is I help the
10 commissioners. I write decisions for them, and they
11 are appointed by the governor. They are confirmed by
12 the Senate. There are five of them. They send their
13 thanks for you attending this evening's hearing, and
14 they send their greetings, as well. I believe we've
15 had a pretty extensive question and answer section,
16 which you've been able to talk with folks from the
17 Staff of the Commission, folks from the Office of
18 Public Counsel, and the purpose of the rest of the
19 hearing is to hear from you, see if you have any
20 testimony for the commission. So notice we have a
21 court reporter, and so if you want to testify, I'll ask
22 you to come forward and be sworn. I'll ask that you
23 state your name and spell your name so she can get it
24 in the record correctly, and then I'll ask you to make
25 your statement for the commission. And that's why the

1 court reporter is here so the commissioners can read
2 your remarks later. I've noticed a few people have
3 left. This hearing is all about you. You're welcome
4 to say as long as you'd like. If you don't want to
5 testify and don't want to hear others testify, you're
6 welcome to leave. You're also welcome to come and go.
7 What I'll do -- I only had I think a couple of people
8 who signed up, but I'll call these people one at a
9 time. I'll ask that they come forward, be sworn, and
10 make their statements, and then I'll ask if anybody
11 else wants to testify before we close. Does anyone
12 have any questions about the procedure the rest of the
13 way? All right. Hearing none, let me get entries of
14 appearance from counsel please beginning with staff
15 commission.

16 MR. ANTAL: For the staff of the Missouri
17 Public Service Commission Alex Antal, P.O. Box 360,
18 Jefferson City, Missouri 65102.

19 JUDGE PRIDGIN: Mr. Antal, thank you. On
20 behalf of the Office of the Public Counsel, please.

21 MS. BAKER: Thank you. Christina Baker,
22 P.O. Box 2230, Jefferson City, Missouri 65102 appearing
23 on behalf of the Office of the Public Counsel and the
24 customers.

25 JUDGE PRIDGIN: Ms. Baker, thank you, and I

1 believe Mr. Cooper let me know he would not be
2 attending. Have I overlooked anyone? All right. Let
3 me begin with the first person who is signed up. I see
4 it's a James Baker. Mr. Baker, do you wish to testify?

5 MR. BAKER: I'll pass.

6 JUDGE PRIDGIN: Very good. Thank you very
7 much for attending. The next is Daniel Phelps.
8 Mr. Phelps, do you wish to testify? Thank you very
9 much. If you'll come forward, raise your right hand to
10 be sworn. Do you swear the evidence you're about to
11 give will be the truth, the whole truth, and nothing
12 but the truth so help you God?

13 MR. PHELPS: I do.

14 JUDGE PRIDGIN: Thank you very much, sir.
15 If you would please, state your name and spell it for
16 the court reporter.

17 MR. PHELPS: Daniel Phelps, D-A-N-I-E-L,
18 Phelps, P-H-E-L-P-S.

19 JUDGE PRIDGIN: All right. Mr. Phelps, do
20 you have a statement for the commission?

21 MR. PHELPS: Maybe I would just ask that if
22 at all possible that stages would be considered in the
23 capital improvements of our water and sewer system:
24 Water being first, sewer being put ten years later or
25 so after those improvements have been paid for, and

1 then later the sewer treatment facility be improved.

2 You know, if we could keep our water bills around \$70,
3 that would be great.

4 JUDGE PRIDGIN: All right. Mr. Phelps,
5 thank you. I'm sorry. Counsel, anything? All right.
6 Thank you. Mr. Phelps, thank you. We've quickly
7 exhausted the people who signed up. Is there anyone
8 else who wishes to testify? Going once, going twice.
9 Ma'am, yes, ma'am. If you'll come forward, if you'll
10 raise your right hand to be sworn please. I'm sorry,
11 would you state your full name?

12 MS. TRUNZO: My name is Lisa Trunzo,
13 L-I-S-A, T-R-U-N-Z-O.

14 JUDGE PRIDGIN: All right. I notice your
15 right hand is raised. Do you swear that the testimony
16 you're about to give will be the truth, the whole
17 truth, and nothing but the truth so help you God?

18 MS. TRUNZO: I do.

19 JUDGE PRIDGIN: Thank you. Again, would
20 state and spell your name again?

21 MS. TRUNZO: Lisa Trunzo, L-I-S-A,
22 T-R-U-N-Z-O.

23 JUDGE PRIDGIN: Thank you. Any statement
24 for the commissioners?

25 MS. TRUNZO: Yes. I've been a resident of

1 Hillcrest subdivision for 12 years. I've also been a
2 member of the Hillcrest HHOA homeowners association.
3 I've been on the board for four years as a volunteer.
4 During this time, as I mentioned previously, this is
5 the first time we've had any real involvement as far as
6 what's going on with our water in this subdivision. In
7 the 12 years I've lived in there and many other
8 residents who's testified, we've had constant problems.
9 The latest boil water order is small compared to some
10 of the problems. There's been times here in the past
11 we had no water for eight days during which time
12 nothing seemed to be done about it, and as I questioned
13 earlier, I appreciate everyone's involvement. I was
14 just curious why it took so long for someone to get
15 involved. I'm very much aware that Brandco Utilities
16 has been out of compliance on more than one occasion
17 for some time. I know there's a history of him being
18 faced with fines. There's a reason for that. We -- as
19 a board member, we are -- have documented cases of
20 homeowners whose home sales have fallen through because
21 it's become public knowledge both to the reality in the
22 area and others about how bad our water system is. So
23 not only have home sales been delayed or fallen through
24 but we've all pretty much been aware that our home
25 values are falling because we're known as having very

1 bad water. The most recent case is they found E. coli
2 just this past year. Again, I've lived there 12 years.
3 I have four children that have lived there, you know,
4 their lives, and this has just been an ongoing problem
5 for us. Our water is just known to be unsafe. I'm
6 just curious, you know, why it seemed to take so long
7 for anyone to do anything about it because clearly
8 there would be evidence that this water has been
9 unclean for some time. We've been able to uncover such
10 evidence. I'm grateful to Mr. Cox for his involvement.
11 Honestly, in the six months he's been involved, more
12 has happened to benefit the residents than has happened
13 in the 12 years that I've been there. Our water
14 finally feels -- smells and tastes safe to drink, so
15 besides the documented home sales we don't know what
16 the undocumented -- undocumented health fallout of this
17 has been for many people. You know, we haven't been
18 able to actually prove anything, but clearly our water
19 and sewer system being in such disrepair has bothered
20 all of us for some time. And so we understand this is
21 going to involve a large rate increase. Although it's
22 not ideal, we know that something has to be done. We
23 simply can't continue the way we are. Every time
24 there's a water problem it seems to increase in
25 severity, and we just need to have it dealt with. But

1 I do again want to say I appreciate all that he has
2 done in six months. He is obviously doing this to
3 make, you know, some sort is of profit. That's
4 understandable, but I just really hope there's a little
5 more oversight in the future since there are records of
6 what's been going wrong. And then the fact that I've
7 been made aware that Mr. Brandco himself is the one
8 that was supposed to notify the residents when we
9 needed a boil water order, since he's responsible for
10 the condition of the water system, I find that a little
11 bit ridiculous that he was supposed to be the one to
12 notify everyone. I would just hope that in the future
13 this could be a learning experience for everyone
14 involved, that when there's 200 plus families living
15 there that we've been dealing with water problems for I
16 don't know how many years. And it's affected home
17 sales. It's affected property values for all of us.
18 This concerns all of us, and we just appreciate that
19 we're able to have this hearing today. We know that
20 the best decision will be made for the subdivision, but
21 we just want to go on the record with saying we would
22 hope in the future there would be a little more
23 oversight, a little more involvement speaking of
24 some -- for all of us who have been directly affected
25 by this over the years and inconvenienced. All the

1 times we've had power and water problems we were
2 never -- we saw no affect on our bills; in other words,
3 we were billed the same despite the fact we had no
4 water or very unclean unsafe water, chloroform, E.
5 coli, things like that. So I just -- that's all I
6 wanted to say go on the record. Thank you for your
7 time.

8 JUDGE PRIDGIN: Thank you and not only for
9 you but for everyone else. I did hear you say you
10 still had some questions, and obviously, when we're off
11 the record, I would encourage you or anyone else if you
12 still think you have unanswered questions to talk to
13 the folks that have been running the earlier portion of
14 the hearing. I'm sure they'll be glad to try to help
15 you. I'm sorry, Counsel, anything from you? Very
16 good. Anyone else who wishes to testify? All right.
17 I'm seeing no hands. Any closing remarks from counsel?

18 MS. BAKER: No. But certainly I do
19 appreciate everyone who has come out today. It's been
20 a very good turnout, and the question and answer has
21 been -- has been quite lively, and the questions have
22 been great, so I appreciate everyone who's come.

23 JUDGE PRIDGIN: Ms. Baker, thank you.
24 Mr. Antal?

25 MR. ANTAL: I'll just second Ms. Baker's

1 comments. Thank you all for coming up and, you know,
2 presenting very good questions.

3 JUDGE PRIDGIN: All right. And alongside
4 again with the commissioners, they extend their thanks
5 for your attending, and they'll be able to read your
6 remarks this evening. If there's nobody else who
7 wishes to testify, we will then go off the record in
8 the local public hearing in File Number WO-2014-0340.
9 Thank you very much. We're off the record.

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CERTIFICATE OF REPORTER

I, JOANNA CHARLTON, RPR, CCR(MO), CSR(IL),
the officer before whom the foregoing public hearing
was taken, do hereby certify that the witnesses whose
testimony appears in the foregoing public hearing was
duly sworn; that the testimony of said witnesses was
taken by me to the best of my ability and thereafter
reduced to typewriting under my direction; that I am
neither counsel for, related to, nor employed by any of
the parties to the action in which this public hearing
was taken, and further that I am not a relative or
employee of any attorney or counsel employed by the
parties thereto, nor financially or otherwise
interested in the outcome of the action.

JOANNA CHARLTON,
RPR, CCR(MO), CSR(IL)

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