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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing
December 19, 2017
Ozark, Missouri
Volume 2

In the Matter of Application of)
The Public Funding Corporation)
of the City of Ozark, Missouri)
to Sell its Water System Located)
in Christian County To the City)
of Ozark, Missouri)
File No. WM-2017-0342

DANIEL JORDAN, Presiding,
SENIOR REGULATORY LAW JUDGE

WILLIAM P. KENNEY, Commissioner

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1 (Public Hearing commenced at 6:34 p.m.)

2

3 JUDGE JORDAN: Good evening, everyone.
4 Thank you for being here. We will now go on the
5 record.

6 The Missouri Public Service Commission
7 is calling the case in file number WM-2017-0342.
8 This is in the matter of the application of the
9 Public Funding Corporation of the City of Ozark,
10 Missouri to sell its water system located in
11 Christian County to the City of Ozark, Missouri.

12 My name is Daniel Jordan. I'm the
13 regulatory law judge assigned to this action. It is
14 my job to conduct proceedings like these, and
15 eventually I will be drafting a decision for the
16 commissioners of the Public Service Commission to
17 vote on.

18 We are here to record witnesses'
19 testimony. Just to be clear, there won't be any
20 more company statements, no commission statements,
21 no Office of the Public Counsel statements. And we
22 are making a record of this proceeding that the
23 commissioners will all review before voting on the
24 decision that I draft.

25 And speaking of commissioners, with us

1 this evening in person is Commissioner Bill Kenney.
2 Commissioner.

3 COMMISSIONER KENNEY: Good evening,
4 everybody. I appreciate your attendance tonight. I
5 know this is an important issue to you, and I also
6 understand that many of you are very versed on the
7 process and what's going to take place.

8 I am one of five public service
9 commissioners. We always try to have one
10 commissioner at at least each forum/public hearing.
11 Many states do not do that, and we take it as a
12 practice. And each of my fellow commissioners will
13 have a chance to review any of your comments tonight
14 as our court reporter is putting things in the
15 record.

16 This is just one process. It's a long
17 process with a lot of testimony, a lot of hearings.
18 And eventually, unless the parties settle, we will
19 have a hearing and the commissioners will make a
20 decision in the future.

21 But again, I appreciate your being here
22 tonight and expressing your opinion. Thank you.

23 JUDGE JORDAN: Thank you, Commissioner.

24 Let's take entries of appearance. We
25 will begin with the applicant.

1 MS. CALLAWAY: Amanda Callaway, City
2 Attorney.

3 JUDGE JORDAN: And for Staff?

4 MR. WESTON: Jacob Weston, Staff
5 counsel's office. My information has already been
6 provided to the court reporter.

7 JUDGE JORDAN: And for the Office of the
8 Public Counsel?

9 MR. WILLIAMS: Hampton Williams on
10 behalf of the Office of the Public Counsel. My
11 information has been provided to the court reporter.

12 JUDGE JORDAN: Thank you, Counselors.

13 Now, here's what we're going to do when
14 we take testimony. I will call your name from the
15 sign-up list that I have before me. I'll ask you to
16 come up to the podium so that we can hear you well
17 and so can the court reporter, because she is to
18 write all this down.

19 I will administer an oath or affirmation
20 much like in circuit court. Tell me if your
21 religious convictions prohibit you from taking an
22 oath and I will administer an affirmation. Feel
23 free to do so.

24 If you have some documents that you want
25 the commission to look at, if you've brought some

1 papers, then I will ask you to have the court
2 reporter mark them and they can be entered into the
3 record also.

4 One person at a time comes up and
5 testifies. Use the microphone. There's a
6 microphone at the podium. I will ask you a few
7 questions to get you started perhaps, state your
8 name, spell it, things like that. Speak clearly so
9 that the court reporter can take down what you're
10 saying.

11 Out of respect for everyone's time,
12 please be concise, speak your mind, speak freely.
13 That's why we're here. We're here to listen to you.
14 And if someone has already said something here under
15 oath and you agree with it, please tell us. You
16 don't have to repeat what they said. You can tell
17 us that you agree with the previous speaker. But we
18 do want to know that. Okay? And remember, if you
19 don't say it during this part of the hearing, it's
20 not in the record.

21 When you're done testifying, hang on,
22 stay at the podium. There may be clarifying
23 questions, and here's what I'm going to do. I'm
24 going to assume that there are none unless counsel
25 raises their hand or the Commissioner nudges me.

1 That's not to put short pants on anyone. That's out
2 of respect for everyone's time and to eliminate
3 needless recitations.

4 Remember also -- you've probably heard
5 this already, but I'm going to mention it again --
6 in addition to testifying before the commission
7 today, you can also send comments to staff or to
8 OPC. Any questions about this part of the
9 proceeding? [No audible response].

10 I'm not seeing any, so I will proceed
11 with the first name on my sign-up list. And that
12 name is Jeff Taylor. Jeff Taylor, come forward and
13 be sworn.

14 Please raise your right hand. Do you
15 solemnly swear that the testimony you are about to
16 give will be the truth, the whole truth, and nothing
17 but the truth?

18 MR. TAYLOR: Yes. Absolutely.

19 JUDGE JORDAN: Thank you. And go ahead
20 and give your testimony.

21 MR. TAYLOR: I just wanted my voice to
22 be heard as far as the financial hardship not only
23 for me but others in my community and my
24 neighborhood. There's not too many services that we
25 pay for that we'd see three times the charges in a

1 short period like this.

2 And then again, I don't feel like it was
3 explained to us the benefit that we would have using
4 these services. And obviously we can't -- we can't
5 get another water service to come out and provide
6 water for us, so we're stuck using what's there.

7 And I don't -- I also don't believe that
8 there was clarification tonight where the moneys --
9 how they're going to be used to differ our service.
10 I was glad to hear that they're going to be changing
11 something, 'cause to this point it felt like it was
12 just going to be the same thing and we're going to
13 be charged three times the amount.

14 So again, the financial hardship, the
15 fact that we don't have a choice in this, that it's
16 going to be done without our consent, and that we're
17 going to be the ones paying the bill. And I did do
18 the math for the surrounding area. We're paying an
19 exorbitant amount compared to other people in our
20 region that pay for water outside the city.

21 So, um, yeah, I would just ask that you
22 consider the amount that's being charged, the amount
23 that we're paying from today moving forward, three
24 times the amount. It seems exorbitant.

25 If you came to ask me to do a job for

1 you and I agreed to a price and then it got changed
2 without my consent, I don't -- you know, I'm not
3 signing anything saying that I give my consent and
4 it's three times the amount.

5 I'm a realtor. If I agree to sell your
6 house for a certain amount and I'm charging you
7 three times what I agreed to or I'm charging above
8 what my competitors are, you would go to somebody
9 else. I don't get that choice. So I wanted my
10 voice to be heard on that.

11 COMMISSIONER KENNEY: Thank you,
12 Mr. Taylor.

13 MR. TAYLOR: Thank you.

14 JUDGE JORDAN: The next name on my list
15 is Tim Peters.

16 Please raise your right hand. Do you
17 solemnly swear that the testimony you are about to
18 give will be the truth, the whole truth, and nothing
19 but the truth?

20 MR. PETERS: I do.

21 JUDGE JORDAN: Okay. Go ahead.

22 MR. PETERS: Okay. Can you hear me
23 okay? First of all, I concur with what Mr. Taylor
24 said. I believe it's very well said.

25 My first concern is what we've already

1 talked about some but off the record; that is how is
2 the proposed one and a half times rate justified.
3 City of Ozark says they don't track things
4 separately, so that's how they justify it. If they
5 don't track it, then how do we know what the cost
6 actually is? There is no actual answer ever been
7 given in regards to what it costs to provide this
8 service outside the city limits.

9 The maximum is one and a half times the
10 rate of what the City of Ozark pays. That is -- I
11 understand the Public Service Commission, that's the
12 maximum. We don't feel like there's any
13 justification been given to us as customers.

14 We want to pay a fair rate. We want
15 that to be considered, on what the fair rate should
16 be. And I want to point out that the City of -- or
17 the City of Nixa that is outside the city limits --
18 the City of Nixa is charging 40 percent less than
19 what Ozark is proposing. Comparable cities,
20 comparable number of people, constituents, so on and
21 so forth.

22 So we feel like that should be looked at
23 as something that it could be considered a lower
24 rate than what they're proposing, because they don't
25 have to charge the one and a half times. They can

1 go less than that, Ozark can. They're not required
2 to.

3 Along with that, from the last meeting
4 in September, our question was the City of Ozark
5 believes it's a little easier to raise the rates on
6 its citizens versus going through Public Service
7 Commission formal channels. That impression was
8 definitely given. As a matter of fact, I think the
9 quote/unquote was the paperwork's a pain in the butt
10 by a City of Ozark official.

11 So we don't feel like that's due
12 process. We do feel like it's a adverse impact to
13 existing customers due to the increased rate without
14 any justification. The City of Ozark has no plans
15 to an annex Finley River Valley because it's not
16 contiguous with the city. It's not economically
17 viable, which I suppose may be true. Going back to
18 what the previous gentleman said, we have no other
19 choice on water. It has to be Ozark at this
20 juncture.

21 We believe that transparency is very
22 important in all forms of government, especially
23 when customers are being charged for a government
24 service do not have a voice in electing the
25 officials, like in this case -- the aldermen -- we

1 cannot vote on that.

2 So these individuals have the power to
3 raise rates, vote on issues that are going to affect
4 us, and we have no say in it. So we believe that we
5 have the right to know this information up front,
6 and we believe that we should have a voice.

7 I do want to say one last thing here and
8 point out this hearing tonight, the best I can tell,
9 was not published in the paper anywhere, and also I
10 know it wasn't on the website. I did not see it in
11 the paper. So there has been no public notice, to
12 my knowledge, of this meeting, which is very
13 disappointing and -- to us. And, um, I guess that
14 covers pretty much what I wanted to say tonight.
15 So . . .

16 COMMISSIONER KENNEY: Thank you,
17 Mr. Peters.

18 JUDGE JORDAN: Thank you.

19 The next name on my list is Lynn Morris.
20 That's L-Y-N-N Morris, like it sounds.

21 Please raise your right hand. Do you
22 solemnly swear that the testimony you are about to
23 give will be the truth, the whole truth, and nothing
24 but the truth?

25 MR. MORRIS: Yes, I do.

1 JUDGE JORDAN: Go ahead.

2 MR. MORRIS: Thank you.

3 Mr. Commissioner, staff, city, I appreciate having
4 the opportunity to speak tonight. And talking about
5 my name spelled L-Y-N-N, back when I was in college
6 a few years ago, I used to get all the women's grab
7 bags. So I got all the women's things that men
8 wouldn't normally need. Okay? So a little bit
9 about my name.

10 But I am the state representative for
11 this area, greatest district in the state. And I
12 think what we have is -- is, you know, when you're
13 used to paying something for 22 years and the rates
14 haven't gone up, you get pretty solid with that and
15 comfortable with that. And so now all of a sudden
16 you're getting a sticker shock because of a
17 potential rate increase. I'm going to suggest
18 something tonight that may be a compromise, but I'm
19 going to also offer some questions that I just need
20 you all to ponder. Okay?

21 So one of the questions is, is how
22 many -- and I don't want the answer now. I just
23 want people to consider this. How many times has
24 the water rate gone up in Ozark in the last ten or
25 20 years? That makes a difference, because if

1 you're going to charge someone time and a half, then
2 every time that rate goes up, it's going to be a
3 half more for those people outside the city limits.

4 I live outside the city limits in
5 Fremont Hills. I'm not asking for my rates to be
6 reduced, but I will tell you that I pay one and a
7 half times, as everybody does outside the city
8 limits, and it makes a tremendous difference.

9 I have two buildings, 15,000 square feet
10 apiece, right here inside the city limits,
11 landscaped and irrigated, with 22 toilets,
12 restrooms, and I only have three restrooms at my
13 house at Fremont Hills, and my -- and a lot less to
14 irrigate, and I irrigate the same amount of times at
15 Fremont Hills as I do at Ozark, and my water bill
16 can be 330 to \$350 a month in Christian County,
17 Fremont Hills, outside the city limits of Ozark. At
18 the same time my water rate in Ozark city limits is
19 120 to \$150. Okay?

20 So I just want you to know what the
21 price that these people are looking at. Now, I
22 don't expect them to have the same water rate I
23 have. I have a pool. I have three fountains. I
24 have a Japanese koi pond. I raise expensive fish,
25 and so I put a lot of water in there. So, yes, I

1 use water and I pay for it. I'm not complaining.

2 I'm not asking you to feel sorry for me, but I'm
3 asking you to think about these people here. Okay?

4 So that's one of the things I'd like to
5 know, how many times the water rate's gone up,
6 because it will make a difference.

7 And then, you know, because I have
8 businesses in Nixa, too, it does puzzle me. It does
9 puzzle me to know that Nixa is charging 1.1 times
10 outside their city limits and Ozark's charging 1.5.
11 So it would be interesting to note what the cost and
12 their expense ratio is compared to those two,
13 because the two cities are basically the same.
14 Ozark and Nixa are both great cities, both
15 first-class county/cities and great cities to live
16 in. So why is the difference? Okay. Another
17 question.

18 The other question that I wanted to make
19 sure that we talked about is -- and I've always
20 worried about this. Being a business person, I have
21 no representation. I have businesses inside the
22 city limits of Ozark. I have pharmacies around the
23 area. And every time an issue comes up on the city,
24 although I have city businesses, I have no say. I
25 have never been -- since 1977, I've had a business

1 41 years, not to got to vote on anything that has to
2 do with the city, although it definitely affects me.

3 The problem that anybody has that lives
4 outside the city limits but lives in our county,
5 they're never going to get to vote on anything the
6 city council does. That's a problem. I mean, they
7 have no say. They have no say about what happens.

8 So whatever happens today we know will
9 always increase at some point in time. Things don't
10 usually get lower. Things usually go up. Right?

11 So I just think that we need to know that these
12 people will not have a voice unless it's me or
13 someone like them -- like me that can help, because
14 no one else is going to be the voice for them.

15 So one of the things that I thought that
16 we might recommend is -- I mean, I'm sure that this
17 is going to go through. I'm confident this is going
18 to go through. What would be the possibility,
19 because I do know -- I don't know what the expense
20 of the city, but I know the city is going to spend
21 money to improve, make improvements. So I don't
22 know what that investment is going to be.

23 So they probably are going to have to
24 pay more money, but do we have to start out at 1.5
25 for these people? Maybe because they've been using

1 the same -- locked in the same rate for 22 years,
2 shouldn't be a penalty to automatically make them to
3 go to 1.5.

4 As a compromise, maybe you could go --
5 maybe the City of Ozark and this group of people
6 could decide and agree that maybe 1.1 or 1.2, some
7 kind of compromise, knowing that they're water rate
8 is going to go up someday because my water rates are
9 going to go up again someday, but to say that these
10 people need to pay 1.5 to start off with, even
11 though I know everybody else outside the county is
12 paying 1.5 today, maybe it's not fair to these
13 people.

14 And, you know, the last thing that we
15 don't ever want to happen, that we don't want to
16 happen in these small communities is for neighbors
17 to have distrust and not like city government, not
18 like the local government. I work with the state
19 government, and I don't even like the state
20 government sometimes. Okay? And I'm honest about
21 it. There's lots of problems, as we all know.

22 But we have got to make sure that people
23 are happy. This is a great town. Ozark's a great
24 town, got great leadership. I mean, I chose Ozark
25 to put my first pharmacy in. I could have gone

1 anywhere else in the state. I put 26 stores in, and
2 I put the first one in Ozark.

3 So we need to get along. And I have a
4 feeling that if this group is charged 1.5, they're
5 not going to be very happy and they're going to
6 think that they weren't important and that you all
7 didn't listen to them.

8 So my plea to you guys is think about a
9 compromise, something that the city can live with,
10 because they're going to spend more money, but
11 something that the people can afford. Okay? That's
12 all I want to say. Thank you very much.

13 AUDIENCE PARTICIPANTS: Amen.

14 COMMISSIONER KENNEY: Thank you.

15 JUDGE JORDAN: Thank you, sir.

16 Joshua Neel. Neel is N-E-E-L.

17 Please raise your right hand. Do you
18 solemnly swear that the testimony you are about to
19 give will be the truth, the whole truth, and nothing
20 but the truth?

21 MR. NEEL: Yes.

22 JUDGE JORDAN: Go ahead.

23 MR. NEEL: Okay. So the first thing I
24 wanted to say is, uh, the 22 years is really, um,
25 you know -- I don't know how they haven't tried to

1 submit an application for a rate increase in 22
2 years. It's really concerning to me, and I think it
3 should be really concerning to you as well to ask
4 why. That's what we're all asking here. That's
5 what we're all here for is the rates.

6 And so far nobody has been able to
7 answer the question. I have asked it to multiple
8 people. I sent multiple emails. And nobody has
9 answered the question. So that goes to we're just
10 asking for answers from the city, and so far we
11 got -- it seems like we got answers to what they
12 wanted to answer, but they let that all -- the other
13 things they don't want to answer or they try to
14 skirt around the problem.

15 So I know multiple people that haven't
16 gotten answers, and they're tough questions. I
17 admit that they are tough questions, but I think
18 they need to answer tough questions.

19 The next one is nobody has been able to
20 show why there's a need for change. The water
21 system we have currently, there's nothing wrong with
22 it. They're going to cap the system that we have
23 when there's nothing wrong with it. They said
24 they're going to cap it because there's increased
25 cost and they want to hook up to the other water

1 line, which is across the highway to OTC.

2 We've asked many, many questions about
3 why does it need to be capped? And I don't think
4 there's been sufficient answers. Here again, we're
5 just -- we're asking for answers to why they're
6 going to do what they're going to do.

7 It also goes back to I heard somebody
8 before ask for transparency. You know, they're
9 talking about, you know, increased costs, but they
10 cannot show any increased costs. I don't agree with
11 that.

12 And the last one I heard Mr. Morris
13 before we say about compromise. Compromise. I
14 totally agree. I think there should be a
15 compromise. Myself, I have not a problem with an
16 increased rate. The problem is 240 percent
17 increase. And I think part of the application is,
18 is it detrimental to the people of the community?
19 If 240 percent is not detrimental, what is?

20 There to be, you know, a rate could be
21 staggered. There's all kinds of things, but nothing
22 has been brought forward by the city to do a
23 compromise, and so we -- I think you guys need to
24 take that into consideration, if I may. And that's
25 about it.

1 COMMISSIONER KENNEY: Thank you,
2 Mr. Neel.

3 JUDGE JORDAN: Thank you. I have two
4 names on the next one, Rich and Remate McVey. Pick
5 one? Who would like to come forward, Rich or
6 Remate, if they're still here. The McVeys here?

7 [No audible response].

8 Then I'll go on to the next name on the
9 list which is Michael Schudy, and I hope I
10 pronounced that correct. S-C-H-U-D-Y. Did I get
11 your pronunciation right?

12 MR. SCHUDY: Yes, you did.

13 JUDGE JORDAN: Then please raise your
14 right hand. Do you solemnly swear that the
15 testimony you are about to give will be the truth,
16 the whole truth, and nothing but the truth?

17 MR. SCHUDY: I do.

18 JUDGE JORDAN: Go ahead and tell the
19 commission what you'd like it to hear.

20 MR. SCHUDY: Well, I'm glad you all are
21 here tonight. I didn't know you all showed up to
22 the meetings, and it's a good thing. It really is.
23 All you guys too.

24 And Lynn Morris, he and I have a little
25 bit of a connection. He put his first drugstore

1 here in Ozark, and I was really glad because I was
2 his UPS driver for ten years, and it helped me make
3 a living.

4 And I think Ozark is one of the best
5 places in the world. It's -- I fell in love with it
6 when I started delivering, and all my friends are
7 down here now. So it's just where I moved, even
8 though my address says "Nixa" on it.

9 The last meeting you all weren't here,
10 and I understand that you don't set the rates. I
11 understand that. But -- and I know that, like Lynn
12 said, it's probably going to go through. But my
13 question and my -- I've really been kind of in a
14 quandary over it, and I plan to be a lot more -- I
15 didn't even plan to talk tonight, but I felt like I
16 needed to because the last meeting we had here,
17 several questions were asked.

18 Like for instance, we finally got out of
19 it, first, the amount that it was going to cost is
20 \$12 million. Well, I've been around a little
21 construction in my life, and I didn't think it was
22 going to be. And then it was \$250,000. Tonight
23 it's now \$600,000.

24 So I'm kind of confused, and I asked 'em
25 the last time in the meeting that, you know, it's

1 kind of hard to go from zero to a hundred miles an
2 hour without some kind of injury to your neck or
3 your back. And it's like, well, we went from no
4 rate to wide open.

5 And I know you guys don't set it, but I
6 think you had -- you know, you all controlled it.
7 Well, if they weren't able to make enough money to
8 operate, which I think you said that that's what you
9 guys do -- is that correct -- when you were here
10 last time, that you had said that -- when some place
11 is being taken over by another city or whatever it
12 is, that you guys try to help and make sure they
13 have enough money to operate.

14 UPS wouldn't last very long if they
15 couldn't do a rate increase once in a while, but all
16 of a sudden we still can't get an answer for it.
17 And in today's environment, where all the
18 governments are, you know -- there's lots of swamps
19 around. We don't want Ozark to be another swamp.

20 Frankly, I think that there should be a
21 compromise and maybe, you know -- I myself would
22 like to get all the neighbors together and buy the
23 water system back. I don't even know if it's a
24 possibility, but from what I've heard, I've not
25 heard anything, basically. It was all thin air.

1 So that's all I've got to say, and I
2 wasn't quite as eloquent in my speech, but thank you
3 all for coming.

4 COMMISSIONER KENNEY: Thank you, sir.

5 JUDGE JORDAN: Thank you for sharing.

6 That's the last name I have on my list,
7 but as long as we're all here together and
8 Commissioner Kenney is here, is there anyone else
9 that would like to testify? Anyone else want to
10 step up and take the oath and testify? I'm not
11 seeing -- oh, I see one hand.

12 Please state your name for the record.

13 MR. BRAKER: It's Ken Braker,
14 B-R-A-K-E-R.

15 JUDGE JORDAN: Please raise your right
16 hand. Do you solemnly swear that the testimony you
17 are about to give will be the truth, the whole
18 truth, and nothing but the truth?

19 MR. BRAKER: Yes.

20 JUDGE JORDAN: Okay. Go ahead.

21 MR. BRAKER: And I have to admit, I
22 haven't kept up with this as much as I should, so
23 tonight I'm kind of getting most of the information
24 that I have on this. But from my perceptions -- and
25 I appreciate what Mr. Morris had to say about the

1 compromise because what it appears to me, you have a
2 group of people here who have no representation to
3 what's going on and this is being told what's going
4 to happen without us really having a say in what
5 affects our life.

6 And, um, I'd like to ask the commission,
7 too, yes, put -- maybe slow down on this, put the
8 brakes on it. I understand probably it's going to
9 happen, but if we can make a compromise on what the
10 rate increase is, I think most people are of the --
11 my perception, appear to be a rate increase, as long
12 as it's reasonable and we get a better service for
13 it, is not really out of the question. But when
14 we're told that there's really no benefit for the
15 rate increase that we'll be getting, that's where
16 the angst comes from the people sitting behind me.

17 COMMISSIONER KENNEY: Thank you.

18 JUDGE JORDAN: Thank you for your
19 testimony.

20 Anyone else want to speak while we're
21 here? Come on up, take the oath? One more. That's
22 why we're here.

23 Please state your name and spell it for
24 our court reporter.

25 MS. HICKS: Debbie Hicks, D-E-B-B-I-E,

1 H-I-C-K-S.

2 JUDGE JORDAN: Please raise your right
3 hand. Do you solemnly swear the testimony you are
4 about to give will be the truth, the whole truth,
5 and nothing but the truth?

6 MS. HICKS: Yes, I do.

7 JUDGE JORDAN: Okay. Tell the
8 commission what you would like it to hear.

9 MS. HICKS: I think -- I understand, you
10 know, rate increases, but I think with the rate
11 increase, it needs to be for the water increase, you
12 know. That's basically what it -- you know, but it
13 needs to be reasonable.

14 I've heard -- and like the other
15 gentlemen said, I haven't kept up with it as well as
16 I should, but I've heard that there are some other
17 services that the city gets that's part of their
18 rates that we're going to be charged but not receive
19 those services.

20 Um, so, you know, I don't feel that
21 we're having a rate increase, it should be only for
22 the things that we receive, not for other items that
23 the city gets that we don't.

24 And then I would like to know what kind
25 of benefits we get with this. You know, if we're

1 putting a new water line out to Finley Valley, okay,
2 we've got a new water line there. But what happens
3 to the water lines between the houses that go down
4 the streets? Those aren't going to be repaired.

5 We just had an issue with ours just a
6 month and a half ago and we had a water leak, and it
7 was on the city side, and the city took care of it.
8 Um, had it been on our side, you know, we would have
9 had to pay for that. Is that side going to still be
10 where it is, city, you know, pays for this side and
11 we pay for this, or now are all those old pipes part
12 of our responsibility?

13 I just think we need to be more
14 concerned about, you know, let's take baby steps up,
15 you know, in the pricing increase. Thank you.

16 COMMISSIONER KENNEY: Thank you very
17 much.

18 JUDGE JORDAN: Thank you for your
19 testimony. Anyone else? Come on up. Please state
20 your name.

21 MR. AUCHTUND: Tim Auchtund. It's
22 A-U-C-H-T-U-N-D.

23 JUDGE JORDAN: Do you solemnly swear
24 that the testimony you are about to give will be the
25 truth, the whole truth, and nothing but the truth?

1 MR. AUCHTUND: I do.

2 JUDGE JORDAN: Okay. Go ahead.

3 MR. AUCHTUND: I just want to say about
4 the gentleman who talked about taking over the water
5 system, I can tell you I don't agree with that. I
6 don't want to take over the water system. It's very
7 expensive to operate a system. You have to have an
8 operator out there taking care of it. You got
9 monthly samples. You got several monthly samples
10 and -- to take out there and stuff. And I don't
11 want to maintain the lines. I don't want to have
12 anything to do with it. I just want to go on the
13 record and say that. Too much of an expense for my
14 part.

15 COMMISSIONER KENNEY: Thank you.

16 JUDGE JORDAN: Thank you for your
17 testimony. And I believe we saw one more hand.
18 Come forth and testify.

19 Please state your name and spell it for
20 the court reporter.

21 MS. WALTHER: My name and what?

22 JUDGE JORDAN: And spell it also for the
23 court reporter. And please use the microphone.

24 CITIZEN PARTICIPANT: Janet Walther.

25 J-A-N-E-T, W-A-L-T-H-E-R.

1 JUDGE JORDAN: Please raise your right
2 hand. Do you solemnly swear that the testimony that
3 you are about to give will be the truth, the whole
4 truth, and nothing but the truth?

5 MS. WALTHER: Yes, sir.

6 JUDGE JORDAN: Okay. Go ahead.

7 MS. WALTHER: I have not lived in this
8 area very long, and I agree with a lot of what has
9 been said tonight. I especially liked what our
10 gentleman said that works for the state. What I see
11 in our addition, that a great many of us are retired
12 people, some of us are widows, some of us are
13 singles, and we don't have a voice with the City of
14 Ozark. And it -- it's very frustrating to have
15 something being dropped on us without us having
16 enough information and knowledge of what's going on.

17 So I would ask that we get -- I spent an
18 hour and a half today trying to get information on
19 the website. I didn't find all of the things that
20 they said they had put on there. And I -- I think
21 that we need to have a better voice, that they need
22 to be more responsive to us.

23 I love the city of Ozark. I've only
24 been here a few years. But we need to -- if they're
25 going to make these changes, we need to know what it

1 is. And I will tell you if the rates are what they
2 are now, I will be down to about a hundred dollars
3 disbursable income to live on. So we need to
4 consider what we're doing here, and we need
5 information.

6 I keep hearing that the questions
7 haven't been answered. As much as I love the city
8 of Ozark, if they're not willing to give us answers,
9 then I think you will see people moving out of
10 Ozark.

11 So I -- for whatever it's worth, I think
12 you need to know that we need to be informed, we
13 need to be considered a part of, and actually we
14 don't have an Ozark address and yet we are being
15 dictated to by the City of Ozark. Thank you.

16 JUDGE JORDAN: Thank you for your
17 testimony.

18 Anyone else want to give testimony? And
19 I'm not seeing anyone. So I see one more.

20 MR. MORRIS: May I speak one more time?

21 COMMISSIONER KENNEY: We have a rule
22 that you're not allowed to, but we'll let you.
23 We'll let you. Yeah, we want you to be heard. We
24 just --

25 MR. MORRIS: I don't want to break the

1 rules, but I just -- this is Lynn Morris again. I
2 appreciate it.

3 JUDGE JORDAN: Representative Morris,
4 you are still under oath.

5 MR. MORRIS: Thank you very much. You
6 know, I just thought of something else. I am
7 definitely for Ozark, really, and I'm -- my three
8 children graduated from Ozark. My wife graduated
9 from Ozark. Now we're having to get used to be from
10 Nixa because all six of my grandchildren go to Nixa.

11 But I thought of something else. You
12 know, I'm a compromiser. I like to work with both
13 parties up in Jeff City. What I really think the
14 group needs tonight, because I have it in Fremont
15 Hills and I know there are in some of the other
16 areas that we live in, is as their rates are going
17 to go up over time, they need -- they probably have
18 one of the highest homeowners insurance because of
19 their fire rates, because I think we've got some
20 problems out there --

21 AUDIENCE PARTICIPANTS: We don't have
22 fire hydrants.

23 MR. MORRIS: They've got one fire
24 hydrant. So one of the things I think that the city
25 needs to work on together with this group -- I'm

1 just trying to get everybody to work together -- is
2 try to figure out a way to help them protect their
3 homes if they have a fire. And as you do that,
4 you're going to reduce their rates of insurance,
5 which will help them pay for their water bills.

6 I mean, you can see that they don't have
7 some of the same protections as my family has out in
8 Fremont Hills, and I would like for all my district
9 to have the same type of protection. And so I would
10 offer that as something else that the groups work
11 together with. Okay?

12 COMMISSIONER KENNEY: Can I ask a
13 question?

14 MR. MORRIS: Yes.

15 COMMISSIONER KENNEY: What is the --
16 what number of households are we talking in this
17 group?

18 MR. MORRIS: There are about 230
19 household, isn't there?

20 AUDIENCE PARTICIPANTS: Yeah. At least.

21 MR. MORRIS: So about 5 to 600 people
22 we're talking about.

23 COMMISSIONER KENNEY: Do you know what
24 the City of Ozark is doing with their rates within
25 their city limits?

1 MR. MORRIS: Yes.

2 AUDIENCE PARTICIPANTS: Somebody will
3 know.

4 JUDGE JORDAN: I was asking Mr. Morris.

5 MR. MORRIS: I don't know.

6 COMMISSIONER KENNEY: You don't know.
7 I'll find that out. Thank you. I appreciate it.

8 MR. MORRIS: Thank you.

9 JUDGE JORDAN: Anyone else want to speak
10 before we go off the record? [No audible response].

11 And this time I'm really not seeing any
12 hands, and so I want to add one thing, which is that
13 this kind of hearing, this local public hearing
14 happens in general rate actions when we're rewriting
15 the tariffs for a big utility, like Ameren or
16 someone like that, but it seldom happens in a case
17 like this, which is a merger of water systems, but
18 the Office of the Public Counsel asked for this, and
19 so we came down to hear your testimony.

20 On behalf of the commission, I thank you
21 for your testimony, thank you for speaking, thank
22 you also for listening. And with that, I will
23 adjourn this local public hearing and we will go
24 off the record.

25 (Concluded at 7:12 p.m.)

1 CERTIFICATE OF REPORTER

2

STATE OF MISSOURI)

3

)

ss:

COUNTY OF WEBSTER)

4

5 I, Paula C. Voyles, a Registered Professional Reporter,
6 Certified Real-Time Reporter, and Certified Court
7 Reporter (MO), do hereby certify that the matter
8 appearing in the foregoing transcript was recorded by
9 me to the best of my ability and was thereafter reduced
10 to written form under my direction.

11 I further certify that I am not a relative or employee
12 of counsel of any of the parties, nor a relative or
13 employee of the parties involved in said action, nor a
14 person financially interested in the action.

15

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PAULA C. VOYLES, RPR, CRR,
CCR No. 750

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