

In the Matter of:

ELM HILLS UTILITY OPERATING COMPANY, INC.'s REQUEST FOR A WATER, etc.

WR-2020-0275 VOL. I

July 14, 2020



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BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing via WebEx

July 14, 2020

Jefferson City, Missouri

Volume 1

In The Matter Of Elm Hills)
Utility Operating Company,) File No. WR-2020-0275
Inc.'s Request for a Water)
and Sewer Rate Increase

CHARLES HATCHER, Presiding
REGULATORY LAW JUDGE

RYAN A. SILVEY, Chairman,
WILLIAM P. KENNEY,
MAIDA J. COLEMAN,
COMMISSIONERS

REPORTED BY:
Tracy Taylor, CCR No. 939
TIGER COURT REPORTING, LLC

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A P P E A R A N C E S

DEAN COOPER

JENNIFER HERNANDEZ

Brydon, Swearngen & England, PC
312 East Capitol Avenue
Jefferson City, Missouri 65102-0456
573.635.7166

FOR: Elm Hills Utility Operating Company

JOHN CLIZER

Department of Commerce & Insurance
200 Madison Street, Suite 650
PO Box 2230
Jefferson City, Missouri 65102
573.526.1445

FOR: Office of the Public Counsel

MARK JOHNSON

TRAVIS J. PRINGLE

Department of Economic Development
200 Madison Street, Suite 800
PO Box 360
Jefferson City, Missouri 65102-0360
573.526.4887

FOR: Staff of the Missouri Public Service Commission

1 JUDGE HATCHER: Okay. This is -- let's
2 go on the record. First, as we're just experiencing,
3 I would ask that everyone please mute themselves on
4 their end unless they are speaking. That will cut
5 down on the noise level and also prevent audio
6 feedback.

7 I do see we have our Commissioners on the
8 line. That is Chairman Silvey, Commissioner Kenney
9 and Commissioner Coleman.

10 Today is July 14th, 2020. The Missouri
11 Public Service Commission has set this time for a
12 local public hearing -- sorry about that. I'll get
13 everybody muted.

14 The Missouri Public Service Commission
15 has set this time for a local public hearing in Case
16 Number WR-2020-0275. This includes sewer case
17 SR-2020-0274, which was consolidated. This case is
18 captioned as In the Matter of Elm Hills Utility
19 Operating Company, Inc. Request for a Water and Sewer
20 Rate Increase.

21 The Commission has scheduled this local
22 public hearing to give members of the public a chance
23 to comment about Elm Hills' application. The Missouri
24 Public Service Commission regulates the rates charged
25 by public utility companies in Missouri to ensure that

1 those rates are just and reasonable. The Commission
2 also regulates the quality of service and safety of
3 the operations of public utilities.

4 The Commission is made up of five
5 Commissioners. The Commissioners are appointed by the
6 Governor to fixed terms and confirmed by the Senate.
7 The Commissioners employ a staff of engineers,
8 accountants, attorneys, financial analysts and other
9 specialists in the field of utility regulation.

10 My name is Charles Hatcher. I am the
11 Regulatory Law Judge and will preside over this
12 hearing. With me today are Commission Chairman Ryan
13 Silvey, Commissioner Bill Kenney, and Commissioner
14 Maida Coleman.

15 This is an official hearing of the
16 Missouri Public Service Commission and the statement
17 and witnesses -- testimony of witnesses will be
18 recorded by the court reporter and must be given under
19 oath. All of the Commissioners will have the
20 opportunity to read all of the witnesses' remarks.
21 And additionally, I will brief the Commissioners on
22 what was said here tonight.

23 Let's begin by asking counsel to enter
24 their appearance for the record. Elms Hills Utility
25 Operating Company, go ahead.

1 MS. HERNANDEZ: Good evening. Jennifer
2 Hernandez and Dean Cooper with the law firm of Brydon,
3 Swearingen and England. Our mailing address is 312
4 East Capitol Avenue, Post Office Box 456, Jefferson
5 City, Missouri 65102.

6 JUDGE HATCHER: Thank you, Ms. Hernandez.
7 And for Commission Staff.

8 MR. JOHNSON: Good evening, Judge. Thank
9 you. Mark Johnson and Travis Pringle on behalf of the
10 Staff of the Pub-- the Missouri Public Service
11 Commission. Our address is 200 Madison Street, PO Box
12 360, Jefferson City, Missouri 65102.

13 MR. HATCHER: And for Office of the
14 Public Counsel.

15 MR. CLIZER: Thank you, Your Honor. Good
16 evening. John Clizer, the Missouri Office of the
17 Public Counsel. And my contact information has
18 already supplied to the court reporter.

19 JUDGE HATCHER: Thank you.

20 Are there any opening comments from the
21 Commissioners?

22 All right. Hearing none, we'll go ahead
23 and get started. The process that we will use for the
24 hearing tonight will be to call the names listed on
25 the sign-up sheet in the order they appear. Counsel,

1 in this case I'm going to be using the same sign-up
2 sheet that Mr. Johnson e-mailed last week.

3 When I call your name, please go ahead
4 and unmute either your phone or your computer. I will
5 then place you under oath and ask you to state and
6 spell your name and then you can offer comments to the
7 Commission. Given the number of people that we do
8 have today, please try and limit remarks to five
9 minutes so that everyone has a chance to testify.

10 The Commissioners will not be able to
11 answer any of your questions today because they do
12 have to remain impartial until after all of the
13 evidence is presented at the evidentiary hearing. The
14 Commission has not made any decisions yet in this
15 case. The Commissioners are interested in your
16 comments and will use them to help make their
17 decision.

18 If you have any questions after the
19 hearing, you can use the same e-mail address that you
20 used to register for this hearing. That's Elm Hills
21 Comments at PSC.MO.gov.

22 All right. The first name that I have on
23 my list is Sandra Welly. Ms. Welly, if you would
24 please unmute.

25 MS. WELLY: Okay.

1 (Witness sworn.)

2 JUDGE HATCHER: Thank you. Please go
3 ahead and state your name and spell your last name for
4 the record.

5 MS. WELLY: Sandra Welly, W-e-l-l-y.

6 JUDGE HATCHER: Thank you, ma'am. And go
7 ahead with your comments.

8 MS. WELLY: I'm just here to listen for
9 the most part. I worked with Todd Thomas from the
10 very beginning at Rainbow Acres, and so I've just been
11 following this process through with our lagoon. I am
12 just interested in seeing how it's all going to wrap
13 up and tie up. So I'm sitting in, going to listen to
14 what all is being said.

15 JUDGE HATCHER: Thank you, ma'am. I
16 appreciate that.

17 Are there any questions from counsel?

18 MS. WELLY: Are you asking me that?

19 JUDGE HATCHER: No. I was just asking --

20 MS. WELLY: I'm sorry.

21 JUDGE HATCHER: -- if the attorneys had
22 any questions. Do the Commissioners have any
23 questions for Ms. Welly?

24 All right. Thank you, ma'am. I
25 appreciate you being here.

1 Our next witness is Robert Meyer.
2 Mr. Meyer, if you could go ahead and unmute.
3 Mr. Meyer, do you solemnly swear or affirm that the
4 testimony you're about to give is the truth, the whole
5 truth and nothing but the truth? Oh, I'm sorry. I
6 thought I saw Mr. Meyer's name on the list. I do not
7 see him here. We'll call his name again at the end of
8 the hearing.

9 Lydia and Chris Naylor. And I see
10 Ms. Naylor on the line. Ms. Naylor, if you can go
11 ahead and unmute, I'll swear you in.

12 (Witness sworn.)

13 JUDGE HATCHER: Thank you. And please go
14 ahead and state and spell your last name for the
15 record.

16 MS. NAYLOR: It's Naylor, N-a-y-l-o-r.

17 JUDGE HATCHER: Thank you. Go ahead with
18 your comments for the Commissioners.

19 MS. NAYLOR: I've actually only lived
20 here a little over a year. I live on a fixed income.
21 My husband and I both live on my fixed income at this
22 moment because of everything going on. But I'm
23 disabled.

24 Since I've lived there, there has been no
25 improvements on the water system that I know of. And

1 if there has, I really cannot tell. And all I know is
2 that if -- I really don't understand everything that's
3 going on, but if there's going to be more
4 improvements, I really -- I can't afford to live here
5 much longer if we're expected to pay for those
6 improvements. I will be forced to move out of my home
7 and I really don't know what I'm going to do.

8 JUDGE HATCHER: Okay. Thank you.

9 And Mr. Naylor, did you also want to
10 comment while you're there?

11 MR. NAYLOR: I just concur with what
12 she's saying. Thank you.

13 JUDGE HATCHER: All right. Thank you.

14 Okay. The next on my list -- the next I
15 have on my list is Chuck Gray. I do not see a Chuck
16 Gray here. Is Chuck Gray in attendance? Okay. We'll
17 call that name again at the end of the hearing.

18 Juanita Herring? And I saw Ms. Herring
19 was online earlier. Ms. Herring?

20 MS. HERRING: Yes, sir.

21 JUDGE HATCHER: Yes. Right. Thank you.
22 I'll go ahead and swear you in, ma'am.

23 (Witness sworn.)

24 JUDGE HATCHER: Thank you, ma'am. If you
25 could please spell your -- state and spell your last

1 name.

2 MS. HERRING: H-e-r-r-i-n-g.

3 JUDGE HATCHER: Thank you, Ms. Herring.

4 Go ahead with your comments.

5 MS. HERRING: I would like my son-in-law
6 to talk for me, if that's all right.

7 JUDGE HATCHER: Absolutely. Please go
8 ahead.

9 THE COURT REPORTER: Sir, I'm sorry.
10 Sir, I'm sorry. Can I get your name first?

11 MR. WITTENBURG: Absolutely.

12 THE COURT REPORTER: Thank you.

13 MR. WITTENBURG: It is William
14 Wittenburg. Last name is spelled W-i-t-t-e-n-b, as in
15 boy, u-r-g.

16 THE COURT REPORTER: Thank you.

17 JUDGE HATCHER: And Mr. Wittenburg, let
18 me go ahead and swear you in just as a formality.

19 (Witness sworn.)

20 JUDGE HATCHER: Thank you, sir. Please
21 go ahead.

22 MR. WITTENBURG: Well, I guess as many of
23 the residents are -- or have stipulated, especially in
24 a lot of the letters that we saw that were submitted,
25 Mrs. Herring is a widow of a very long-term veteran

1 who lives on an extremely limited income. Fortunately
2 for her, her house is paid for, but I know that
3 there's a lot of duress because she is concerned about
4 the fact that she may end up having to move or --
5 because she won't be able to afford to stay there.

6 Now, we made several comments when we
7 submitted our written comments. There were nine
8 questions that we had asked. And I'm presuming that
9 those were -- are going to get answered at some point
10 in the ball game.

11 But there are some other questions that
12 we have popped up with such as why are the -- why is
13 this not multiple rate cases as opposed to one lump
14 sum rate case? And after the theoretical recoup of
15 all of the expenses that are incurred, especially the
16 return on investment, which is in my opinion,
17 ridiculously high, are the -- are there any provisions
18 for those rates to possibly go back down again?

19 One of the questions that pops up is once
20 you guys have made your decision, is there a further
21 appeals process by the homeowners? When do you
22 anticipate making your decision? And then once the
23 decision is made and all the rates are -- and all the
24 appeals have been exhausted, when do the new rates
25 become effective?

1 One of the things that Juanita here keeps
2 telling me about is the fact that she is one elderly
3 woman living by herself. And why is it that she is
4 about to get charged the same amount as somebody who's
5 living in the mobile home park who has a lesser rate
6 but has more people?

7 Or people that she knows that are very
8 close to her that are basically a house full of
9 individuals and there have never been any provisions
10 to actually meter the flows of water into each
11 individual house. So it's kind of a crazy
12 mathematical thing that we're concerned about there.

13 How am I doing for time, sir?

14 JUDGE HATCHER: You're okay. Please go
15 ahead.

16 MR. WITTENBURG: Great. Thank you. One
17 of the things -- and I don't know if this is going to
18 get answered or not because there were some concerns,
19 but are there any family members or business
20 associates that were part of the awarded contracts
21 that seems to make this appear to be high?

22 And it just seems like some of these
23 expenses are truly out of the ball park. And we're --
24 we're trying to establish if we're ever going to be
25 able to see what some of those -- what they're calling

1 confidential numbers happen to be.

2 And also, is there any way of us being
3 supplied with the number of houses or number of
4 residences or number of businesses and -- that's being
5 served by each one of the categories that is on the
6 list? There are several places called -- you know,
7 you've got State Park Village; what does that consist
8 of? Missouri Utilities, what does that consist of?
9 Twin Oaks, what does that consist of? And I would
10 like to get some further information on that.

11 But I guess the final question that I'm
12 hoping that I can get away with or get an answer back
13 before this meeting is over is that I believe there is
14 an additional period for additional written comments.
15 And what is the deadline for submitting those or--
16 additional comments either via mail or via e-mail?
17 And that's -- anything else, Juanita?

18 MS. HERRING: No.

19 MR. WITTENBURG: That's it.

20 MS. HERRING: All of these that we
21 submitted, will -- all those questions will be
22 answered? They'll be given to the Commissioners?

23 MR. WITTENBURG: Okay. So yeah. She --
24 we -- we originally submitted nine comments when we
25 signed up for this. And I'm presuming that those nine

1 comments are going to get addressed at some point in
2 the ball game?

3 JUDGE HATCHER: Okay. As I said earlier,
4 first, during this hearing, the Commissioners aren't
5 able to answer questions. And that's because they
6 have to keep their impartiality in making the ultimate
7 decision in the rate case.

8 However, my understanding is on your
9 questions, that the parties had set up a procedure to
10 allow for the normal -- well, the abnormal since we're
11 doing this virtually, but question and answer that we
12 would normally have.

13 As far as the deadline goes, I believe
14 the deadline is five days after this hearing. So that
15 would be July 19th.

16 And as for comments, I would ask Staff or
17 OPC or Ms. Hernandez if they know the deadline on the
18 comments for the case. And I know comments can be
19 made also at the PSC website. So you can go to
20 PSC.MO.gov and in the upper right-hand corner is the
21 link for submitting comments.

22 But let's see if we have any answers on
23 the deadline dates and how the parties were going to
24 be able to get back in touch with you.

25 MR. JOHNSON: Judge, this is Mark Johnson

1 with Staff.

2 JUDGE HATCHER: Yes.

3 MR. JOHNSON: The deadline for written
4 questions to be submitted to the e-mail address for
5 this case is July 20th. Comments can continue to be
6 submitted by the Commission's website as well. And
7 the deadline for comments to be submitted into the
8 case file is July 22nd.

9 And I would encourage anyone that has any
10 additional questions to please submit those to the
11 e-mail address. We are in the process of responding
12 to each and every question we've received. But due to
13 the -- the newness of the process, it's taking a
14 little longer than usual, but we will get to your
15 questions. Thank you.

16 JUDGE HATCHER: All right. Thank you,
17 Mr. Johnson. I appreciate that.

18 Counsel, are there any hearings [sic] for
19 Ms. Herring?

20 MS. HERNANDEZ: No, thank you.

21 JUDGE HATCHER: All right. Hearing none,
22 Commissioners, are there any questions or comments for
23 Ms. Herring?

24 All right. Hearing none -- sometimes it
25 takes a second with the technology to unmute.

1 MR. CLIZER: Judge Hatcher, actually do
2 you mind if I --

3 JUDGE HATCHER: Yes. Go ahead.

4 MR. CLIZER: Have you been able to access
5 the case information -- sorry. This is John Clizer
6 from the OPC.

7 Have you been able to access the -- the
8 case information from the Commission's EFIS website?
9 I know that probably isn't going to answer all of your
10 questions. We're in the process of responding to some
11 of them, but I just want to make sure that you're
12 aware of that tool.

13 MR. WITTENBURG: Was -- was that directed
14 to us?

15 MR. CLIZER: Yes.

16 MR. WITTENBURG: Okay. We are familiar
17 with the website and the area where I could see all of
18 the comments that was submitted by all the various
19 individuals. Is that the website you're referring to?

20 MR. CLIZER: It is.

21 MR. WITTENBURG: And I could see the case
22 documents and I could see the flow charts of all of
23 the scheduling and all of that kind of stuff.

24 MR. CLIZER: Yes. I wanted to make sure
25 that you could see that. I know that --

1 MR. WITTENBURG: Yes. Absolutely.

2 MR. CLIZER: -- doesn't answer your
3 questions, but I wanted to make sure that you had
4 that.

5 MR. WITTENBURG: Yep. We -- we -- we can
6 get there. Thank you.

7 MR. CLIZER: Thank you.

8 JUDGE HATCHER: Excellent. Thank you.
9 Ms. Herring, you are excused.

10 MR. WITTENBURG: We have one additional
11 question and you'll be able to answer that right now.
12 Is this meeting being recorded and will it become part
13 of the archive that is accessible?

14 JUDGE HATCHER: Yes.

15 MR. WITTENBURG: Thank you.

16 JUDGE HATCHER: We have a court reporter
17 here and we are also live streaming this on the PSC
18 website. So there will be two copies. One copy will
19 be the audio from this hearing.

20 What we're actually streaming out to the
21 public that aren't in attendance right now would be
22 a -- a picture just stating that there is a hearing
23 going on -- local public hearing. So your faces
24 aren't being broadcast, but the audio will be
25 available -- back to your question -- and the

1 transcript will be available, but that will probably
2 be in a couple weeks.

3 MR. WITTENBURG: Awesome. Thank you so
4 much. I appreciate the opportunity.

5 MS. HERRING: Thank you.

6 JUDGE HATCHER: Thank you. I appreciate
7 that. Let's go ahead and call the next witness.

8 MR. CLIZER: Judge Hatcher, you appear to
9 have muted yourself. Judge, I believe you are muted.

10 JUDGE HATCHER: Yes, I was. Thank you.

11 Let's go ahead to the next witness. Is
12 there a Robert Cargile here? Oh, I do see.

13 Mr. Cargile, am I pronouncing your name correctly?

14 MR. CARGILE: Cargile, yes, sir.

15 JUDGE HATCHER: Cargile, thank you, sir.

16 MR. CARGILE: C-a-r-g-i-l-e. Thank you.

17 JUDGE HATCHER: Thank you.

18 (Witness sworn.)

19 JUDGE HATCHER: Thank you. Please go
20 ahead with your comments.

21 MR. CARGILE: Real quick, I've lived --
22 I'm in the State Park Village area. Elm Hills bought
23 out the previous owners about -- I want to say about
24 two to three years ago. And when they bought us out,
25 you know, they did raise the rates a little bit. And

1 we're paying about 45.

2 But now this new rate, it's going to be
3 up to 68, which I don't mind a raise to fix things,
4 but anything over 10 percent I'm really questioning.
5 And that's over a 50 percent raise. I'm really
6 surprised they didn't do a gradual raise instead of
7 all at once. And plus, with the current economic
8 situations that are also going on.

9 I'm all right because I -- I'm very --
10 save money and stuff like that. However, you know, my
11 neighbors and everything, they may not be in the same
12 boat, where they're living a paycheck to paycheck.
13 And you're talking a rate from -- you know, a monthly
14 rate where you're asking them now to pay another
15 75 dollars a month just for the water and sewer.

16 Again, I don't mind a 10 percent raise
17 and then wait a -- you know, maybe wait a year and
18 then, you know, the following year like in two-year
19 increments if you have to raise it to recoup your
20 money, I can understand that. But not all at once and
21 then hit it across the board. That's my only concern
22 and stuff. And that's all I have. Thank you, Your
23 Honor.

24 JUDGE HATCHER: Thank you. So I hear you
25 saying maybe a phase-in is -- is something to

1 consider?

2 MR. CARGILE: I would consider a
3 phase-in. That way it gives people a chance. Tell
4 them what the beginning phase is and what the ending
5 phase is. And maybe a -- so that way they can plan it
6 out.

7 Because right now you're telling people
8 well, next month you're paying 70 dollars and boom,
9 boom, boom down the line. Some people are on fixed
10 incomes. They may -- it may take them a lot longer to
11 get that going, to actually do that.

12 Again, I'm doing all right, but at the
13 same time, the most I could see ever doing on a rate
14 like this is 10 percent, because now I'm asking
15 questions. Was it overspending? They weren't
16 watching their budget? What happened here to actually
17 break everything?

18 Because our -- our stuff wasn't probably
19 installed maybe at most -- our house was built in '94
20 and I can't see that sewer system being there for more
21 than 30 years, if that. And if that's such the case,
22 why wasn't this stuff was addressed within, you know,
23 the last ten years or so? It's all of a sudden
24 everything has to be fixed right away type thing.
25 That's the only thing I got a -- concerns about.

1 JUDGE HATCHER: Okay. Thank you, sir.
2 Any questions from counsel? I don't see any hand
3 waving and I hear no questions.

4 MR. CLIZER: Your Honor.

5 JUDGE HATCHER: Yes.

6 MR. CLIZER: John Clizer again.

7 JUDGE HATCHER: Yes, go ahead. A little
8 louder, Mr. Clizer.

9 MR. CLIZER: I'm sorry. I'm having some,
10 yeah, communication issues.

11 Mr. Cargile, did I pronounce that
12 correctly?

13 MR. CARGILE: Yes, sir.

14 MR. CLIZER: You had mentioned the
15 phase-in obviously and you had suggested something
16 like two-year increments. That -- I don't want to put
17 you on the spot, but I'm just kind of curious what you
18 think the phase-in rate would look like in terms of
19 time period?

20 MR. CARGILE: In rates -- we're talking a
21 50 percent raise so the first two years I would do a
22 10 percent. And then the next two years after that --
23 it's a long-term situation where maybe you have to
24 raise it up another 10 percent but in -- probably in,
25 what, seven years or so maybe get up to that point.

1 But, you know, that first year you got to
2 just do a little bit and then you can maybe gradually,
3 by giving the full picture of how much the raise is
4 going to be over a couple of years type situation.

5 MR. CLIZER: Thank you. Thank you very
6 much. That was my only question.

7 JUDGE HATCHER: Thank you. Any other
8 questions from counsel? Hearing none, any questions
9 from the Commissioners?

10 All right. Thank you, Mr. Cargile. You
11 are excused.

12 Let's go on to our next witness. I have
13 Fred Bartol. I do not see a Mr. Bartol on the line.

14 MR. BARTOL: Yes, I'm here.

15 JUDGE HATCHER: Oh, excellent.

16 MR. BARTOL: How are you doing? Good
17 afte-- good evening.

18 JUDGE HATCHER: Before you get started
19 Mr. Bartol, let me go ahead and swear you in.

20 (Witness sworn.)

21 JUDGE HATCHER: And again, before you
22 begin, I also see a Terri Bartol on the -- the list.
23 Is -- is that your wife sitting next to you?

24 MR. BARTOL: Yes.

25 JUDGE HATCHER: Okay. Let me go ahead

1 and swear you in as well, ma'am.

2 MS. BARTOL: Sure.

3 (Witness sworn.)

4 JUDGE HATCHER: Thank you. Please go
5 ahead.

6 MR. BARTOL: So I have a few comments.
7 One, it's almost like being a captured audience when
8 we do not have a choice. So when they came in, they
9 made all of these changes. They paid the high
10 interest rate, they bid to -- you know, we don't know
11 who -- who bid and who received the bid of the awards.
12 They did all the money and now they're asking us to
13 pay.

14 So it would sort of be like your child
15 having a house built for them. They can afford
16 100,000 dollar house, but somebody comes in and builds
17 a half a million dollar house and forces them to pay
18 for it.

19 And there was no -- there weren't -- as
20 far as I'm aware, there weren't any meetings about
21 this being annexed into the city. I believe we're
22 only talking about possibly 400 homes and businesses
23 being affected. And I think the smart move would have
24 been annexing this into the City of Sedalia.

25 And the recoup money, as I see it, if

1 it's almost 2 billion -- or 2 million dollars, they're
2 recouping their money in about 3.4 years, which is
3 unheard of. And that's with the excessive interest
4 rate and return on investment and return on equity.
5 And I'm sure their depreciation period is not a couple
6 years. It's probably over a 15-year period.

7 And I'd like to know if they are
8 depreciating all of that in one year, because that is
9 a capital expenditure, which I don't believe they're
10 legally allowed to do following the Good Accounting
11 Practices, following GAAP.

12 You know, next, the value of the homes
13 now decrease. When you're talking about going from,
14 you know, 40 dollars to 200 dollars a month and you're
15 talking about homes in that area that average maybe
16 100,000 dollars per home, the mortgage payment on one
17 of those homes even at 100 -- 100,000 dollars with
18 20 percent down, you're probably looking at 500 dollar
19 mortgage payment, 400 over a 30-year mortgage.

20 This rate increase is almost 50 percent
21 of that mortgage payment. Our houses now have
22 decreased. And how do we charge them for the
23 decreased property value that we are incurring? It's
24 already cost us a sale of a home in that area, just
25 the rumor of this.

1 You know, so it's taken out of our
2 control. They are able to run at whatever speed they
3 want to. You know, again I had -- I submitted eight
4 questions today. And one of them is, I'm very
5 interested to see if there are any company employees
6 or family members tied to the construction company who
7 performed the work or the financial institution from
8 which the money was secured, because they didn't get a
9 bond, they didn't do anything. I don't know the
10 finances, but that's an exorbitant amount of money for
11 400 homes.

12 JUDGE HATCHER: And Mr. Bartol, tell me
13 what community you are in.

14 MR. BARTOL: Elm Hills Boulevard.

15 JUDGE HATCHER: Okay. Is there anything
16 else that you wanted to state?

17 MS. BARTOL: Well, I just want to say
18 like several of the units down that street are
19 four-plexes. So you're talking under a thousand
20 square feet. You're not talking -- like the gentleman
21 said before that spoke for I believe Juanita. It's
22 like he said, you know, those properties, they may --
23 they're only large enough for one or two people. It's
24 not a family that's able to live in those homes, but
25 they're all proposed at the same increase of the

1 water.

2 Where it's literally 175 dollars a month
3 more for the water and sewer than what we were paying.
4 We had our four -- our one-fourth of our four-plex
5 sold and this rumor of this excessive bill or increase
6 has cost us the sale of our unit.

7 An individual cannot afford to purchase
8 it knowing they might be faced with a 200 dollar water
9 bill. And an investor is not interested in it because
10 they can't rent it and make any money with that type
11 of a water bill and then try to excessive rent. The
12 area doesn't afford for that -- this type of value.
13 So it's actually decreased our home -- or our property
14 value of our unit.

15 MR. BARTOL: And you know, why isn't the
16 payback over a ten-year period like a bond may be?
17 And putting all of the money in one year and wanting
18 to recoup it back in three years isn't how you do it.
19 It's not how you build a house. You don't put all of
20 your money in in one year and hope to pay it off in
21 three years. It's an investment. You know, so it's a
22 long-term plan.

23 This is a utility that we're talking
24 about and these are long-term plans. They're not
25 something that you're going to turn around in one or

1 three years the re-- you know, to recoup your money.

2 MS. BARTOL: Now, I can see that they've
3 built a new lagoon there. But if there's -- I don't
4 see where that's done any-- anything to the water
5 service; the water pressure, the quality of water,
6 anything into the unit itself.

7 MR. BARTOL: And I don't know if there's
8 any studies on the quality of the water before and the
9 quality of water after any improvements. I haven't
10 seen any. You know, it's -- the -- the functional
11 aspect of the improvement is still the same. It's the
12 same as it was before. There's no functional
13 difference.

14 And I don't know if there's been any
15 samples taken or -- and I think metering is a big part
16 of it. If they're going to spend money, I don't know
17 why they wouldn't have put in individual meters to be
18 able to pay this along accordingly to the usage.

19 JUDGE HATCHER: Okay. Thank you. Thank
20 you both.

21 Do we have any questions from counsel for
22 the Bartols? Hearing none, any questions or comments
23 from the Commissioners for the Bartols? Okay. I
24 don't see anyone. Thank you. You are excused.

25 The next --

1 MR. BARTOL: Thank you.

2 MS. BARTOL: Thank you.

3 JUDGE HATCHER: The next name I have on
4 my list is Jessie Cooper.

5 MR. CLIZER: I believe you're on mute
6 again.

7 UNIDENTIFIABLE SPEAKER: You're muted
8 again, Judge.

9 JUDGE HATCHER: Oh, man. Okay. Is there
10 a Jessica Cooper? Is there a Jessica Cooper here?
11 All right. We'll call that name at the end. Kenneth
12 and Stephanie Campbell?

13 MS. CAMPBELL: We are here.

14 JUDGE HATCHER: Thank you. And I'm going
15 to go ahead and swear you both in.

16 (Witness sworn in.)

17 JUDGE HATCHER: Thank you, sir.

18 (Witness sworn in.)

19 JUDGE HATCHER: Thank you. Please go
20 ahead and state and spell your last name.

21 MR. CAMPBELL: Campbell, C-a-m-p-b-e-l-l.

22 JUDGE HATCHER: Thank you, sir. And
23 please go ahead with your comments.

24 MR. CAMPBELL: After just listening to
25 the last couple of people, I don't know if there's

1 much more that I could add to it. You know, I think
2 my initial comments -- or my initial thoughts were,
3 you know, just -- you know, we could understand 10,
4 15 --

5 MS. CAMPBELL: Percent, yeah.

6 MR. CAMPBELL: -- percent over several
7 years increase. We could see that, you know. But to
8 be such a drastic increase over several years seems
9 really, really far out there.

10 You know, I mean I'm not studied up like
11 the -- Mr. Bartol right in front of me, but man, you
12 know, we understand, you know, there's a lot of
13 people -- you know, and -- and to be honest, I got a
14 next-door neighbor. And he -- he told me about, you
15 know, this coming up, what's going to happen.

16 He says please get on there because --
17 and he told me, he says I -- I'm not prepared to be
18 able to handle such a drastic increase in water and
19 sewer. He said that's going to kill him. You know,
20 he's going to, you know -- I mean, they've been in
21 their house for many, many years, but he said this is
22 going to really almost take them under. So you know,
23 that's kind of what I'm talking about.

24 MS. CAMPBELL: They're on a fixed income.
25 They can only afford so much. And that's what we are.

1 We're in a veterans community and we're part of the
2 veterans community out here. I can name on our
3 street, you know, how many of us are, you know,
4 ex-military, you know. And when we get out and then
5 we find civilian jobs, we're not -- you know, it's
6 not -- it's not an option for us.

7 And, you know, we try to look out for our
8 neighbors and everything like that. And so, you know,
9 when we got the paper saying that the increase was
10 going to be so much, we've been in our house 12 years.
11 And we just -- this isn't -- this isn't -- reasonable.
12 It's just not reasonable.

13 And when I was listening to Mrs. Bartol,
14 you know, and they lost the sale of their home because
15 of this, you know, that's just not right. You know,
16 we weren't informed, we weren't told about meetings,
17 we didn't have a say-so in if this new system could be
18 put in or not. Nothing.

19 And when we don't have a say-so in that
20 and this is our home and you guys just go ahead and do
21 kind of what you feel like you want to do, it affects
22 us. You know, we're the ones that you're wanting to
23 pay for this now.

24 And like my husband just said, you know,
25 10 percent increase, I could see, you know, going up

1 10 dollars a month, maybe 20 bucks a month over the
2 next couple years or whatever and then maybe
3 increasing. That's -- that's reasonable.

4 But when you take us from a 45 dollar
5 payment and now you're expecting us to pay over, you
6 know, 150, 200, dollars that's just -- that's
7 unreasonable. And so that's what we -- that's my
8 thought on that.

9 MR. CAMPBELL: That's about all I have to
10 say. Mr. Bartol, I see he's down there with his wife
11 still and the -- you know, how you explained that was
12 really, really good. We do appreciate that.

13 JUDGE HATCHER: And Mr. Campbell, what
14 community do you live in?

15 MR. CAMPBELL: We're in Lake Michael
16 subdivision --

17 JUDGE HATCHER: Okay.

18 MR. CAMPBELL: -- by the State Park.

19 JUDGE HATCHER: All right. And does that
20 conclude your remarks?

21 MR. CAMPBELL: Yes, sir.

22 JUDGE HATCHER: Okay. Do any of the
23 counsel have questions for the Campbells? I'm seeing
24 shaking heads. I don't hear any. Do any
25 Commissioners have any comments or questions for the

1 Campbells? I don't hear any. Thank you. You're both
2 excused.

3 MR. CAMPBELL: Thank you.

4 MS. CAMPBELL: Thank you.

5 JUDGE HATCHER: And the next name I have
6 on my list is Walter Clark. Is there a Walter Clark
7 on the call?

8 MR. CLARK: Yes.

9 JUDGE HATCHER: I think somebody said
10 yes. Yes. Okay. Mr. Clark, I'm going to swear you
11 in.

12 (Witness sworn.)

13 JUDGE HATCHER: Thank you. And please,
14 if you could state and spell your last name.

15 MR. CLARK: Walter Clark, C-l-a-r-k.

16 JUDGE HATCHER: Thank you, sir. Please
17 tell the Commissioners your comments.

18 MR. CLARK: I -- I do not live in the
19 park, but I do own the park. If I would try to sell
20 the park with the way that it's -- that they're
21 recommending, it would be impossible.

22 Utilities right now are 220 a month.
23 Utilities and the lot rent. Well, I have to pay the
24 water bill and the sewer bill, along with the lot
25 rent. It would make my lot rent have to go up to

1 about 400 bucks.

2 Property value on the people that own
3 their homes would probably go -- because most of them
4 if -- if they couldn't pay their water bill, I can't
5 pay it for them. And they can't afford to have their
6 trailers moved. So their trailers would be worth
7 nothing.

8 And it would be the same way with the
9 park. I would have to close the park. And I figured
10 the value of the park is about 800,000 dollars and I
11 would just have to close it up because they -- people
12 can't afford that kind of pay.

13 The water is still undrinkable. The
14 water has a bad smell at times. It stills turns the
15 stools and the tubs orange. Hot water tanks are about
16 every six months, I need to replace the elements.

17 There's no meters so a person that's
18 living by themselves pay the same as a family of six,
19 which doesn't seem fair to me. They did nothing to
20 the water lines or the sewer line within the park. As
21 far as the improvements, I don't -- I don't see no
22 improvements that they made for the park. Everything
23 is the same; it's not changed.

24 JUDGE HATCHER: Mr. Clark, tell me the
25 name of the park you're referring to.

1 MR. CLARK: Elm Hills Mobile Home Park
2 1405 Elm Hills Boulevard.

3 JUDGE HATCHER: Thank you, sir.

4 MR. CLARK: I have 40 -- right now I have
5 40 trailers in there. And all 40 of them would become
6 worth nothing if this goes through because they --
7 like I say, the people -- most of the people are on
8 fixed incomes and there's no way they could afford to
9 move their trailers. This costs around 5,000 dollars
10 to move a trailer. So that's about my complaints.

11 JUDGE HATCHER: Thank you, sir.

12 Do any of the counsel have questions for
13 Mr. Clark?

14 MR. CLIZER: John Clizer from OPC.

15 JUDGE HATCHER: Yes, Mr. Clizer. A
16 little more volume and go ahead.

17 MR. CLIZER: Sorry about that.

18 Mr. Clark, you had mentioned some
19 problems regarding the quality of the water service.
20 Have you been able -- have you contacted Elm Hills
21 directly regarding those problems?

22 MR. CLARK: No. No, I have not.

23 MR. CLIZER: All right.

24 MR. CLARK: I -- the residents complain
25 constantly about it. They have to buy their water.

1 They can't drink their water. It's cloudy all the
2 time. It's just not good water to drink.

3 MR. CLIZER: You had mentioned something
4 about changing the elements. Can you please elaborate
5 on that just a little bit for me?

6 MR. CLARK: Your hot water tanks, they're
7 electric. They have two heating elements inside the
8 tank that heats the water up.

9 MR. CLIZER: Hot water. That's all I
10 needed. Thank you. I hadn't put that together for
11 some reason.

12 MR. CLARK: Oh, Okay.

13 MR. CLIZER: I don't know why I wasn't
14 thinking that.

15 And just to verify, none of -- none of
16 the lots are individually metered or anything? It's
17 all you pay for the water and then bill that out
18 separately to each of your residents?

19 MR. CLARK: Yeah. I have to collect it
20 and send it in.

21 MR. CLIZER: Okay.

22 MR. CLARK: And I don't get nothing for
23 doing that either.

24 MR. CLIZER: Thank you very much. Those
25 are my questions.

1 JUDGE HATCHER: Thank you, Mr. Clizer.
2 Any other questions from counsel? Hearing none, any
3 questions or comments from the Commissioners?

4 COMMISSIONER COLEMAN: Judge?

5 JUDGE HATCHER: Yes. Commissioner
6 Coleman, go ahead.

7 COMMISSIONER COLEMAN: I'd like to know
8 if Staff can tell me or anyone else if the Department
9 of Natural Resources has any -- if we have any
10 information from the Department of Natural Resources
11 relative to any issues, any complaints on file or
12 anything from the Department, and if we know if there
13 have been any boil orders that have been issued
14 relative to Elm Hills?

15 MR. CLARK: Yes, we have had some boil
16 orders.

17 COMMISSIONER COLEMAN: Okay. And are the
18 boil orders consistent, prevalent? How often does
19 this happen?

20 MR. CLARK: Well, I don't know how
21 consistent it is, but we've had -- this past year it's
22 been probably two times that I know of.

23 COMMISSIONER COLEMAN: Thank you.

24 JUDGE HATCHER: Thank you, Commissioner.
25 Do we have any comments from counsel for Staff in

1 regard to the Commissioner's question?

2 MR. JOHNSON: Judge, unfortunately off
3 the top of my head, I do not know the answer to the
4 Commissioner's question; however, I'm happy to check
5 with Staff and get a response.

6 JUDGE HATCHER: Excellent. I'll leave
7 you to that. Any other Commissioner questions or
8 comments for Mr. Clark? No?

9 Mr. Clark, thank you. You are excused.

10 MR. CLARK: Thank you.

11 JUDGE HATCHER: And the next witness I
12 have on my list is Chris and Wendy Finkes. Is there a
13 Chris -- Chris or Wendy Finkes on the line?
14 F-i-n-k-e-s. Okay. We'll call at the end of the
15 hearing.

16 The next witness I have is Darrin Tobias.

17 MR. TOBIAS: Yes, sir.

18 JUDGE HATCHER: Yes. Mr. Tobias, I'll go
19 ahead and swear you in.

20 (Witness sworn.)

21 JUDGE HATCHER: And could you please
22 state and spell your last name and also tell us in
23 which community you live?

24 MR. TOBIAS: Last name is Tobias,
25 T-o-b-i-a-s. And I live at Rainbow Acres Homeowners

1 Community.

2 JUDGE HATCHER: Thank you, sir. Please
3 go ahead with your comments to the Commissioners.

4 MR. TOBIAS: Well, the big questions that
5 we had was that when we met with the representatives
6 of Elm Hills at the time, Todd Thomas, we invited all
7 of the community and sent letters to everybody and
8 everything. And we were told up front that -- I mean
9 we're just -- just waste, we're not -- we're not
10 dealing with water. That our sewer rates were going
11 to go up to 75 to 90 dollars.

12 And then we get the letter that it's much
13 more than that. That, you know -- small community and
14 they have done the work, but the same as I've heard
15 from others, we are retired military community. The
16 majority of our members are retired and fixed incomes.

17 And going from -- you know, what we did
18 was where we took care of our lagoon, to having to go
19 to contractor or somebody to take care of it for us.
20 And that increase when we told our -- our members that
21 we were going to go to about 75 to 90 dollars and
22 then -- then they get a letter that says oh, it's
23 going to be this much more, it was -- it's -- it was a
24 shock to the systems. A lot of people complained
25 about it and -- and wondering what was going to

1 happen.

2 Now, they have done a lot of work down
3 there so -- but from what I understand, one of the
4 things was that they put in a larger system or better
5 system than what was required for our stu-- our area,
6 much more costs that -- with no explanation of what
7 that -- why they had to go so much higher.

8 So that -- that was our big question
9 there, the cost of the difference from what they first
10 told us -- and I understand an estimate, but it just
11 was so much more.

12 JUDGE HATCHER: Thank you, Mr. Tobias.

13 Are there any questions from counsel?

14 MR. CLIZER: John Clizer, OPC.

15 JUDGE HATCHER: Mr. Clizer, go ahead.

16 MR. CLIZER: Mr. Tobias, when exactly
17 were you told that the rates were going to go up 75 to
18 90 dollars?

19 MR. TOBIAS: When -- when we first
20 arranged for the acquisition of our lagoon, which
21 would have been about -- about three years ago, I'd
22 say and when we first negotiated talking about what we
23 were needing done and everything like that.

24 Because prior to that, our homeowners
25 association organization -- or our leadership, myself

1 and two others, were the ones that were taking care of
2 lagoon activities; trying to keep up with DNR and all
3 of that. And when the DNR rules changed so much, we
4 couldn't keep up with it and we didn't have the
5 skill-set to do so, so we found a company. And it was
6 recommended for this company, of course, local.

7 And at that point, through those
8 discussions -- and we had meetings as well as we sent
9 letters to the community. We have about 44 units
10 total that service this -- this lagoon system. And
11 they were all -- that's when they were told that the
12 estimate on the repairs that was needed would end up
13 costing us going to about -- between 75 and 90 dollars
14 total per month for our waste. And -- and I'm looking
15 at the paper here. And it -- and it came up to -- I
16 lost it. There it is. It was 114 dollars is the
17 proposed rate. 113.60.

18 And it doesn't seem like that would be
19 much of a difference, but when you're facing a lot of
20 fixed incomes and elderly people, it -- it's a big
21 shock to systems whenever they're trying to figure out
22 how they're going to pay bills, especially when a lot
23 of these people haven't been working for a while and
24 then to see this. So it -- it raised a lot of
25 questions.

1 Now, as far as what they did to the
2 lagoon, I know they did work, but I had heard that
3 they had put in a more -- I don't know, a better
4 system than what was required or more -- more than
5 what was required for the system. And I don't know
6 why. And I don't know the exact numbers, but I know
7 it was a lot more cost. And I don't know if that's
8 what the cause for an increase like that or not, but
9 that's where our questions are coming from.

10 MR. CLIZER: All right. very much. That
11 was my only question.

12 JUDGE HATCHER: Thank you, Mr. Clizer.
13 Any other questions from counsel for Mr. Tobias?

14 MR. JOHNSON: Judge, this is Mark Johnson
15 from Staff.

16 JUDGE HATCHER: Yes. Go ahead,
17 Mr. Johnson.

18 MR. JOHNSON: I have no questions for
19 Mr. Tobias; however, I would like to state that I was
20 able to contact Staff and we are unaware of any recent
21 DNR violations associated with these systems. Thank
22 you.

23 JUDGE HATCHER: Thank you, Mr. Johnson.
24 And any Commissioner questions or comments for
25 Mr. Tobias? All right. Hearing none, Mr. Tobias,

1 thank you very much. You are excused.

2 MR. TOBIAS: Thank you.

3 JUDGE HATCHER: I have two more witnesses
4 and then I'm going to read through the list of four
5 names that we've had that weren't here when we called
6 them. So we are probably within ten minutes or so of
7 ending the hearing. And I will ask at the end for any
8 additional comments if there are others on the line
9 who did not register.

10 Mary and Stanley Walker. Is there a Mary
11 and Stanley Walker on the line? Okay. We'll come
12 back and call them at the end. And a Mary and Steve
13 Conley?

14 MS. CONLEY: We're here.

15 JUDGE HATCHER: Yes. Ms. Conley, I'll go
16 ahead and swear you in.

17 (Witness sworn.)

18 JUDGE HATCHER: And Mr. Steve Conley,
19 I'll go ahead and swear you in at this point too.

20 (Witness sworn.)

21 JUDGE HATCHER: Thank you both. And if
22 you could please state and spell your last name and
23 give us the community that you live in so we know
24 which system you're served by.

25 MS. CONLEY: Yes, sir. This is Mary and

1 Steve Conley, C-o-n-l-e-y. We are homeowners in the
2 Elm Hills community.

3 JUDGE HATCHER: Thank you. Go ahead with
4 your comments.

5 MS. CONLEY: We would just like to say
6 that we agree with the majority of the individuals
7 here that have already commented on the current
8 situation.

9 We would like to state that we own our
10 home here. We've been here about two years. We are a
11 family of seven and we have one income in our
12 household. Does that concern me as far as the giant
13 increase from a 30 dollar bill to a 200 dollar bill?
14 Yes. Our mortgage is -- is something that needs to be
15 paid. We have to have water. Yes, we expect to have
16 clean water.

17 But our major concern on top of that is
18 our community. Because we know that living here, we
19 have other individuals, a lot of elderly folks, a lot
20 of individuals that live in housing that rent that
21 this will affect drastically. Whether it drives them
22 out of their home or they get kicked out, it's going
23 to really affect our community.

24 And this -- it's really honestly asinine
25 to take, you know, something from 40 dollars and raise

1 it to that extreme measure in such a short period of
2 time.

3 My question is why was there not some
4 kind of a phase-in plan for the sewer system, for the
5 water system to be put in where the community was made
6 aware prior to hand where we could be on top of it and
7 we can make those payments instead of everything
8 having to come down at once; boom, here's your system,
9 here's your payment.

10 It's just -- it's really honestly it's --
11 it's too much for here. Since we've been here, we've
12 been through two boil orders here at Elm Hills. The
13 water still does -- doesn't taste any different.
14 There's no change in it. It still smells like the
15 sewer every now and then. And there's just -- I can't
16 see a two million dollar water system put in here. I
17 really can't.

18 The -- the lagoon is about the only thing
19 that I've seen change. Drastically, no. But like I
20 said, there's not really been any changes for the
21 cost.

22 The cost also concerns us. Why was
23 this -- why was this necessary? Why was the amount
24 necessary? Was there nothing -- no other option?
25 There was not something cheaper that was more cost

1 efficient that could have been into place for our
2 community, for what we can afford? Because this is
3 not something that -- that we can afford and this is,
4 you know, definitely not something that we can agree
5 with.

6 I don't want to see, you know, property
7 values go down. I don't want to see, you know, our
8 neighbors lose, you know, their -- their renters, you
9 know, or their homes. So, you know, this has been --
10 this is -- we didn't find out about this until we got
11 the first letter that said that we were going to have
12 a rate increase of almost 200 dollars.

13 And for somebody that comes -- I come
14 from inside of town. My -- my water bill in town was
15 nowhere near 50 dollars. But we turn around and we
16 have, you know -- we pay 27 and some change here now.
17 And they're expecting us to automatically go to 200.
18 That is absolutely outrageous for anybody to have to
19 pay that for water.

20 Water is a necessity. You know, we need
21 it. We would like to have clean water here. We would
22 like to have freshly filtered water. We also
23 understand that we live on a well that we have to
24 maintain. But at that cost it's just ridiculous.

25 JUDGE HATCHER: Thank you, Ms. Conley.

1 Mr. Conley, would you like to add anything?

2 MR. CONLEY: No, thank you. She said it
3 all.

4 JUDGE HATCHER: Thank you, sir.

5 Are there any questions from counsel for
6 the Conleys?

7 MR. CLIZER: Yes. Sorry, Your Honor.
8 John Clizer, OPC.

9 JUDGE HATCHER: Go ahead, Mr. Clizer.

10 MR. CLIZER: You're obviously not the
11 first person who has mentioned the concept of a
12 phase-in. Theoretically it's possible that if the
13 Commission were to approve a phased-in, it might end
14 up meaning that customers would have to pay slightly
15 more in the long run to cover what's called the
16 carrying costs. Can you hear me?

17 MS. CONLEY: Yes. I can hear. He can't
18 hear very well.

19 MR. CLIZER: Okay. Just theoretically,
20 would you believe that the community would be better
21 served by having rates phased in over time, even if
22 that led to a slight increase of the total dollar
23 amount paid?

24 MS. CONLEY: If we're not -- if we're not
25 paying 200 dollars right off -- right out of the

1 door -- nobody can afford -- honestly, nobody can
2 afford 200 dollars on their water bill straight --
3 straight out the door. We don't know when it's going
4 to happen. People have been scared for weeks, months
5 not knowing when this hike is going to start.

6 And now we're under a COVID pandemic
7 where people already can't afford things because
8 they're losing jobs and they're sick, but now we're
9 getting 200 dollars extra shoved down our throats
10 because of something that was decided without any say
11 from any of us, you know.

12 Something nobody -- nobody had discussed
13 anything, as far as I'm aware of with me or anybody in
14 this community as far as the upgrade on the well. Do
15 I know that the well was, you know, damaged and there
16 was things that needed to be repaired? Yes.

17 And I also know that when you guys had
18 acquired it in 2018, there's some things, you know,
19 yes, that needed to be done. Grateful for things that
20 needed to be done, but I think it really should have
21 been a thought-out plan and that the well -- the
22 repairs on that well should have been phased in.

23 It shouldn't have been let's do it all in
24 one -- one go so that we have to, you know, pay you
25 guys, you know, a ridiculous amount of money just to,

1 you know, get your investment back.

2 I don't necessarily know that, you know,
3 a -- I mean yes, we could probably phase it in
4 through -- you know, through time, but not this --
5 this 200 dollars is just too much. That's ridiculous.
6 That's ridiculous.

7 MR. CLIZER: Thank you. I understand.
8 Thank you.

9 Judge Hatcher?

10 JUDGE HATCHER: Yes, sir.

11 MR. CLIZER: This is highly unorthodox
12 and I can understand given the situation, but I would
13 honestly like to pose to all of the commenters at
14 large the same question effectively, whether or not a
15 phase-in would be preferable even if it meant a slight
16 increase at the end of the day. I can obviously wait
17 until the end to do that. I don't know if that's
18 something that's possible. Again, I understand given
19 the limitations if that's not something we can do.
20 But I'd like to throw that out there now.

21 JUDGE HATCHER: Mr. Clizer, I want to ask
22 your question. Do you mind if I ask it in the
23 negative of our witnesses to see if anybody objects to
24 your plan, if they would like to speak?

25 MR. CLIZER: Any way that you want to do

1 it is fine. I just want to help and try and get this
2 cleared up here.

3 JUDGE HATCHER: Okay. Thank you, sir. I
4 appreciate -- appreciate that.

5 MR. CLIZER: I would -- again, I'd
6 recommend we wait till the end after everybody else
7 has had a chance.

8 JUDGE HATCHER: Absolutely. And we are
9 just about there within a few minutes. So first let
10 me go back through our witness list. Witnesses that
11 we have called that have registered to testify, but
12 are not here yet or were not here when they were
13 called.

14 Is there a Robert Meyer on the call? I
15 don't hear anyone. Chuck Gray? Is there a Chuck Gray
16 on the call? Let the record reflect I hear no answer.

17 Jessica Cooper? Is there a Jessica
18 Cooper? Let the record show there was no answer.

19 And the last name, Mary and Stanley
20 Walker? And let the record show there was no answer.

21 For all of the -- the customers who have
22 been here tonight, Mr. Clizer has asked several of you
23 and you've heard him ask others if they would be
24 more -- if they would be in favor of a phased-in rate
25 increase.

1 I think Mr. Clizer might get his
2 information more easily if I ask if anyone disagrees
3 with Mr. Clizer's suggestion of a phased-in rate
4 increase? So with that, I'm going to go --
5 Mr. Clizer, go ahead.

6 MR. CLIZER: I just want to make clear
7 that I believe that it might end up causing a larger
8 overall increase as a result of that; not a pure
9 benefit, so to speak, if that makes sense. I don't
10 want to make it seem too obvious --

11 MR. BARTOL: We have a hard time hearing
12 you.

13 JUDGE HATCHER: I'll repeat for
14 Mr. Clizer. What he said was he wants to make sure
15 that you, as the customer, are informed that his
16 proposal is a smaller incremental increase, a
17 phased-in increase, but that the end result would
18 probably be higher than a -- a one-time increase as
19 envisioned now. So that over time, if the solution is
20 every two years there's a rate increase, it might add
21 up to more.

22 MR. BARTOL: Let me ask a question. If
23 this increase is going to take place, there's no time
24 frame in the future of which -- of when there would be
25 a reduction. So how can it cost more --

1 MS. BARTOL: To -- to phase it -- to
2 phase the payment increase, how could it cost more?
3 The -- the cost of the improvement is the cost of the
4 improvement. So why -- I mean from my water bill to
5 go from 33 -- my water and sewage to go from
6 33 dollars a month to over 175 dollars a month and I'm
7 talking about a unit of under a thousand square feet
8 with maybe one to two maximum -- two people maximum
9 living there, how could a 200 dollar water bill be
10 feasible? In town, out of town, anywhere? That
11 doesn't make any -- that makes no -- zero sense.

12 MR. BARTOL: So we're looking at two
13 different things. One is the investment. He's saying
14 the investment will cost more over a period of time.
15 But our rate -- we will only be paying a certain
16 amount. If we phase this in over ten years and we --
17 it takes us ten years to get to 200 dollar payment, we
18 will not be paying more.

19 JUDGE HATCHER: Mr. Clizer, can I call on
20 you to help out here?

21 MR. CLIZER: Yes. The investment has
22 been made, the money has been spent. Confluence is
23 now attempting to recoup the cost of the investment
24 that it has made. If you ask the company to wait a
25 longer period of time, there is a cost to that to the

1 company. It's called the carrying costs of capital
2 generally. The idea is the longer you make them wait
3 for repayment, the more, in theory, they would be
4 entitled to recoup.

5 Again, this is all theoretical and I'm
6 not saying that that's necessarily the case. I am
7 attempting to gauge the public's interest to the
8 concept of a phased-in rate.

9 MR. BARTOL: Let me ask a question. Why
10 do they have to be made whole? Why are they the only
11 one who has to be made whole and we, as homeowners, do
12 not have to be made whole? So I already -- I'm
13 already sensing a bias in your decision.

14 JUDGE HATCHER: No. Let me -- let me
15 interrupt here because I see this going a little
16 askew. The -- the hearing is to -- to get comments
17 from -- from you for the Commissioners.

18 What Mr. Clizer is saying is he very well
19 understands -- and he represents the Office of the
20 Public Counsel. He understands that everyone who is
21 testifying is objecting to the rate increase.

22 As a second question -- however, that
23 comes out with the Commission and the Commission
24 hasn't decided one way or the other on that. If the
25 Commission says yes, there should be a rate increase,

1 he is wanting to know how many of you think that well,
2 if there has to be a rate increase, we would prefer
3 that it be a smaller rate increase now, but it may be
4 larger over time.

5 The analogy that occurs to me is your
6 home mortgage. A 30-year home mortgage costs more
7 than a 15-year home mortgage. The house costs the
8 same. And it's that interest on the back end. I
9 think that's the analogy that he's kind of getting at.

10 MR. BARTOL: Right, right. But you've
11 already -- you've already bought the house for me. So
12 the only choice I have now is to extend the payment.
13 So I think we would all be in agreement that we have
14 to do it incrementally. But that doesn't alleviate
15 the poor decisions that have been made up to this
16 point.

17 MR. CLIZER: Frankly, I agree with you
18 completely. But Judge Hatcher is right, that's beyond
19 the scope of this commentary. I apologize.

20 MR. BARTOL: Okay.

21 JUDGE HATCHER: And I'm sure that the
22 Office of Public Counsel will be taking your testimony
23 and using that as they go through the case or as this
24 case progresses in -- in bringing those to light.

25 So with -- I guess with that said, if

1 I -- if anyone would have an objection to Mr. Clizer's
2 proposal of if there has to be a rate increase, would
3 you rather have the smaller monthly payments phased in
4 or the larger upfront? Kind of that analogy of the
5 30-year mortgage or the 15-year mortgage. And I know
6 that's not a very good analogy.

7 MR. TOBIAS: Your Honor?

8 JUDGE HATCHER: Yes.

9 MR. TOBIAS: Mr. Tobias here again.

10 JUDGE HATCHER: Yes.

11 MR. TOBIAS: I just wanted to see that
12 when -- as I've said earlier, when we first did this
13 plan, our comments to our community members were this
14 was what the plan was to be, between 75 and 90
15 dollars. So they were planning on that. So a
16 phase-in for -- for my particular community, Rainbow
17 Acres, is probably not a big point right now.

18 So I would have to say in answer to his
19 question if it would go to increase the overall
20 amount, I'd probably have to say no, because my
21 community was prepared for some of this money.

22 Now, the higher amount, you know,
23 depending on what the Commission decides on, we're
24 going to have to deal with whatever anyway. But in
25 answer to his question, yeah, I'd have to say no on

1 that for our community. I could understand the other
2 communities. Thank you for the time.

3 MS. WELLY: I agree with Darrin. This is
4 Sandra Welly and I agree with Darrin.

5 We put out paperwork, we invited to
6 several meetings with Mr. Thomas. I believe our board
7 did everything that they could to make this an honest
8 contract, selling our lagoon over to Elm Hill.

9 And their estimate just in talking, it
10 was nothing ever in writing that oh, yeah, plan on
11 your rates to, you know, be somewhere between 75,
12 90 dollars. That was, you know, not anything in a
13 contract with them, just simply in a meeting
14 conversation. We're ready for it. You know, we
15 should be ready for it.

16 If people haven't planned for that in our
17 association, then they haven't planned for it. But
18 they've been notified and invited to many, many
19 meetings to have their input. So I think they've been
20 fair with us. I'm hoping Darrin agrees with me.
21 Thank you.

22 JUDGE HATCHER: Thank you, Ms. Welly.

23 I'll go ahead and go down the list.
24 Lydia and Chris Naylor, would you like to comment on
25 the Public Counsel's thoughts?

1 MS. NAYLOR: Yes, I would just like to
2 say that I don't agree with actually paying any more
3 than what I'm already paying because I moved here with
4 the expectations that I was going to be able to stay
5 here for a long period of time. I own -- we own our
6 home and we just weren't ready and not prepared and we
7 can't do it. We can't pay any more than what we've
8 already agreed to pay, so I just disagree with it.

9 JUDGE HATCHER: Okay. Thank you, ma'am.
10 Juanita Herring?

11 MR. WITTENBURG: Hi. This is Bill, for
12 Juanita. I think under any -- and there's a couple of
13 issues here, but I think under any circumstances, be
14 it graduated or all at one time, that -- are we
15 getting stepped on?

16 JUDGE HATCHER: No, no. I muted
17 everyone. Go ahead.

18 MR. WITTENBURG: Okay. Is that a
19 200 dollar increase, be it now or be it ten years from
20 now is a ridiculous amount.

21 Now, that being said, coming at this --
22 specifically for Mr. Clizer is coming at this
23 incrementally over a long period of time up to a
24 reasonable finality -- and to me, 200 dollars is not a
25 reasonable finality -- but if it needs to increase a

1 little bit beyond that, then I could perhaps support
2 it.

3 But if right now you're saying that
4 instead of paying 210 dollars -- or 200 dollars,
5 you're going to be paying 250 dollars at the end of
6 ten years, no, it ain't happening. Because the
7 overall amount is absolutely ridiculous.

8 And it is my firm understanding that once
9 the ROI is completed and once the money is paid back
10 for all the capital investments, if nothing more, the
11 rates should be going in the other direction. Hey,
12 we're done collecting. We don't need to pay any
13 more. So here, your rates are going back down again.

14 And I think that's got it for me. Thanks
15 for this opportunity.

16 JUDGE HATCHER: Thank you very much.

17 And Mr. Cargile? Robert Cargile?

18 MR. CARGILE: I kept going back and
19 forth.

20 JUDGE HATCHER: Yes, sorry about that.

21 MR. CARGILE: It comes down to a number
22 game basically. We don't really know the numbers or
23 how much they're actually getting in. Yes, the
24 increase would probably help, but I don't know how
25 many years. I don't know the full numbers of how many

1 people we have and everything else, who pays what.

2 I'm just doing it just from my own
3 household. And I just know from me as a one-person
4 household, a rate -- you know, over a 50 percent
5 increase is a little high.

6 My other question, you know, I was
7 thinking of -- listening to all of this was who was
8 watching their budget this entire time? Somebody
9 really missed the ball. And as far as I'm concerned,
10 Elm can meet that other half, you know, that they
11 overspent without, you know, really thinking about it,
12 you know. And then said well, the customers will pay
13 for it pretty much. We'll just raise the rate on
14 them.

15 That's not the way you do it. Again, I
16 can see -- when they first bought us, they went ahead
17 and raised it, which I didn't mind because it raised
18 up about another 10 dollars -- 10 or 12 dollars a
19 month, which wasn't bad. But then you're going to go
20 to -- you know, we're going for almost, you know,
21 70 dollars more than what we're paying. And that's
22 where I have kind of an issue.

23 I would -- I wouldn't mind seeing it
24 increase a little even for longer times, but it
25 becomes a number game basically in the long run.

1 That's all I have.

2 JUDGE HATCHER: All right. Thank you,
3 sir. I appreciate your comments.

4 Next, the Bartols.

5 MR. BARTOL: I've already said my peace
6 on it. My wife can comment.

7 MS. BARTOL: Well, I think if we have to
8 be dealt an increase, a (inaudible due to WebEx
9 cutting out) increase is going to be more suitable for
10 everyone so that they can plan. I think a 200 water
11 bill is excessive if it's today or six months from now
12 or one year from now or 24 months from now. I just
13 think that's an excessive water and sewage bill.

14 And as I said, it has -- the rumor of
15 this bill -- increase in this bill, utility bill in
16 the Elm Hills Boulevard area has cost us the sale of
17 our house, it has decreased the sale -- or the value
18 of our unit.

19 And I know as I drive down the road out
20 there, I see, you know, For Rent sign, For Sale signs.
21 It's -- it's just -- like Mr. Cargile I believe just
22 said, somebody went over budget, somebody's -- I don't
23 know what happened, but we're just faced now to -- to
24 take -- to absorb all the costs and it's unfair. It's
25 excessive and it's unfair.

1 JUDGE HATCHER: Okay. Thank you very
2 much.

3 Kenneth and Stephanie Campbell?

4 MR. CAMPBELL: We're here.

5 JUDGE HATCHER: All right. Thank you.
6 Do you have any comments just about Mr. Clizer's
7 thoughts about your preference between a shorter term,
8 but maybe higher initial monthly bill versus a longer
9 term phase-in that would have lower monthly bills, but
10 might end up with a larger total price tag?

11 MS. CAMPBELL: I understand what you're
12 saying. First of all, I'm going to say that I think
13 that what everybody else has said on here is correct.
14 Somebody's went way over budget and now they're trying
15 to sock us with the bill.

16 Phasing us into a thing if we have to --
17 we've been in our house 12 years. Our payments were
18 only 30 dollars until you guys took over. Then we
19 went up to I think it was 45 or 48 that we're paying
20 now . And then we got a bill a week and a half ago,
21 two weeks saying that they were going to take to us
22 to, you know, way over 200 dollars now.

23 And I think that phasing us in, if you're
24 going to increase it maybe 10 dollars over periods of
25 whatever, that's fine. But like my husband just

1 asked, you know, once that's paid and you have paid
2 everything -- you've asked us to pay everything that
3 you guys have went over budget on and everything that
4 you guys have decided without contacting the
5 community, now you are expecting us to pay that.

6 So if we have to pay that, once that's
7 paid off, is our payments going to go back to the
8 48 dollars then? Because we shouldn't be paying for
9 something -- or putting into a pot that you screwed
10 up. So that was our question.

11 JUDGE HATCHER: Okay. I do want to make
12 sure that everyone understands Mr. Clizer is working
13 for the Office of Public Counsel. He represents the
14 public interest in this. So I think what he is trying
15 to ask isn't in defense of the company, but is saying
16 okay, if -- if this --

17 MS. CAMPBELL: I understand.

18 JUDGE HATCHER: Okay.

19 MS. CAMPBELL: Yeah, I understand what
20 he's asking, Mr. Hatcher. I totally understand. But
21 enough -- what the comments have been that he writes
22 down or he can go back and look at, that's what he
23 needs to take to the counsel and say this is what the
24 communities are saying. That they feel that this is
25 not right.

1 And if he's working for us, then that's
2 what he needs to listen to and take to the
3 communities.

4 JUDGE HATCHER: Thank you.

5 Next we have Walter Clark. Mr. Clark,
6 are you on the line still?

7 MR. CLARK: Yes, I still am.

8 JUDGE HATCHER: All right. Thank you.
9 Did you want to comment on Mr. Clizer's suggestion?

10 MR. CLARK: No. But I -- I do have a
11 question. They ran the city water down to the park,
12 but did nothing with it. Are we -- are we paying for
13 that too? Did you hear me?

14 JUDGE HATCHER: Yes. And I like I said
15 before, Mr. Cargile -- or I'm sorry, Mr. Clark, we
16 aren't able to answer questions. You are able to ask
17 questions of that e-mail address and then the parties
18 will be able to work through that and be able to
19 hopefully get back with an answer to you.

20 But right now the Commissioners are --
21 are just trying to take input. They aren't in a
22 position that they can answer questions because they
23 still have to make the final decision.

24 And I'd also -- this is a good point to
25 make sure and interject that. It's the Commissioners

1 that decide this. What's being discussed tonight is
2 merely the proposal by the company. That will all go
3 through a process where all of the parties are going
4 to be able to make their objections, make their cases,
5 but then ultimately it's the Commissioners who decide
6 what that rate is if it needs to be adjusted and when
7 that adjustment happens. Thank you, Mr. Clark.

8 MR. CLARK: One more question.

9 JUDGE HATCHER: Yes. Go ahead.

10 MR. CLARK: Will we get a copy of the
11 money they spent, what they spent it on or anything
12 like that? That's my question. And also Chuck Gray
13 called me and he said he unmuted but he could not get
14 on. He was asking me if maybe you could call on him
15 again.

16 JUDGE HATCHER: Okay. Who was that?

17 MR. CLARK: Chuck Gray.

18 JUDGE HATCHER: Okay. All right. And
19 again, Mr. Clark, I'll refer your question -- you
20 might want to send that to the e-mail address Elm
21 Hills Comments at PSC.MO.gov.

22 MR. CLARK: All right. Thank you.

23 JUDGE HATCHER: Thank you, sir.

24 Mr. Gray, if you hold on just a second,
25 I'm just one person away from finishing this question

1 by Mr. Clizer.

2 Mary and Steve Conley.

3 MR. CONLEY: Yes. As far as the
4 phase-in, if -- what's going to happen is we're going
5 to end up having to pay regardless of our opinion.
6 Because like everyone has said, somebody jumped the
7 gun, made a big mistake and now we have to pay for it.

8 If it's something that's phased in, so be
9 it. You know, 200 off the jump, okay, no. Do I agree
10 with the phase-in plan as well? Not really. Because
11 I don't agree with the cost. I don't agree with the
12 decision that was made to repair the well that's here.

13 And as far as over here at Elm Hills,
14 there was no notification for no meetings with the
15 companies in regards to the repairs they are -- that
16 were made or needed to be made prior to all of this.

17 So it would have been nice for Elm Hills
18 to be a little bit more transparent and communicate a
19 little better to the people that are supposed to be
20 expected to pay these payments and say hey, this is
21 what we're looking at for repairs, this is what we're
22 looking at for you to pay.

23 If it was 100 dollars and less, so be it,
24 great. That was something we could have been prepared
25 for. Whereas now we're looking at oh, here's your

1 200 dollar payment out of the blue. That's just
2 ridiculous. And I think really Elm Hills should be
3 responsible here for some of the cost just because
4 that was the decisions they made, you know. The
5 decisions they made as far as the investment and
6 the -- the high amount of investment.

7 Yes, we are going to be expected to pay
8 at some point and the phase-in -- we would have to --
9 we would have to do phase-in. Do we agree with it?

10 No.

11 JUDGE HATCHER: Okay. Thank you. I hear
12 that.

13 Our last witness, Chuck Gray. Mr. Gray,
14 are you on the line? I was asked to call again for
15 Chuck Gray.

16 MR. MEYER: Can you hear me?

17 JUDGE HATCHER: Yes. Yes.

18 MR. MEYER: This is Robert Meyer. I've
19 been trying to get on all evening.

20 JUDGE HATCHER: Oh, okay. Mr. Meyer.

21 MR. MEYER: I'm sorry to interrupt.

22 JUDGE HATCHER: Oh, no. Not a problem at
23 all. We were just getting ready to wrap up, so I'm
24 glad you caught us. Everyone has testified. What
25 we'll do is I'll swear you in and then I'll ask for

1 your comments to the Commissioners regarding the Elm
2 Hills rate cases.

3 MR. MEYER: Thank you.

4 JUDGE HATCHER: No, thank you, Mr. Meyer.
5 Let me get my paperwork straightened out.

6 (Witness sworn.)

7 JUDGE HATCHER: Could you please state
8 and spell your last name and tell us the community you
9 live in so we know what water system serves you.

10 MR. MEYER: Yes. Meyer is my last name,
11 M-e-y-e-r. And I don't live in the district, but I
12 own a lot of units in the Elm Hills system in Sedalia.

13 And I appreciate the chance to comment
14 and join in. It's a very, very important case for
15 everybody involved and -- and we need to come
16 hopefully to a middle ground that will benefit all --
17 all involved. I understand the owners of the water
18 and sewer system have to get a return and an increase
19 in their rates due to the changes in the system, the
20 improvements. And I also stand a lot to lose.

21 Just respectfully request that
22 Commissioners and everybody listening consider all the
23 facts of the case. I have a great investment, I have
24 out of -- there's approximately 115 to 130 units on
25 the Elm Hill system and I own 42 of those units, and I

1 believe Mr. Clark has about 40 of those units. So
2 between him and myself, we have over 80 units out of,
3 you know, approximately 130 units.

4 Based upon the increase that is proposed,
5 which is approximately 175 dollar per unit increase,
6 that would change my asset value, because they are all
7 rental property, approximately 1,125,000 dollars that
8 I would lose to that type of increase.

9 I have a long history with this system.
10 I have owned -- my first units I bought 27 years ago,
11 in 1994. Those units are -- within this system are
12 very unique because Elm Hills is predominantly a
13 rental consumer and they range from mainly lower
14 income rents.

15 For instance, I think Mr. Clark said his
16 trailers were 220 dollars rent. My cheapest
17 one-bedroom apartment is 260 dollars, range on up to
18 some of the bigger units on Elm Hills itself versus
19 Villa Drive, which I rent for 650. But I have
20 approximately 30 units that rent for under 500
21 dollars.

22 So the approximately -- approximate value
23 of those units on a per unit basis right now, I would
24 be -- prior to this type of increase, I would have
25 been happy to -- if I would have been able to sell

1 those for 35,000 dollars a unit. If such an increase
2 happens, 175 dollar increase, that's going decrease
3 the value of those units about 26,000 a unit, which is
4 just a devastation.

5 My annual cost that will increase there
6 is 88,200 dollars, which is a major part of my income
7 for my family. And buying those in 1994, which is
8 when I bought my first 12 units and they were
9 dilapidated, and I've slowly bought additional units
10 over the years. Starting those, you know, I bought
11 those for those 15,000 dollar units way back then and
12 they rented for 275 dollars 27 years ago.

13 So to be able to raise the rents to cover
14 such is -- is not possible. And you can't raise that
15 rent more than the rents on units that are on the city
16 system. So you know, being able to do that doesn't
17 solve my problem.

18 I do understand that Mr. Cox and the
19 company needs a rate increase. I was in
20 approximately -- I'm not good with dates, but in
21 approximately -- I think in 2001, but I'm probably
22 wrong, some time within that period of time, the well
23 went down of the Missouri Utilities and it had been
24 not maintained for years through the history -- early
25 histories of my owning the property out there.

1 At the point that well went down, the
2 owner of Missouri Utilities walked away. And as an
3 owner, I had to protect my investment and hired a well
4 company to come in and put the well in the system.
5 And went around and other members of the community
6 also with vested interests also shared in that cost
7 and we put in a well.

8 From that point on, there was nobody
9 operating the system and I operated the system without
10 having any experience and knowledge of that, including
11 the sewer system. And at some point the Public
12 Service Commission appointed me as a trustee --
13 temporary trustee on the system. Am I still being
14 heard? Hello?

15 JUDGE HATCHER: Yes, sir. You're doing
16 fine.

17 MR. MEYER: Okay. Okay. Sorry. Just
18 wanted to check.

19 JUDGE HATCHER: No, you're good.

20 MR. MEYER: And so I, you know, operated
21 that system, I -- you know, I'm guessing a year, year
22 and a half trying to keep it going. And that -- that
23 meant that I was not drawing any money from it. I was
24 putting money into it, was repairing things myself, I
25 was learning, I was issuing boil orders, whatever it

1 took.

2 I was meeting with the DNR to deal with
3 the sewer system, the waste system because it was
4 overgrown with trees and other growth and just the
5 whole system has had a history of being in trouble.

6 So and I -- I got ahold of, of course, an
7 operator because I wasn't a licensed operator, but I
8 found one and got him -- you know, of course, got his
9 name on it and we ran that. Then the Public Service
10 Commission appointed Mr. Cover, attorney out of
11 Clinton, as the trustee on that system and he ran it
12 from then on.

13 I helped out, did various things. It --
14 my duties decreased as -- as he got ahold of other
15 people that he wanted to operate it. I did do the
16 billing for him all that time from the early 2000s
17 when he took over until the new owners come into play.

18 So I have a long history of this system.
19 I would just request that the Commissioners and all
20 those that are involved -- don't know if this is
21 something you do, but it would be great if you were
22 able to get on maybe the Deakin Snyder (phonetic) site
23 and look at an aerial view of this system to see what
24 kind of units -- residential units are on the system.
25 It varies.

1 There are very few homes in that, which
2 means that the overall value of units that have
3 consumers on the system are low. We're not talking a
4 hundred thousand dollar, you know, units here. We're
5 talking from -- Mr. Clark's, of course, told you
6 approximate value of his park of 40 units. And of
7 course, my -- my apartment. You know, they range from
8 anywhere -- like I said, I'd be happy as a lark if
9 anybody would like to give me 35,000 a unit. But --
10 and there's some in between. But there's very few
11 houses on the system.

12 And so, you know, this type of increase
13 is just devastating. Just -- it's -- it's took me --
14 Mr. Cox -- you know, I found out about this when he
15 first started looking at it before he purchased it
16 and -- you know, this was the end of the world for me
17 because this was my life. Thank God that it has taken
18 this long for it come about.

19 I guess what I don't understand is I -- I
20 guess it was wishful thinking, but after they
21 purchased this system, they put in for a rate increase
22 and it only went to 25 dollars from approximately
23 18 dollars. And so, you know, I think everybody on
24 the system took a big sigh of relief. And then we've
25 went some years and now we're proposing 200 dollars,

1 which is just a devastating amount.

2 I don't wish ill on -- on anybody. I
3 wish the owners very good luck, but I think they share
4 in the responsibility, as well as all of us, the
5 Commission included, to come to a common ground that
6 works for everybody involved.

7 Such an increase is going to devalue that
8 community area. Usually an improvement in water and
9 sewer, as stated on the brochures put out, increases
10 the value of property. That -- that isn't going to be
11 the case in this type of an increase. We're already
12 seeing the impact and the scare of it.

13 And if you're taking -- if -- as an
14 owner, we pay the water and trash. Mr. Clark does, I
15 know. I do. And -- and the water and sewer, I mean.
16 And to take -- for instance, I have one one-bedroom
17 unit that rents for 260 dollars. And to take another
18 175 out of that unit just makes it worthless. And the
19 reason that's 260 bucks is because there's a
20 75-year-old man in there that gets 750 dollars Social
21 Security.

22 So we just -- I just prayerfully request
23 a very in-depth consideration of the system to really
24 analyze the system and what type of units they are,
25 and who's within that system as a consumer, and -- and

1 hopefully find a ground -- common ground rate change
2 that we can all live with. I thank you very much for
3 your time.

4 JUDGE HATCHER: Thank you, Mr. Meyer.

5 Are there any questions for Mr. Meyer
6 from counsel? I'm seeing head shakes. Are there any
7 questions or comments for Mr. Meyer from the
8 Commissioners?

9 Hearing none, while we are on our last
10 couple minutes, I'd like to go ahead and go through
11 the list of registered names who were not present yet.
12 Chuck Gray. Is there a Chuck Gray on the line?
13 Jessica Cooper. Is there a Jessica Cooper on the
14 line? Mary and Stanley Walker?

15 Is there anyone else who would like to
16 testify before we close out this hearing?

17 I would like to thank all of our
18 participants today for their testimony. If you have
19 additional comments or someone you know who could not
20 be present who would like to make a comment, you can
21 make written comments by contacting the same e-mail
22 address used to register for this hearing. That again
23 is Elm Hills Comments at PSC.MO.gov.

24 You can also contact the Office of the
25 Public Counsel or by going to the PSC's web page. And

1 again, that Submit Comments button is in the upper
2 right-hand corner.

3 This hearing is now adjourned. We are
4 off the record.

5 (Hearing adjourned.)

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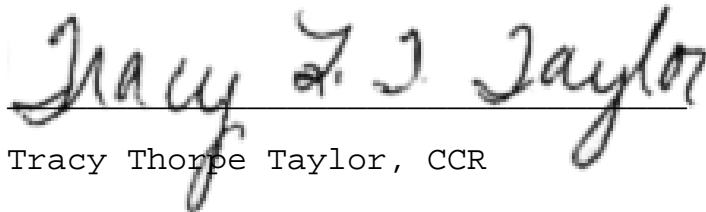
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CERTIFICATE OF REPORTER

I, Tracy Thorpe Taylor, CCR No. 939, within the State of Missouri, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.


Tracy Thorpe Taylor, CCR

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