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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
TRANSCRIPT OF PROCEEDINGS  
Public Hearing  
January 26, 2016  
Joplin, Missouri  
Volume 5

In the Matter of Missouri ) File No.  
American Water ) WR-2015-0301

KIM BURTON, Presiding,  
REGULATORY LAW JUDGE  
Scott Rupp,  
COMMISSIONER.

(Starting time of the proceedings: 6:02 p.m.)

REPORTED BY: KAREN VEST, Registered Professional  
Reporter, Certified Realtime Reporter, and Certified  
Court Reporter within and for the State of Missouri



1 \* \* \* \* \*

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

3 IT IS HEREBY STIPULATED that these  
4 proceedings may be taken in shorthand by Karen Vest,  
5 RPR, CRR, a Registered Professional Reporter,  
6 Certified Court Reporter, and Certified Realtime  
7 Reporter in the state of Missouri, and afterwards  
8 transcribed into typewriting.

9 (Whereupon, proceedings began at  
10 6:02 p.m. on Tuesday,  
11 January 26, 2016, with appearances  
12 as noted.)

13 JUDGE BURTON: We're on the record in  
14 Missouri Public Service Commission, File Number  
15 WR-2015-0301 in the matter of Missouri American  
16 Water Company's request for authority to implement a  
17 general rate increase for water and sewer service  
18 provided in Missouri service areas.

19 Today is Tuesday, January 26th, 2016,  
20 and the commission is holding a local public hearing  
21 here in the Cornell Auditorium in the Robert W.  
22 Plaster Free Enterprise Center at 3950 East Newman  
23 Road, Joplin, Missouri, 64801.

24 Good evening, everyone. My name is Kim  
25 Burton. I am a regulatory law judge with the

1 Missouri Public Service Commission. I am actually  
2 one of six judges.

3 And we have with us today also  
4 Commissioner Rupp, and I'll let commissioner Rupp  
5 speak a little.

6 MR. RUPP: I am Scott Rupp. I'm one of  
7 the public service commissioners. There's five of  
8 us. The other four, we have hearings in Jeff City  
9 on a different case, so I am the representative here  
10 tonight.

11 But there is a court reporter, so all  
12 of your comments are going to be transcribed and all  
13 of my colleagues will have a chance to read all of  
14 your comments.

15 So you -- so I -- not just me will hear  
16 your thoughts. All the other commissioners will as  
17 well.

18 When you come down, we would like to  
19 hear obviously what you think about the pending  
20 issue. Also I would like to hear about the customer  
21 service and how the company is operating, the types  
22 of services that you're receiving, how they're  
23 interacting with the customers and the community.  
24 So if you have any comments to that as well, I  
25 really do appreciate hearing about that.

1 I am unable to answer any questions  
2 that you may pose towards myself and the judge.  
3 It's just one of the rules that would -- could  
4 possibly be considered prejudging it or if I were to  
5 say something or give away a piece of information.

6 So if you have a question, there is  
7 people from the company are here to answer your  
8 questions, as well as the staff from the Public  
9 Service Commission and also from the Office of  
10 Public Counsel.

11 So they can answer your questions, but  
12 I am unable to answer anything that you would pose  
13 to me during your public comments.

14 I may have a question for you for  
15 clarification purposes, but really we're here just  
16 to listen. Thank you.

17 JUDGE BURTON: Thank you, Commissioner.  
18 At this time I'm going to allow the parties to enter  
19 their appearance for the record. Let's begin with  
20 Missouri American Water Company.

21 MR. LUFT: Tim Luft, Missouri American,  
22 and I provided the court reporter with my  
23 information prior to this.

24 JUDGE BURTON: Thank you. And for the  
25 Office of Public Counsel?

1 MR. KRETZER: Steven Kretzer for the  
2 Office of Public Counsel, and I too have provided my  
3 information to the court reporter.

4 JUDGE BURTON: Thank you. And on  
5 behalf of the Staff of the Missouri Public Service  
6 Commission?

7 MR. WILLIAMS: Hampton Williams for the  
8 Public Service Commission Staff, and I have provided  
9 my information to the transcriber.

10 JUDGE BURTON: Thank you. Now at this  
11 time I don't see a list in front of me of  
12 individuals who have requested to provide testimony,  
13 so I'm going to see if anyone would like to offer  
14 some testimony on the record for the commission.

15 It's like you're walking down with a  
16 ballot here. And the winner is -- Miss Universe  
17 is... Mr. Andersen?

18 THE WITNESS: Yes, I am.

19 JUDGE BURTON: Okay. If you could  
20 please come down here.

21 THE WITNESS: Yes, ma'am.

22 (A witness is called to the stand  
23 and is placed under oath by Judge  
24 Burton.)

25 JUDGE BURTON: Would you please state

1 and spell your name for the record and identify what  
2 water or sewer district you are located within.

3 THE WITNESS: My name is Mark Andersen,  
4 M-A-R-K, A-N-D-E-R-S-E-N. And I am in the Joplin  
5 water district.

6 JUDGE BURTON: Thank you.

7 \* \* \* \* \*

8 MARK ANDERSEN,  
9 of lawful age, having been called as a witness and  
10 being first duly sworn, testified as follows:

11 THE WITNESS: I have several concerns  
12 about the rate cases under discussion.

13 First, I do not believe that the impact  
14 of the proposed changes has been adequately  
15 communicated to the customers. Conflicting and  
16 confusing information has been provided to us,  
17 resulting in a misunderstanding by customers.

18 For example, the notice that I received  
19 by mail last week indicated that there would be a  
20 19.63 percent increase in base rates.

21 However, Christie Barnhart on behalf of  
22 Missouri American Water made a statement that has  
23 been recorded on local news indicating that Missouri  
24 American Water's request is to lower rates in the  
25 Joplin area.

1           This lack of clarity about the  
2   fundamental nature of the changes is troubling to  
3   me, and it leaves the public unable to reach  
4   informed conclusions about the nature and the impact  
5   of the proposed changes.

6           My second concern relates to the  
7   consolidation of water districts across the state  
8   into three water rate zones.

9           Here, my concerns closely follow  
10   several concerns that were outlined by Ralph Smith  
11   of the public -- the Office of Public Counsel in  
12   testimony that he submitted to the Public Service  
13   Commission on January 20th of 2016.

14          Mr. Smith presents evidence that the  
15   creation of the proposed zones would bring together  
16   geographically scattered districts with widely  
17   varying costs and levels of investment and charge  
18   them a single rate.

19          This would inevitably lead to market  
20   distortion and to some extent people in some  
21   districts effectively paying part of the cost of  
22   service for people in other areas.

23          The creation of several massive water  
24   rate zones would further cloud the issues that  
25   surround cost of service and revenues, making it



1 more difficult in the future for the public to  
2 assess the reasonableness of rate changes.

3 In addition, Mr. Smith presents  
4 evidence that the proposed rates for customers in  
5 the current Joplin water district would be deficient  
6 in covering Missouri American Water Company's cost  
7 of service for this area.

8 It's my opinion that this is  
9 unsustainable and would lead in the short term to  
10 additional needs for rate increases to cover the  
11 shortfall.

12 My third concern relates to regulatory  
13 mechanisms that are mentioned in the notice of  
14 public hearing.

15 The regulatory mechanisms are described  
16 as allowances to implement rate changes or  
17 surcharges without a rate case in order to meet  
18 financial targets or to comply with as-yet undefined  
19 environmental regulations.

20 While I support the right of utility  
21 companies to run their businesses in a profitable  
22 manner, I believe that the current system of review,  
23 oversight, and public comment prior to the  
24 implementation of changes to utility rates and  
25 surcharges is necessary to protect consumers.

1 I urge the commission to deny the  
2 request to surrender this power and public trust to  
3 the companies that they're charged to oversee.

4 I believe that some rate adjustments  
5 may be necessary to maintain the financial solvency  
6 and the profitability of Missouri American Water  
7 Company.

8 While nobody likes to see their prices  
9 increase, all of us benefit from having healthy  
10 utility companies that provide a good value for our  
11 money.

12 That said, I do not believe that the  
13 proposed adjustments in Missouri American Water  
14 Company's rate case are the only way or the best way  
15 to accomplish that goal.

16 I recommend that the commission reject  
17 the proposed rate case and direct Missouri American  
18 Water Company to develop and submit a less drastic  
19 change focused more on incremental adjustments to  
20 pricing within their existing water districts.

21 Please help us to come to a solution  
22 that is more mutually beneficial to the public and  
23 to Missouri American Water Company. Thank you.

24 JUDGE BURTON: Thank you, Mr. Andersen.  
25 If you would just stay there one moment and let's

1 see if the commissioner has any questions for you.

2 MR. RUPP: What's your background, if  
3 you don't mind me asking?

4 THE WITNESS: I'm a mechanical  
5 engineer.

6 MR. RUPP: Okay. And who do you work  
7 for? You don't have to answer that, but --

8 THE WITNESS: Okay. No, I'll answer  
9 that. I've been asked that once tonight already.

10 I am not here representing any company.  
11 I'm here as a private citizen, but my employer is  
12 EaglePicher Technologies.

13 MR. RUPP: Okay. You're probably one  
14 of the most informed people that have ever presented  
15 anything before a local public hearing, and I just  
16 thought you should be commended for that.

17 And I was just curious, you know, of --  
18 of just what your background was, because you're  
19 very informed, you've read testimony, and I think  
20 you should be applauded for that.

21 THE WITNESS: Thank you. I appreciate  
22 that.

23 JUDGE BURTON: Any question from  
24 Missouri American Water, Office of Public Counsel,  
25 or staff?

1 MR. KRETZER: No.

2 JUDGE BURTON: Thank you, Mr. Andersen.

3 THE WITNESS: Thank you very much.

4 (The witness is excused.)

5 JUDGE BURTON: And that concludes the  
6 individuals that have been listed on the signup  
7 sheet, but if there are any other individuals who  
8 would like to come forward and offer their  
9 statements for the record, please show your hand  
10 right now. All right. Seeing --

11 MR. RUPP: After Mr. Andersen, I think  
12 a lot of people might have been a little --

13 JUDGE BURTON: We'll have a drop the  
14 mic, huh?

15 MR. RUPP: That's it.

16 JUDGE BURTON: Well, that being said,  
17 before we go off the record, I would just like to  
18 thank everyone for coming out here today and for  
19 representatives from the company and the Office of  
20 the Public Counsel and staff for participating in  
21 answering your questions.

22 The evidentiary hearing will be held  
23 over two weeks in March. It begins Monday, March  
24 14th, goes through the 18th and then resumes on  
25 Monday, March 21st, and continues through the 25th.

1 That will be in Jefferson City, Missouri, and you  
2 will have an opportunity to go up there and watch  
3 those hearings. They are public.

4 Or if you're not inclined to travel up  
5 to Jefferson City, it is available for live  
6 streaming through the Missouri Public Service  
7 Commission's website.

8 So thank you all. I hope you all have  
9 a good night, and we'll go ahead and go off the  
10 record.

11 (Whereupon, the proceedings were  
12 concluded at 6:12 p.m. on Tuesday,  
13 January 26, 2016.)

14 (No exhibits were marked during  
15 the course of these proceedings.)

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