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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS
Local Public Hearing
July 25, 2018
Pacific, Missouri
Volume 4

IN THE MATTER OF:)
The Application of Rate)
Increase Request for Liberty) File No. WR-2018-0170
Utilities (Missouri Water), LLC)
d/b/a Liberty Utilities)

JOHN T. CLARK, Presiding
REGULATORY LAW JUDGE
MAIDA J. COLEMAN, Commissioner

REPORTED BY: Elizabeth R. Blackburn, CCR No. 1092
CARDINAL COURT REPORTING SERVICES, LLC.

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1 A P P E A R A N C E S

2
3 PAUL A. BOUDREAU, Attorney at Law

4 Brydon, Swearngen & England

5 312 East Capitol Avenue, P.O. Box 456

6 Jefferson City, Missouri 65102-0456

7 573.635.7166

8 FOR: Liberty Utilities

9
10 LERA SHEMWELL, Senior Public Counsel

11 CALEB HALL, Senior Counsel

12 Missouri Department of Economic Development

13 Office of the Public Counsel

14 200 Madison Street, P.O. Box 2230

15 Jefferson City, Missouri 65102

16 573.526.1445

17 FOR: Office of the Public Counsel

18
19 RON ELLIOTT IRVING, No. 56147

20 Missouri Public Service Commission

21 200 Madison Street, Suite 800

22 P.O. Box 360

23 Jefferson City, Missouri 65102-0360

24 573.751.6651

25 FOR: Staff of the Missouri Public Service Commission

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

2 (July 25, 2018)

3 JUDGE CLARK: Good afternoon. Today is
4 July 25, 2018 and the current time is 12:34 p.m. The
5 Missouri Public Commission -- Missouri Public Service
6 Commission has set aside this time for a local public
7 hearing in File No. WR-2018-0170, which is captioned
8 as: In the Matter of: The Application for Rate
9 Increase Request for Liberty Utilities (Missouri
10 Water), LLC, d/b/a Liberty Utilities.

11 My name is John Clark, the regulatory law judge
12 who will preside over this hearing. With me today is
13 Commissioner Maida Coleman.

14 Commissioner, would you like to make any opening
15 remarks?

16 COMMISSIONER COLEMAN: Thank you.

17 Good afternoon, everyone. Just want to thank you
18 for being here today.

19 It's hard to see us, isn't it? I'm going to move
20 this. This is Judge Clark. Commissioner Coleman.
21 That might help.

22 But thank you so much for being here today. We
23 look forward to hearing from you, getting your
24 testimony, your information that you would like us to
25 have.

1 And there are five commissioners. We have
2 meetings going on in Jefferson City today that all
3 commissioners are required to attend, so I thought I'd
4 play hooky and come here. So just because there's just
5 me here doesn't mean that the other four won't be able
6 to examine your testimony and get information. All of
7 that information is always available for them to review
8 as we deliberate on this case. So give us any
9 information that you have that you'd like us to know,
10 including complaints, concerns.

11 And I thank you again for being here.

12 JUDGE CLARK: Thank you.

13 And the court reporter here actually will be
14 taking down everything that's said under oath and the
15 other commissioners that weren't able to be here today
16 will have an opportunity to read the transcript of
17 today's hearing and they will do that.

18 I'm going to begin by asking Counsel to enter
19 their appearances for the record, starting with Liberty
20 Utilities.

21 MR. BOUDREAU: Thank you, Judge Clark. My
22 name is Paul Boudreau, appearing on behalf of Liberty
23 Utilities today. I've given my contact information to
24 the court reporter.

25 JUDGE CLARK: Thank you, Mr. Boudreau.

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1 From the commission staff.

2 MR. IRVING: Good afternoon. My name is
3 Ron Irving. I believe the court reporter has my
4 information, as well.

5 JUDGE CLARK: Thank you, Mr. Irving.

6 From the Office of the Public Counsel.

7 MS. SHEMWELL: Lera Shemwell, representing
8 the Office of the Public Counsel, and I've given my
9 information to the court reporter.

10 MR. HALL: Caleb Hall of PC, as well. The
11 court reporter has been given my contact information,
12 as well.

13 JUDGE CLARK: Ms. Shemwell, Mr. Hall,
14 thank you so much.

15 Are there any interveners present?

16 I don't see any.

17 The Commission has already scheduled an
18 evidentiary hearing in August for this hearing. It
19 will be a hearing regarding Liberty Utilities'
20 application for a rate increase, but it has also
21 scheduled several local public hearings in some of the
22 counties that are affected to give members of the
23 public an opportunity to comment about Liberty
24 Utilities' application. And that's the purpose of
25 today's hearing.

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1 For those who would like to provide testimony
2 today, I'm going to call the names listed on the
3 sign-up sheet in the order they appear and as of right
4 now, it appears there are two names on the sign-up
5 sheet. When I call your name, please come down to the
6 podium. I will ask you to raise your right hand, I
7 will place you under oath. I will ask you to state and
8 spell your name and then you can offer your comments to
9 the Commission. There's no specific time limit, but
10 I'm going to ask that you try and keep your comments
11 under five minutes.

12 Also, please remain at the podium after your
13 remarks until you've been excused because the
14 commissioner or myself or some of the attorneys -- and
15 I'm going to ask that the attorneys, if they have
16 questions for the individuals, just when they're
17 finished speaking and they see a time that they want to
18 insert their question, to go ahead and so. Okay?

19 If, during the course of the testimony, you
20 didn't sign up on the sheet and you realize that you
21 would like to offer some testimony today, that's fine.
22 Once I've called both names that are on the list, I'll
23 ask if anybody additionally would like to testify today
24 and at that time, you can raise your hand and I'll have
25 you come forward and I'll take your testimony, as well.

1 Now, the Commission won't be able to answer any
2 of your questions today because they have to remain
3 impartial until after the evidence is presented at the
4 evidentiary hearing in August. If you have questions,
5 I'm going to encourage you speak to the representatives
6 of the company, the commission staff or the Office of
7 the Public Counsel, who are here today.

8 My final request before we start is to please be
9 polite and courteous to everybody who is speaking here
10 today and to treat them as you would like to be
11 treated. With that in mind, I will call the first
12 witness.

13 Jeffery Thresher, would you come forward, please?

14 Good afternoon, Mr. Thresher. Will you raise
15 your right hand to be sworn. Do you solemnly swear or
16 affirm that the testimony you are about to give today
17 is the truth, the whole truth, and nothing but the
18 truth?

19 MR. THRESHER: I swear.

20 JUDGE CLARK: Thank you. Would you please
21 state and spell your name for the record.

22 MR. THRESHER: Jeffery Thresher.

23 J-E-F-F-E-R-Y. T-H-R-E-S-H-E-R.

24 JUDGE CLARK: And, Mr. Thresher, what
25 would you like to tell the Commission today?

1 MR. THRESHER: All right, yes. I live in
2 the -- a small rural community off of Highway 30, right
3 there in Cedar Hill. I've been living there for
4 approximately eight years now, almost eight years, not
5 quite, and I've gone through several rate increases
6 with so many other utilities I deal with. I'm paying
7 more for electricity than I've ever paid for before and
8 I live in the dark. Turn off all my lights, I live in
9 the dark because I can't afford to keep \$200, \$300
10 bills going all the time.

11 Now the water company comes in, they buy up our
12 system, they do some changes to it and now they're
13 wanting to -- what I saw originally was triple my bill.
14 Now they're saying it's only a 31 percent increase,
15 except what they're saying the average increase is
16 going to be, 11.31, is going to be doubling my bill.

17 I live on \$1,224 a month Social Security
18 Disability. There's a lot of people in my area that
19 are on Social Security. We had a full \$24 a month
20 raise this last time we got a raise. That money is
21 wiped out with one -- one service raising their rates.

22 I have to be very frugal with my money. I'm
23 saying keep in mind that you got older people that live
24 out there that don't have the excess income. Sure,
25 there's permanent jobs being made today, people are

1 working, less -- unemployment's lower. But you've got
2 the retired people, the people who are medically
3 retired, people cannot work and make more money that
4 you have to keep in mind.

5 So I want -- you all have to remain unbiased. I
6 want to pull you to my side of the bias. Remember me
7 when you're doing this. You know, I can't afford to
8 keep giving everybody a raise because I'm not getting
9 the same raise as they're getting. Okay?

10 JUDGE CLARK: Okay. Mr. Thresher, you
11 indicated that they bought the system and have made
12 some changes to the system. Do you know what those
13 changes are?

14 MR. THRESHER: I -- from my understanding,
15 they've put a new bladder in our water tower and that
16 was supposed to -- to keep it from corroding inside the
17 tower and affecting the water and stuff like that. And
18 they also added a chlorination system to our well
19 water.

20 JUDGE CLARK: Have you -- from either of
21 those, have you noticed any change in your water?

22 MR. THRESHER: Oh, absolutely. I don't
23 drink my water anymore. I buy bottled water from the
24 store for \$2.99 a case.

25 JUDGE CLARK: So the water has gotten

1 worse?

2 MR. THRESHER: Oh, it's -- the water was
3 wonderful before. I would -- I would fill up bottles
4 and refrigerate them. I don't drink the water now
5 because it smells like a swimming pool when it comes
6 out of my tap. And I've talked to them about it a
7 couple of times.

8 JUDGE CLARK: And what has their response
9 been?

10 MR. THRESHER: They say they'll look into
11 it.

12 As far as any other issues go, like water leaks
13 in the community, and we're dealing with one now,
14 they're usually on them fairly quickly and take care of
15 them as soon as they get them reported. They had Dig
16 Rite out to mark out this one spot and they should be
17 getting on that real soon, I understand, to dig it up
18 and find out where the leak's at, so...

19 JUDGE CLARK: And when you've contacted
20 them, what has your experience been with their customer
21 service?

22 MR. THRESHER: I actually call contacts
23 that I have numbers to. I don't necessarily call the
24 company number itself, and the people that I speak with
25 are very polite, courteous and professional.

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1 JUDGE CLARK: Mr. Thresher, thank you so
2 much for your comments.

3 MR. THRESHER: Thank you.

4 COMMISSIONER COLEMAN: Thank you, sir.

5 JUDGE CLARK: Earl Martin.

6 Good afternoon, Mr. Martin. Will you please
7 raise your right hand to be sworn. Do you solemnly
8 swear or affirm that the testimony you are about to
9 give today is the truth, the whole truth, and nothing
10 but the truth?

11 MR. MARTIN: Yes.

12 JUDGE CLARK: Would you please state and
13 spell your name for the record.

14 MR. MARTIN: Earl Martin. E-A-R-L,
15 M-A-R-T-I-N.

16 JUDGE CLARK: And, Mr. Martin, what would
17 you like to tell the Commission today?

18 MR. MARTIN: Okay. I'm a -- I have a home
19 in Lakewood Hills, gee, for about 30 years, I guess.
20 I'm an RV'er, so I travel a lot and I get to sample
21 water all over the country. Some of it, really bad,
22 especially where I winter, it's really bad.

23 But I would always take, like, 16 gallons of
24 water from my well, from my, you know, from my house
25 with me when I would leave so that I could have good

1 water for quite a while. I won't be able to do that
2 anymore since they chlorinated it. You know, I have to
3 buy a little, separate little filter thing to filter
4 out the chlorine. It's not drinkable and really not
5 much fun showering in chlorine, to be real honest with
6 you, you know, because you can smell it so bad.

7 But I've been there for a long time. KMB bought
8 the company -- or this company bought out KMB, which
9 bought out somebody else. And everybody keeps raising
10 the rates. We used to pay quarterly \$15 a month --
11 about \$15 a quarter, I think it was. Now it's 13.44 a
12 month, plus so much for usage.

13 I really haven't seen any changes other than the
14 chlorine system. I know they repair things very
15 quickly when things break. Sometimes they have to
16 repair it two or three times before they get it to quit
17 breaking in the same spot. But I haven't seen any
18 major infrastructure changes that I'm aware of.

19 And a million-dollar increase on approximately
20 2,000 in the state is an awful exorbitant increase. I
21 believe it was stated that this company purchased in
22 here in 2010. Well, they should have known the
23 financials and everything at that time that they were
24 going to make an investment for very low returns then,
25 they should, you know, be aware that they may have to

1 suffer with that for a while. And I would sincerely
2 hope that if at all possible, you could phase in the
3 million-dollar increase.

4 You know, I mean, I'm on Social Security. I'm
5 not as fortunate as him. I only get \$168 a month in
6 Social Security after they take out for Part B and D
7 and all that crap. So, you know, I don't ask the
8 government to tend to me. I do have a pension.

9 So anything you can do to help us poor seniors
10 would be helpful because that's what a lot of the
11 people in this area are, are seniors.

12 Thank you.

13 JUDGE CLARK: Thank you.

14 COMMISSIONER COLEMAN: Mr. Martin.

15 MR. MARTIN: Yes.

16 COMMISSIONER COLEMAN: Thanks for your
17 information.

18 So, you, like Mr. Thresher, have brought up the
19 chlorine system that was installed. Has there been
20 contact on your part to the company or others that you
21 know about the change in the taste of the water since
22 this was done?

23 MR. MARTIN: Yes. And we have a little
24 website called "Neighborhood" that people correspond
25 in. Back about when it came on, somebody put in there

1 that they'd been contacted by the company. They'd
2 contacted the company and they said that we wouldn't
3 smell it and we wouldn't notice it. Well, that hasn't
4 been true.

5 COMMISSIONER COLEMAN: But numerous people
6 have complained?

7 MR. MARTIN: Yeah. And I -- I keep
8 getting surveys from J.D. Powers and I keep filling
9 those out and that's the only real complaint I have.

10 COMMISSIONER COLEMAN: Okay. Thank you,
11 sir --

12 MR. MARTIN: Now the money might be a
13 concern.

14 COMMISSIONER COLEMAN: -- for your
15 testimony.

16 That's understandable. Thank you very much.

17 MR. MARTIN: Thank you.

18 JUDGE CLARK: Thank you for your comments.

19 Those are the only people who had signed up to
20 speak today. Is there anybody, having heard the two
21 individuals speak today, who realize at this time that
22 they would like to offer their comments to the
23 Commission, as well?

24 Okay. I don't see any hands.

25 To any of you, if you get home today and you

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1 decide that you would like to offer comments to the
2 Commission or you would like to offer additional
3 comments to comments you've made so far, I'd like to
4 let you know that you can contact the Office of the
5 Public Counsel or go directly to the Public Service
6 Commission's web page and there's a spot where you can
7 leave your comments.

8 Do you have any closing remarks you want to make?

9 COMMISSIONER COLEMAN: I don't.

10 JUDGE CLARK: Okay. With that, this
11 hearing is now adjourned. Thank you so much and we'll
12 go off the record.

13 COMMISSIONER COLEMAN: Thank you.

14 (Thereupon, the hearing concluded at 12:49 p.m.)
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1 STATE OF MISSOURI)

2 COUNTY OF PIKE)

3

4 I, Elizabeth R. Blackburn, a Certified Court
5 Reporter within and for the State of Missouri, do
6 certify that I was present at the Pacific City Hall
7 Council Room/Courtroom, 300 North Hoven Drive, in the
8 City of Pacific, State of Missouri, on the 25th day of
9 July, A.D., 2018; that thereafter, a hearing was held,
10 commencing at 12:34 in the afternoon of that day, that
11 all proceedings which then transpired were
12 contemporaneously reduced to voice writing by me, and
13 later transcribed into typewriting, and that the
14 foregoing 16 pages are a true and accurate transcript
15 of the record of proceedings made by me at that time.

16 IN WITNESS WHEREOF, I have hereunto set my hand
17 this 3rd day of August, A.D., 2018.

18

19

20

21 Elizabeth R. Blackburn #1092
22 Certified Court Reporter within
23 and for the State of Missouri

24

25

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