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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
TRANSCRIPT OF PROCEEDINGS
VOLUME 11 - Page 1
Local Public Hearing

University of Missouri - St. Louis
J.C. Penney Building, Summit Room
8001 Natural Bridge Road
St. Louis, Missouri 63121

In The Matter of)
Missouri-American Water)
Company's Request for) No. WR-2017-0285, et al.
Authority to Implement)
General Rate Increase)
For Water and Sewer)
Service Provided in)
Missouri Service Areas.)

KIM S. BURTON, Presiding
SENIOR REGULATORY LAW JUDGE

SCOTT T. RUPP
MAIDA J. COLEMAN
COMMISSIONERS

REPORTED BY: Debra L. Burriss, CSR, CCR

PRIMO REPORTING SERVICE
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St. Louis, Missouri 63131
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1 JUDGE BURTON: Good evening, everyone.
2 Let's go ahead and go on the record in File
3 Number WR-2017-0285, et al., in the matter of
4 Missouri-American Water Company's Request for
5 Authority to Implement General Rate Increase for
6 Water and Sewer Service Provided in Missouri
7 Service Area. Today is January 30th, 2018, and
8 the time is approximately 6:11 p.m. The
9 commission has set this time for a local public
10 hearing here at the University of Missouri
11 St. Louis, JC Penney Building, and we're in the
12 Summit Room.

13 My name is Kim Burton. I'm a
14 Regulatory Law Judge for the Missouri Public
15 Service Commission. On my left I have
16 Commissioner Coleman, and on my right I have
17 Commissioner Rupp.

18 I apologize, we have a little bit of a
19 technical difficulty, and so we only have one
20 microphone available. So when individuals come
21 up to testify, I'm going to ask that you not
22 yell at us, but speak loudly towards us, so that
23 we can hear you and that everyone else here
24 participating and listening can also hear you as
25 well. At this time I'm going to ask the parties

1 to enter their appearance for the record. And
2 we're going to begin with Missouri-American
3 Water Company.

4 MR. LUFT: Thank you, Judge Burton.
5 Tim Luft, Missouri-American Water, and the court
6 reporter has my information.

7 JUDGE BURTON: Thank you, Mr. Luft.
8 On behalf of the staff of the Missouri Public
9 Service Commission?

10 MS. FORCK: Marcie Forck for the staff
11 of the Missouri Public Service Commission, and
12 the court reporter has my information as well.

13 JUDGE BURTON: Thank you. On behalf
14 of the Office of Public Counsel.

15 MS. SHEMWELL: Good evening and thank
16 you. Lera Shemwell representing the Office of
17 the Public Counsel and the Public. And I've
18 given the court reporter my information. Thank
19 you.

20 JUDGE BURTON: Was everyone able in
21 the back to hear Ms. Shemwell?

22 AUDIENCE: No.

23 JUDGE BURTON: Okay.

24 MS. SHEMWELL: Lera Shemwell
25 representing the Office of the Public Counsel.

1 We represent the Public in rate cases in front
2 of the Commission.

3 JUDGE BURTON: Now, I want to explain
4 a little bit about this process and how this
5 works. I know there was a question and answer
6 session that preceded this hearing, and whatever
7 was discussed there, any questions that you
8 might have had or any answers that were given
9 there is not part of the official record. We
10 have this as a hearing, and we have a nice lady
11 over here on my right who's a court reporter.
12 She's going to be transcribing everything that
13 you say once you testify so that it becomes part
14 of the record. And that way the other
15 commissioners who aren't here -- and there are
16 three other commissioners -- will be able to
17 have an opportunity to review this before the
18 hearing.

19 And when I say hearing, I mean the
20 evidentiary hearing. And it's a two-week
21 hearing that's scheduled to begin on February
22 26th in Jefferson City, Missouri. This is a
23 long process, and this is just a part of the
24 process, but it's an important process, so that
25 the Commission can hear any questions or

1 concerns that you have. Now, whenever I mention
2 questions, I want to point out that we as the
3 Commission and the judge aren't able to actually
4 answer any questions you have whenever you come
5 up to testify. We're hear to listen to what you
6 have to say.

7 Now, if you have any questions about
8 the rate case process or about service quality
9 issues that you might have for your case, please
10 stay after the hearing. There are
11 representatives from the staff of the
12 Commission, from the company, and from the
13 public counsel who are willing to talk with you
14 and to explain the whole process or help you
15 resolve any issues you might have.

16 And just to explain how this will work
17 a little bit more, I have a list of individuals
18 who've already indicated that they want to
19 testify. So what will happen is, I will ask you
20 to please come forward. I will swear you in,
21 ask you to state your name and spell your name
22 for the record. And the reason is that way it
23 makes life a lot easier for the court reporter
24 over here. Then you can offer your testimony.
25 I have a timer, and we'll ask that everyone keep

1 their statements to about five minutes. After
2 your done with your statements, please stay up
3 here so that that way if I have any questions
4 for you or if the commissioners have any
5 questions for you or if the attorneys have any
6 questions for you, they can answer them.

7 Now, we might ask you some questions
8 about where you reside. And by where you reside
9 I might ask what area, what community, what
10 city, what village you live in, what
11 subdivision. I don't want your specific house
12 address, because this is going to be a public
13 record. If there are any particular concerns
14 you have about your own home and your own
15 location, again, please stay after the hearing,
16 and you can talk to the attorneys and the
17 representatives to kind of address those issues.
18 And I'm sure they'll have questions for you if
19 that comes up.

20 Now, the Commission would like to hear
21 what your concerns are about this case or your
22 service, and the Commission is also interested
23 in hearing anything that you might have to say
24 about concerns you have or issues you might have
25 about lead in your water, or in your service

1 lines, or any testing that might have occurred
2 about the lead quality issues. And I will say
3 that we have a list of people, but if you've
4 already testified, I would ask that you just
5 remain and let other people who haven't
6 testified yet have an opportunity to testify
7 first. So if I call your name and you've
8 already testified at one of the other local
9 public hearings, please hang tight and just let
10 me know, and we'll pass you and let other people
11 have a, let -- excuse me, let other people have
12 an opportunity to speak first, okay? That being
13 said, I'm going to call the first individual,
14 and I'll -- I'll apologize if I mispronounce
15 your name, but Tim Jones.

16 MR. JONES: Jones.

17 JUDGE BURTON: Jones. That was a hard
18 one. Please raise your right hand. Do you
19 swear or affirm that the statements you're about
20 to give will be the truth, the whole truth, and
21 nothing but the truth?

22 MR. JONES: I do.

23 JUDGE BURTON: Will you state and
24 spell your name for the record?

25 MR. JONES: Yes. Tim Jones, T-i-m

1 J-o-n-e-s.

2 JUDGE BURTON: Thank you.

3 MR. JONES: I am a councilman of the
4 City of Florissant. I am up here with many
5 concerns this evening. One of them is the
6 cleanups that's been happening have been taking
7 months and months to get cleaned up in my city,
8 which is out of hand. You've got yards and
9 streets full of mud. This -- it's got a lot of
10 people upset up there.

11 Another thing I'd like to speak about,
12 the bad contractors that you guys keep hiring is
13 getting out of hand. Most utilities use
14 contractors that's went through an
15 apprenticeship program, and they do this stuff
16 right instead of doing it shoddy. That's
17 getting out of hand. Either you need to hire
18 some more people with American Water or we need
19 to hire the proper contractors, especially when
20 we're getting jammed with these bills, and even
21 getting jammed more with this increase.

22 Another thing I'd like to speak about
23 is the rate increase. I'm a heavy equipment
24 operator by trade. I know the water works, I
25 know how everything is and the pipes you dig up.

1 I know the layout of everything. This is not
2 the commonsense approach that you guys are
3 taking coming up and bashing this down our
4 throats. I mean, that's out of hand. We have a
5 lot of people on fixed incomes out here. I hope
6 that you guys consider that. You have other
7 utilities that do, even the trash man cuts the
8 rate for your fixed income people. I mean, some
9 of this stuff I don't know how you guys put this
10 together.

11 Everybody knows all the water main
12 breaks that are taking place right now. It is
13 out of hand. You guys are going after the
14 money, I understand that, but we do it in steps.
15 That's commonsense approach. That's what all
16 utilities do. We don't come and jam this down
17 our throats. This is very terrible. It's
18 almost like somebody didn't do their homework.
19 And it is kind of funny too, as we can see down
20 over there on our map, all the water main breaks
21 that are happening right now in you guy's area,
22 and it's funny how you're coming to us with this
23 rate increase while this is happening. I think
24 that's very shoddy, that that's happening like
25 that.

1 Like I said, I have three things that
2 I hope you guys will consider, is the cleanups
3 that have not been cleaned up now, much less the
4 ones that are going to continue happening; the
5 shoddy contractors that we keep hiring that keep
6 doing shoddy work in our city that I see
7 everyday and that I get phone calls from on a
8 continuous basis; and the rate increase. You
9 guys, there's got to be some commonsense to
10 this, some steps that we can take over a period
11 of time, not just jamming this down this.

12 Like I said, please be considerate.
13 You guys will be seniors someday yourself, and
14 when you're sitting on fixed income and you're
15 weighing out am I going to buy food or am I
16 going to pay my water bill -- uncalled for.
17 That is -- that's a little bit too much. Thank
18 you very much for your guy's times. Like I
19 said, I hope you guys -- I'm sure that you guys
20 pay a water bill too, but this -- this is --
21 some of this stuff is getting out of hand. And
22 me as a council person, I'm not speaking for
23 myself, I'm speaking for my City of Florissant,
24 people are enraged up there what's going on.
25 They're -- they are up in arms, and this is

1 terrible. Thank you for your time.

2 JUDGE BURTON: Thank you. I have a
3 question for you.

4 MR. JONES: Sure.

5 JUDGE BURTON: Can you describe what
6 some of the issues are with the, the bad
7 contractors?

8 MR. JONES: Most of the phone calls
9 come to the City, not to you guys. Most of your
10 common folk out here, they don't know who's
11 doing what. But the ones that me and my council
12 brothers and sisters get are continuous on the
13 water company. You guys are hiring shoddy
14 contractors. It's all about the wage, beat the
15 wage down to you guys. You guys are hiring the
16 wrong people.

17 JUDGE BURTON: I want to clarify
18 first, this is the Commission; this isn't the
19 water company.

20 MR. JONES: Okay. I -- I apologize
21 about that.

22 JUDGE BURTON: That's okay.

23 MR. JONES: But that's -- that's the
24 feedback I'm getting.

25 JUDGE BURTON: What -- what are the

1 specific types of complaints?

2 MR. JONES: I mean, usually when you
3 deal with the building and construction trades I
4 should say, you have common courtesy out there.
5 These people are from our neighborhoods. These
6 shoddy contractors you guys are coming up with,
7 I don't know where they're from, but they're not
8 common courtesy, they're hateful to some of the
9 residents they're digging out there for for the
10 water company. They're just doing terrible
11 jobs. The cities get the feedback on this, and
12 it is terrible.

13 I can tell you five or six big jobs
14 that have happened with the water company in the
15 City of Florissant that we've had ridiculous
16 calls. It just don't stop. When we go down to
17 reach out to our building and trades unions and
18 say this stuff's got to stop, "That is not our
19 people."

20 JUDGE BURTON: Is it complaints about
21 loudness, not notifying --

22 MR. JONES: No, they're not doing the
23 jobs properly. They have not went through an
24 apprenticeship program like all the other
25 utilities use mandatory that they have to go

1 through an apprenticeship program. It's like
2 having some guy fix your car that says I think I
3 can do it, and you have a guy that has went
4 through an apprenticeship program do it. Like
5 -- you're going to pick the guy that has the
6 education. We are not getting that out of the
7 water company. We are getting shoddy
8 contractors at the lowest bid. They're not
9 thinking about the neighborhood or the product.

10 JUDGE BURTON: Okay. Thank you.

11 MR. JONES: You're welcome.

12 JUDGE BURTON: The Commission will
13 next hear from Ashley Bernaugh. Please raise
14 your right hand. Do you swear or affirm that
15 the statements you are about to give will be the
16 truth, the whole truth, and nothing but the
17 truth?

18 MS. BERNAUGH: Yes, ma'am.

19 JUDGE BURTON: Will you state and
20 spell your name for the record?

21 MS. BERNAUGH: My name is Ashley,
22 A-s-h-l-e-y, Bernaugh, B, like boy, e, like egg,
23 r, like Ralph, n, like nancy, a, like apple, u,
24 like umbrella, g, like grape, h, like happy.

25 JUDGE BARTON: Thank you. I wasn't

1 too off on it.

2 MS. BERNAUGH: No, it's perfect.

3 MS. COLEMAN: Sounds like you've
4 spelled that name before.

5 MS. BERNAUGH: I have, yes, a few
6 times. Hello, my name is Ashley Bernaugh. I
7 reside in Florissant, Missouri. I'm a
8 relatively new resident in the area, moved up in
9 2013, bought my very first house. I love the
10 area, love the community, and I've been welcomed
11 with full arms from everybody in Florissant.
12 But my family is very concerned about the
13 increasing cost of living that is increasing all
14 across the State, from our water, to now fire,
15 to our taxes, we are bleeding turnips left and
16 right, and the rest of the garden is completely
17 empty.

18 We cannot continue to bleed our folks
19 so dry over such important things like water,
20 like heat. And so I urge the council today and
21 the Commission to completely cut this rate cut
22 (sic) and to stop any further rate cuts (sic)
23 and gouging. First, because American-Water as a
24 company has not had good rate increases or
25 qualified rate increases in other communities,

1 many other communities are having major rate
2 increases year after year and problems with the
3 quality. You heard Tim just a moment ago speak
4 to the quality in Florissant, and I think our
5 other brothers and sisters from the east coast
6 to the west coast can also back up that
7 American-Water Company is not doing a proper
8 job.

9 JUDGE BARTON: I'm going to just ask
10 you to slow down with your speaking.

11 MS. BERNAUGH: Oh, I'm sorry. I've
12 just got five minutes, so I'm -- so in order to
13 get the best quality that we actually can, I do
14 not believe rate increases actually do that.
15 And if they are -- by their own facts and
16 figures today have said that their own increases
17 have flatlined. So they are showing that they
18 are not needing an increase in actual funding.
19 And, furthermore, profit for American-Water have
20 gone up 9 percent over the last three years.
21 And if anybody in this audience would like to
22 stand if their profits have gone up over 9
23 percent for the year, I'd be happy to see
24 anybody.

25 Seeing none, I can assure you that

1 most forks aren't having a 9 percent increase in
2 their income or a decrease in their cost of
3 living. All of us have seen our taxes go up and
4 our expenses go up. And so the only reason that
5 you wouldn't have expenses go up is if you've
6 been increasing the rates, and increasing the
7 rates in such a way that you don't have any
8 other expenses. And so we can see that those
9 rates have already been increased in line with
10 their expenses.

11 And so when they took over Florissant
12 water and many of the other small water
13 districts, we know that they assumed that cost
14 in that process. Formerly many of the utilities
15 used to be public run. And they sold the public
16 the idea that we, they would be the ones to
17 better handle the cost increases to come. They
18 knew the structure and the quality of water when
19 they had these initial contracts written. The
20 idea is that, of course, we have a cost of
21 living increase. And I don't think anybody here
22 would argue the need for bettering our
23 waterlines and doing better. You won't find
24 folks like Florissant folks that are interested
25 in doing less than good. But I think it's

1 really important to say what is feasible right
2 now. An increase is absolutely not feasible.

3 Today I come with over 200 household
4 names from my friends in Florissant. These are
5 columned. And since driving here I've added
6 another whole page of names from my friends and
7 family in the Florissant area and neighbors.
8 Those are over 200 households I represent today
9 just within a matter of four hours. So if you
10 look around this room, and you say this is a
11 pretty sparse room at 5:00, I would argue that
12 you've chosen the wrong time. And even though
13 you said 6:00, all the publications said 5:00.
14 And if you're working folk, most folks can't
15 come. So I made sure I had the day off today,
16 and I made sure I made myself available. And I
17 told the rest of the folks in Florissant that I
18 would come and stand, and I will speak their
19 names. But, unfortunately, with five minutes,
20 we're not -- I'm not going to be able to speak
21 over 200 household names.

22 But I ask you to enter in every single
23 household from vets, to single moms, to POWs, to
24 persons, to neighbors, to family, to community,
25 we need to prevent a rate increase. Our

1 families absolutely, positively cannot take it.
2 Our income cannot take it. And our need for
3 water and proper water quality cannot overshadow
4 the need for corporate profit.

5 And so if the faucet has to turn on in
6 other ways, I find the million dollars in pay
7 that is being done to corporate executives
8 excessive. And if the rest of us have to cut
9 out budgets and pull our bootstraps up and
10 tighten our belts, all of those things can be
11 done on the water company side too. Not in lieu
12 of fixing the things they promised, but already
13 fix the things they promised, To do the contract
14 work that's already been promised when they took
15 over and tried to -- and bought out the
16 companies that were municipal good.

17 This Commission is to ensure the
18 commission (sic) good and the public service
19 good. We -- no good can be done if rates are so
20 expensive that folks cannot afford them. And
21 that is where we're headed with this rate
22 increase. Again, no one is, has ever been asked
23 to increase their cost of living over 50 percent
24 in a matter of a year. And I think it's
25 excessive for anyone who's ever had a glass of

1 water to be asked to do that. Thank you.

2 MS. COLEMAN: Ms. Bernaugh?

3 MS. BERNAUGH: Yes, ma'am.

4 MS. COLEMAN: Thank you for being here
5 and for your information. There are a lot of
6 different things involved with this case. And
7 so one of the things that we've been interested
8 in is the aspect of going from quarterly to
9 monthly billing. Did any of these 200 people
10 have an opinion regarding that?

11 MS. BERNAUGH: Yes, ma'am. I
12 presented several facts that I found concerning
13 that included the rate increase, the amount of
14 rate increase, and the likelihood that the
15 billing would go from quarterly to monthly.
16 Everyone was astounded. Now, there were some
17 folks that were very willing to have like a 1 or
18 2 increase in the cost. Because we know what
19 that's like, and frequently our raises reflect a
20 1 or a 2 percent, maybe if we're good, raise in
21 our merit pay. And we understand the need for
22 water. But no one was able or thought they
23 would be able to add on another monthly bill at
24 a high rate like that. That's what spurred so
25 many people. You want to get folks together in

1 this day and age, you tell them about this rate
2 increase, and you saw friends and family of all
3 different backgrounds and ages all jump on
4 board.

5 MS. COLEMAN: Thank you.

6 JUDGE BURTON: Which community or
7 neighborhood do you reside in?

8 MS. BERNAUGH: I'm in Florissant; I
9 live right off Patterson Road.

10 MS. COLEMAN: Is there a name for your
11 subdivision?

12 MS. BERNAUGH: Chapel -- I believe
13 it's Chapel View on the outside. I'm still kind
14 of new.

15 MS. COLEMAN: Are you a State
16 employee?

17 MS. BERNAUGH: I'm not a State
18 employee.

19 MS. COLEMAN: You used the word merit,
20 so it just made me wonder.

21 MS. BERNAUGH: I used to work at a
22 non-profit in the past, so we get merit if we're
23 good.

24 MS. COLEMAN: Thank you so much.

25 JUDGE BARTON: The Commission will

1 next hear from Peggy Nelson. Would you please
2 raise your right hand? Do you swear and affirm
3 that the statements you are about to give will
4 be the truth, the whole truth, and nothing but
5 the truth?

6 MS. NELSON: I do.

7 JUDGE BARTON: Will you please state
8 and spell your name for the record?

9 MS. NELSON: Peggy, P-e-g-g-y, Nelson,
10 N-e-l-s-o-n. I'm sorry, were you with the other
11 guy with the --

12 MS. COLEMAN: Yes, ma'am.

13 MS. NELSON: I remember you. Okay. I
14 have some complaints, as well as suggestions,
15 and maybe some different, different ideas.
16 First of all, I would like to see them have a
17 callback feature put on their telephone line,
18 because I have a cellphone, and when you're
19 waiting on hold for 30 minutes, the battery's
20 likely to run out of time and you're going to
21 wind up being a dropped call. When you call in
22 again -- you have to charge your phone, call
23 again. So if they would please be asked to get
24 the callback feature, that would help.

25 Going to the monthly billing would

1 also help, because I'm also on a fixed income
2 right now. I'm looking for part-time employment
3 in addition to what I have coming in to help
4 with things like that, but to ask these people
5 on a fixed income to use less, or work harder,
6 earn more money, is kind of a slap in the face,
7 you know. So -- and that's been done with other
8 utilities when things like this come up.

9 The thing that I don't want to do is
10 pay for somebody else's storm water and
11 wastewater, replacing their water mains. I
12 think the property owner should pay for that.
13 And about -- let's see, the lawsuit was filed
14 June 30th, 2017, and the street where I live was
15 completed with the new sewers and water mains
16 put in, was completed around October, '16. And
17 it was to separate wastewater and storm water.
18 My subdivision now has new concrete curbs, full
19 blacktop streets. And the cost was factored
20 into my real estate tax. Which we -- for the
21 last several years the tax has gone up. Mine
22 had doubled. It went up over \$1,000. And it's
23 really high now, and I'm having trouble paying
24 it.

25 I wanted to know why I'm expected to

1 pay for property improvements to properties that
2 I do not own, they're not my responsibility, I
3 get no benefit from them. The newer properties
4 with newer systems don't need new lines, so I
5 don't think that should be my expense to pay
6 again. Also -- let's see, what I say here.
7 Property owners with water mains and lines, et
8 cetera, that are new enough, I don't think they
9 should have to pay. You know, let's see, I
10 think I just said that. So you're asking me to
11 pay twice -- and they are asking me to pay
12 twice. New meters were installed to get
13 accurate instant readings at remote locations.
14 That should decrease what we're paying, because
15 we're not going to be paying man hours for
16 someone to come around and take a reading.
17 You're not going to be paying that employee.
18 It's all going to be computer-generated. Once
19 that is implemented and in place, I think we
20 should see a decrease in what we pay.

21 The profits -- let's see -- okay.
22 Okay. You will -- this is a necessary thing; we
23 have to have water. Our body is something like
24 50 percent water. We need everything --
25 everybody -- every living thing needs water to

1 sustain life, so it's a necessity, and to charge
2 a lot of money so everybody's getting all this
3 profit when it's a monopoly really -- we don't
4 have other water companies to choose from. I
5 was talking to Cheryl Norton, who's the
6 president for Missouri-American. Currently the
7 profit is 47.8 million. Half of that she said
8 goes to as equity, and half of it goes to the
9 shareholders.

10 Sometimes I think they're
11 shareholders, and they should accept less than
12 that, that's a lot of money. They're asking --
13 the figures for 2017 are not in. They want --
14 they say it costs from 70 to 80 million to
15 budget pipe replacement. It took two years for
16 me to get the new streets and all the projects
17 completed where I live, and this needs to be
18 done on an as-needed basis, not all at once. We
19 had a contractor that was, what, Jim Jones was
20 complaining about, that was DuraSeal. They were
21 putting in new driveways. It had to be torn out
22 three times, put it in once, tore it out. It
23 was all wrong. Laid new pipes to the house,
24 tore it out a second time, put it in a third
25 time. You know, that was ridiculous. And it's

1 just a waste of money. I think the information
2 that came to the house about when they wanted us
3 to not park our cars on the street because they
4 were going to do this work seemed to be coming
5 from somebody that did not have a very good
6 command of the English language. I don't know
7 where they're getting these employees from, but
8 they're pretty inferior. And I would like them
9 to hire better people and do the job once
10 instead of several times and have better
11 employees, which is what other people are
12 complaining about.

13 But a fairer way of charging us
14 is something I think they need to come up with,
15 because I feel like I've already paid once, and
16 it's not my responsibility to pay for somebody
17 else's property that I have no, no benefit from.
18 Yes, we all drink water. It used to be free at
19 restaurants, now we're buying bottles of water,
20 and money's being made that way on water. But,
21 you know, I'm on a fixed income right now, and
22 I've got some health problems that are
23 preventing me from sitting for very long,
24 standing for very long, walking very far, and I
25 just have to lie down and sleep for a while to

1 get over it. So, you know, there's a limit to
2 my, to what I can do at this point.

3 Is there anything you wanted to ask
4 me? Oh, there was something else. I think our
5 schools are what we really need to spend money
6 on. It's more of a priority to cut the
7 mortality rate due to cholera, which is probably
8 on the rise. If sewage is leaking into our
9 water system and violent feces are in there,
10 that's going to cause people to get cholera, and
11 they'll die from that if they don't get
12 treatment soon enough. Babies are not to be fed
13 water; that will cause them to have seizures.

14 There was a woman at a meeting about
15 another, OPC hearing about our streets and
16 bridges that need to be replaced, and she was
17 complaining that a specific neighborhood needed
18 to be addressed. And I asked her to make up a
19 map with addresses or something like that where
20 these babies died. And the mortality rates for
21 these black infants were, in the first year they
22 died, 50 percent of them died. And I was
23 thinking maybe they were being fed contaminated
24 water, and they were dying due to cholera. They
25 need to have Center for Disease Control to find

1 out why these babies are dying and have the
2 water tested on those addresses, to find out
3 what's coming through the pipes.

4 JUDGE BURTON: Ms. Nelson, did you
5 state where you live, what area?

6 MS. NELSON: I live in Rock Hill.

7 JUDGE BURTON: Rock Hill.

8 MS. NELSON: Yes. My subdivision's
9 completed. It took them two years to get the
10 job done, and I hope they find better
11 contractors that don't waste a lot of time.
12 They didn't care about the employees. They had
13 -- there was a lot of sediment where they were
14 drilling into the streets to remove the old
15 concrete. There was a lot of dust on
16 everything. It ate the paint off of my house.
17 I have to paint the exterior of my house again,
18 it's peeling again. I had that under control.
19 I painted it myself, stripped it, primered it,
20 put glazing in, painted color on it, now I've
21 got to do that again because -- and I had gotten
22 -- dust had gotten in my eyes. I had to see a
23 -- I went to a surgeon, an eye
24 optometrist/surgeon --

25 JUDGE BURTON: Ophthalmologist?

1 MS. NELSON: But anyway, I had to get
2 drops put in my eyes. And they didn't care
3 about their employees. They did not have eye
4 protection, hearing protection, or any gloves.
5 And they had that stuff caked up under their
6 eyelids too. So protecting the employees,
7 getting good employees, and making sure they're
8 protected, and working with safety issues
9 addressed in advance. Preliminary planning is
10 what needs to be handled better I think.

11 JUDGE BARTON: Thank you, Ms. Nelson.
12 Hold on one moment, please, I believe Mr. Luft
13 has a question for you.

14 MR. LUFT: I'm Tim Luft from
15 Missouri-American. We met two years ago in this
16 room, and we talked about the issue you had. To
17 be clear for the record, this was Metropolitan
18 St. Louis Sewer District that tore up your
19 streets and did all this work. And they have
20 completed this work?

21 MS. NELSON: Yes, it took two years.
22 We have concrete curbs and asphalt driveways,
23 streets. It looks very nice. It was all choppy
24 because the water mains were blowing up all the
25 time, and the street was all lumpy. And now it

1 looks very nice. It has improved a lot of
2 properties. Our taxes went up. That's not
3 fair. Anytime you improve the exterior of your
4 house, the assessor drives by and charges you
5 more money. So that's not fair to us really.
6 And to ask for more and more money all the time,
7 it's just too much.

8 MR. LUFT: This was MSD, and their
9 project, and their contractors, correct?

10 MS. NELSON: Yeah, they hired
11 DuraSeal, and I don't think they knew enough. I
12 don't know how they interviewed their employees
13 to hire them, but they were not good enough
14 employees. The work had to be redone several
15 times. I have an issue still with my concrete
16 curb that is cracked. It cracked right away
17 because all underneath -- I didn't even put any
18 weight on it, within a few days it was cracked.
19 And another one down the street was cracked.
20 They never repaired it, never.

21 JUDGE BURTON: Ms. Nelson, could you
22 state again who's your provider for your sewer
23 service?

24 MS. NELSON: MSD, Metropolitan Sewer
25 -- Metropolitan Sewer District.

1 MR. LUFT: Thank you.
2 JUDGE BURTON: Okay. Thank you.
3 MS. COLEMAN: Thank you.
4 JUDGE BURTON: Now we've gone through
5 the list of individuals who've already indicated
6 that they wanted to testify, so I'm now going to
7 open up the floor. If there are other
8 individuals here who would, who would like an
9 opportunity to speak, please raise your hand.
10 Okay.
11 RESIDENT: I just have a question.
12 JUDGE BURTON: If there are questions,
13 they can answer them after the hearing portion
14 is concluded.
15 RESIDENT: Okay. All right.
16 JUDGE BURTON: Go ahead, sir. Do you
17 swear or affirm that the statements you are
18 about to give will be the truth, the whole
19 truth, and nothing but the truth?
20 MR. CAPUTA: I do.
21 JUDGE BURTON: Will you state and
22 spell your name for the record?
23 MR. CAPUTA: My name is Jeff Caputa,
24 J-e-f-f C-a-p-u-t-a.
25 JUDGE BURTON: Thank you.

1 MR. CAPUTA: You're welcome. Yes, I'm
2 here -- I too am a councilman in Florissant,
3 Missouri, along with Mr. Tim Jones over there.
4 And I have received several and numerous phone
5 calls from my residents and my constituents over
6 this, about the rate, you know, how much the
7 rate is, of what they, you know, your increase
8 will be. And a lot of the -- 95 percent of them
9 were retirees and older people on fixed incomes.
10 And that was their biggest complaint, that they
11 will -- if this is implemented, this much rate
12 increase, they will probably have to cut other
13 areas just to pay for this bill. And I don't
14 think that is fair to people that are on fixed
15 incomes. I believe that other utilities, if you
16 are at a senior or on a fixed income, you do get
17 a little bit of a break on your bill. I believe
18 that the water company can look into that and
19 possibly implement something of that aspect.

20 And another thing, it is, like Mr.
21 Jones says with the, once the water breaks, the
22 mess is there. And a lot of times we have to
23 hear about it from our constituents. Then we
24 have to call the City, the City has to get ahold
25 of the water department. And it just takes

1 forever to get these water main breaks cleaned
2 up. And plus, I know I'm -- I do concrete work,
3 ma'am, as a living, I'm a cement mason by trade,
4 and a lot of times in the streets when the
5 repairs are made, it just takes way too long to
6 come back and fix the repair after the ground
7 all settles and that. It seems like a lot of
8 the streets out there, the repairs were made,
9 the ground has settled, and now we've got a big
10 hole in the streets. And it just seems like it
11 takes a long time to get them fixed, a permanent
12 fix.

13 And with all the water main breaks
14 that we had over these past few months, I want
15 to give a shout out and commend the utility
16 workers, they did one hell of a job getting
17 these water main breaks in Florissant. I had
18 several in my ward, and they were, they were
19 fixed immediately. So I, I would like to give a
20 shout out to that. I know you, they had
21 priorities on which ones they had to fix, but
22 they did get them fixed in a timely manner.

23 And one more thing, oh, when they shut
24 the water off, when people get their water shut
25 off, they get no kind of advanced notice that

1 your water's going to be shut off. So it's like
2 people come home from work, or whatever, they're
3 home all day, then they turn their water on,
4 they don't have no water. So it seems like
5 somehow -- I know when we do work out in
6 municipalities, say if we're going to tear your
7 sidewalks or your streets up, we have to go to
8 the houses and put a leaflet on the door that
9 says, while we're going to do construction in
10 this neighborhood, your streets are going to be
11 tore up for a week or two or whatever it is, but
12 it seems like that the water department when we
13 did have the water main breaks, somehow they
14 need to go out there and put out there and say
15 that your water's going to be shut off so people
16 can prepare for it. That's all I have. Thank
17 you.

18 JUDGE BURTON: Thank you, councilman.

19 MS. COLEMAN: Thank you, Councilman.

20 JUDGE BURTON: Would you like to
21 speak, ma'am? Do you swear and affirm that the
22 statements you are about to give will be the
23 truth, the whole truth, and nothing but the
24 truth?

25 MS. WEST: Yes.

1 JUDGE BURTON: Will you state and
2 spell your name for the record, please?

3 MS. WEST: Barbara West, B-a-r-b-a-r-a
4 W-e-s-t. I live in Bellefontaine Neighbors.
5 Many of the people who have come up here have
6 said how their constituents have -- who are on
7 fixed incomes, have talked to them. So I stand
8 before you as a person who is on a fixed income.
9 I'm 67, I'll be 68 in March. And it's very,
10 very difficult living on a fixed income,
11 especially when everybody under the sun seems to
12 want an increase in January. This goes from the
13 utilities, to Netflix, to whomever. And so like
14 with Netflix, when I got that, I went, see ya'!
15 I canceled. I cannot cancel water. I cannot do
16 that.

17 It's very difficult when you have
18 doctor bills, you have -- I mean, just cost of
19 anything that you need to maintain a living.
20 You cannot just close that down because you
21 can't afford to pay it. It's very difficult.
22 I've looked this past year -- and I was one of
23 them whose grass is just dying, because I
24 refused to water my grass because I can't afford
25 it. So it's -- it makes the neighborhood look

1 bad, but many people are choosing to allow their
2 grass to die as opposed to putting water on it
3 so it can live. So like our grass, we have to
4 live. And I ask that you please not allow this
5 increase to take place, because it's going to
6 hurt a lot of people. Thank you.

7 MS. COLEMAN: Thank you.

8 JUDGE BURTON: Thank you, Ms. West.
9 Ma'am, would you like to testify? Please raise
10 your right hand. Do you swear and affirm that
11 the statements your about to give will be the
12 truth, the whole truth, and nothing but the
13 truth?

14 MS. HARTFIELD: I do.

15 JUDGE BURTON: Will you state and
16 spell your name for the record and just speak up
17 when you do so?

18 MS. HARTFIELD: Of, course. My name
19 is Ebony, E, b, as in bravo, o-n-y, last name is
20 Hartfield, H-a-r-t, as in tango, f, as in
21 foxtrot, i-e-l-d. Okay. Well, I just wanted to
22 represent a demographic that unfortunately I
23 feel I may solely represent tonight, and that's
24 younger constituents or consumers. I know no
25 one young or old, you know, black or white who

1 is in favor of this rate hike. This is the
2 first time that I've ever taken the initiative,
3 sadly, to take a part in the democratic process.
4 And when I took a look at the notice of the
5 public hearing and the proposed rate hike, I was
6 enraged, because, as the lady before me stated,
7 you know, I feel that water, obviously, is a
8 human rights issue. You look around overseas
9 and they're digging wells for people, and here
10 in my community our rates are, you know,
11 proposed as practically doubling pretty much in
12 my area. I do live in Bellefontaine Neighbors
13 as, you know, the individual before me, and what
14 I can say is that I'm fundamentally opposed to
15 the idea of such a rate hike. I think it is
16 unconscionable, to be fair.

17 I think that as a consumer of
18 utilities here in the State of Missouri, we are
19 disadvantaged because of all the monopolies that
20 we have no choice but to patronize. And with
21 that being said, you know, like she said, you
22 have to have water. That's -- you cannot live
23 in a home or a residence without water. And to
24 basically double a water bill for people that --
25 everyone that I know is pretty much on a fixed

1 income. But, I mean, regardless of your
2 economic situation, like I said before, I don't
3 know anybody who is in favor of a rate hike at
4 this particular rate. I do understand that the
5 infrastructure is what it is.

6 I will say that it is suspiciously
7 serendipitous that all these water main breaks
8 are happening at this particular time. I've --
9 in my entire life living in Missouri, I've never
10 seen so many water main breaks, especially so
11 many televised -- and that's putting it mildly.
12 But at the end of the day, I respect the fact
13 that infrastructure is what it is. I think it's
14 curious at best to state that the infrastructure
15 in the metropolitan region is inferior to that
16 of rural regions. So I'm like, do we have worse
17 infrastructure than the people who live out in
18 the rural areas, or do they have something
19 better that we don't have? Because our rates
20 are certainly going to reflect the fact we are
21 getting something in the metropolitan region
22 that people in the rural areas are not because
23 their rates are being nominally increased, in
24 some cases they're being drastically reduced.

25 With that being said, I'm all about

1 change as long as it's equitable and it's fair
2 across the board. This particular rate increase
3 doesn't seem to be that at face value. It
4 looks, based on my assessment and the opinions
5 of those that I've encountered and represent, it
6 seems to be unfair, disproportionately unfair
7 and discriminatory at best. So I am
8 fundamentally opposed to the increase,
9 especially at the schedule that was suggested.
10 Thank you.

11 JUDGE BURTON: Thank you, Ms.
12 Hartfield. We'll go ahead and start with you,
13 ma'am. Please raise your right hand. Do you
14 swear and affirm that the statements you're
15 about to give will be the truth, the whole
16 truth, and nothing but the truth?

17 MS. MANE: I do.

18 JUDGE BURTON: Will you state and
19 spell your name for the record, please?

20 MS. MANE: Jimmie, J-i-m-m-i-e, Mane,
21 M-a-n-e. I'd like to say, I've been living in
22 University City for 47 years, and as the young
23 lady said, we've never had this many water main
24 breaks. But every time I hear from the water
25 company, it's that the pipes are 50 or 60 years

1 old. So they are telling me that I should save
2 money for the rainy days. Did they put any
3 money in escrow in case this happened in 50 or
4 60 years, that they could do it without us
5 paying for it? I don't think it's fair either.
6 Because I pay tax -- I mean, I pay into the
7 water company all these years, and they wasn't
8 fixing those. So where's the money going? It's
9 just too much happening now, and the equipment
10 is too old, and they knew this.

11 And like she said, everything is going
12 up except our salaries. I'm on a fixed income.
13 Social Security gave me 2 percent, which is
14 \$8.00. That's more than you all want to go up.
15 So I think that you all should consider. This
16 is the baby booming years, we done paid or dues.
17 Now is the time for us to kind of mellow back
18 and relax. Thank you.

19 MS. COLEMAN: Ms. Mane, where did you
20 say you reside, what community? Did you say
21 University City?

22 MS. MANE: Uh-huh.

23 MS. COLEMAN: Okay. Thank you.

24 JUDGE BURTON: Ms. Mane, another
25 question for you.

1 MS. MANE: Yes.

2 JUDGE BURTON: Did you have any
3 thoughts on the monthly versus quarterly billing
4 issue?

5 MS. MANE: I think it should stay like
6 it is. I'm used to paying it like that now. I
7 don't need another monthly bill.

8 MS. COLEMAN: Thank you.

9 JUDGE BURTON: In the back.

10 MS. COLEMAN: Are you sure you want to
11 talk right now? Don't you want to let somebody
12 who hasn't spoken come up?

13 MR. RATERMANN: I was -- that's why I
14 was hanging back.

15 MS. COLEMAN: And then you compliment
16 me all you want, Al.

17 MR. RATERMANN: Thank you,
18 Commissioner.

19 JUDGE BURTON: Do you swear and affirm
20 that the statements you are about to give will
21 be the truth, the whole truth, and nothing but
22 the truth?

23 MR. RATERMANN: I do.

24 JUDGE BURTON: And would you state and
25 spell your name for the record?

1 MR. RATERMANN: Al Ratermann,
2 R-a-t-e-r-m-a-n-n. Good evening law Judge,
3 Commissioners. Thank you again for this
4 opportunity to talk to you. Thank you for
5 making the effort to come to UMSL. I'm a
6 graduate of this fine institution. It's kind of
7 nice to be back in my old days, so thanks for
8 coming.

9 I testified last night in Ferguson,
10 and I didn't get a chance -- I ran out of time
11 to talk about a couple of topics that concern me
12 that I missed last evening. In reviewing the
13 position statement from the Office of Public
14 Counsel, they said that the water company has
15 made numerous proposals seeking return on
16 investment of replacing customer-owned --
17 emphasis added -- to service lines. And I
18 assume that they're referring to lead service
19 lines.

20 St. Louis County has a, probably
21 service lines, wild guess, somewhere between 80
22 and 100 years old, along with some of our water
23 mains are that old. So there -- these services
24 have been in the system for a long, long time,
25 and this is the first rate case request to my

1 knowledge that the company has ever ventured
2 into wanting to seek a return on investment on
3 something they don't own. These lead services
4 are owned by the customer. Most of them are
5 made out of copper, but there are in the old
6 days, as I said, lead, and some of them are even
7 galvanized.

8 But I don't understand, and I would
9 like to suggest that you ask the staff and the
10 company also to explain now why they feel they
11 need to seek an investment on something that
12 they don't own. Because they're -- as far as I
13 know, they're not putting any capital into
14 replacing customer's services. They never have
15 in the past.

16 I'd like to read you a couple of
17 paragraphs from an article that was published in
18 the St. Louis American newspaper yesterday. And
19 this is in reference to another topic that I
20 want to address, which is the future test year,
21 which is a proposal the company has in this
22 current rate case. And I quote, this request is
23 based on an estimate of future expenses rather
24 than audited costs. Which means that the
25 consumers could be overcharged. Rates should be

1 based on actual costs, not guesses. It would be
2 -- it would add a charge that would raise,
3 emphasis to added, rates when usage declines, a
4 save-more/pay-more model. This would
5 disincentivize conservation and essentially
6 shift the risk burden from an investor-owned
7 company to the individual consumer.

8 In today's KMOX website I read a
9 statement from Brian Russell, who is a spokesman
10 for Missouri-American Water. This is a
11 different topic. I'm sorry to switch gears on
12 you. He says, I quote, thanks to savings under
13 the new federal tax law, it will be likely that
14 this rate increase will be much less.

15 My question I would like to suggest to
16 the Commissioners, I know this was briefly
17 addressed in the Q&A session prior to the
18 testimony here in the formal hearing, but I
19 would like you to request the company, how much,
20 what does less mean? How much is less, question
21 mark. I know the negotiations of the case are
22 ongoing, but it seems to me if the company, who
23 didn't, who failed to address this in my opinion
24 properly last night -- everybody in Ferguson was
25 in an uproar about the 45 percent in the

1 circular that the company mailed out to all
2 customers. And so in a matter of less than 24
3 hours we now find that it's not really going to
4 be 45 percent, it's going to be much less. I
5 think that's kind of deceptive honestly. I
6 don't think that's being straightforward.

7 I also think it's deceptive in their
8 circular not to notify the customers about this
9 quarterly to monthly billing they're requesting.
10 I think we have a right as customers to know
11 these upfront before we show up. We shouldn't
12 have to be educated to these issues when we show
13 up at these hearings and the Q&A sessions. They
14 failed to do that.

15 I also have three documents that I
16 would like to present as evidence for the
17 hearing, and I'd like to briefly describe them
18 to you. The first document that I want to
19 submit -- tell me who to give it to. I went
20 online and went to the American-Water website,
21 and I got their 2017 proxy statement, and I have
22 the executive compensation. And I'll just
23 briefly say that the, Susan Story, the chief
24 executive officer of the company, her total
25 compensation was over \$4 million in 2016. And

1 so I'll present that.

2 I'd like to present as evidence an
3 article that I referred to last evening
4 published in the St. Louis Post-Dispatch in May
5 of 2016 talking about the revenue stabilization
6 mechanism that is another request of the
7 company. The staff at that time even was
8 opposed based on faulty data from the water
9 meter readings. The meters weren't reading
10 correctly. Staff was opposed two years ago. I
11 don't understand, the company normally makes a
12 rate case request every three years. They say
13 they're obligated to do that.

14 JUDGE BURTON: Mr. Ratermann, I can
15 take any of the exhibits you have here.

16 MR. RATERMANN: I got one more.

17 JUDGE BURTON: Your time is up. If
18 you want to give those to me.

19 JUDGE RATERMANN: You let other people
20 continue on, so I would please ask courteously
21 that you give me the same privilege.

22 JUDGE BURTON: Well, I have, but --

23 MR. RATERMANN: You cut me off last
24 night. I'll quit whenever you say to quit, but
25 I would like to talk another minute or two?

1 JUDGE BURTON: I'll give you another
2 minute.

3 MR. RATERMANN: Okay, thank you. To
4 follow up on my point, it hasn't even been three
5 years, it's been two. And like I said last
6 night, they received over a \$30 million rate
7 increase in the 2015 water rate case, and, you
8 know, now it's subject to change, as I already
9 stated, for this rate case, but it hasn't even
10 been -- when these rates go into effect probably
11 in July of this year, it'll be just a little,
12 just right at two years from the last increase.
13 So, again, Commissioners, I thank you for your
14 time, appreciate it.

15 MR. RUPP: What is the third document
16 you had?

17 MR. RATERMANN: Oh, the third
18 document, I'm sorry, is an article that was
19 published in the Columbia newspaper called the
20 Missourian. It references two senate bills that
21 are pending. A Senator Emery and Riddle are
22 proposing bills to allow the utilities, the
23 electric, gas, and water, to temporarily adjust
24 rates. I'm so strongly opposed to that, I can't
25 tell you. That takes all the power of the

1 Public Service Commission away from the
2 Commission if the legislation can now say that
3 the company has the ability to adjust rates
4 based on some law that's not been enacted yet,
5 but there's bills out there. They're having
6 committee hearings. I question, what is the use
7 of the Commission if the legislature can
8 undercut you? And I find that very alarming.
9 Thank you for your time.

10 MS. COLEMAN: Thank you.

11 JUDGE BURTON: I've marked Exhibit
12 LPHUMSL-1, which is the executive compensation
13 sheet. I've also marked Exhibit LPHUMSL-2,
14 which is a copy of the Post-Dispatch article.
15 And I've marked exhibit LPHUMSL-3, which is the
16 Columbia Missourian article. At this time I'm
17 going to allow the attorneys to review these
18 documents and see if there are any objections.

19 MS BERNAUGH: Council, or
20 Commissioner, I would like to submit our list of
21 names from Florissant as evidence. I didn't
22 realize that was customary. But if I could
23 enter it at this time, I would appreciate it.

24 JUDGE BURTON: One moment.

25 MS. BERNAUGH: Thank you.

1 MR. LUFT: I just going to object to
2 the first one as to relevance. The company's
3 not seeking any recovery of Susan Story's salary
4 in this rate case. The other two I'm fine with.

5 MR. RUPP: I'm sorry, I couldn't hear
6 what he said -- what was the objection?

7 MR. LUFT: It's irrelevant, because
8 we're not seeking recovery of any recovery of
9 Susan Story's salary in this rate case.

10 MS. FORCK: No objection.

11 JUDGE BURTON: All right.

12 Missouri-American Water Company has objected to
13 the admission of Exhibit 1, which is the
14 executive compensation for American Water
15 Company, a summary for the 2016, Summary
16 Compensation Table. I'm going to overrule that
17 objection. And we will admit Exhibit 1, 2, and
18 3.

19 Now, Ms. Bernaugh, you had some sheets
20 that you wanted to have admitted, but I believe
21 they have individual's names. If there's
22 personal information on those, I would ask that
23 you give it to Ms. Shemwell who is the public
24 counsel attorney to review to see if it needs to
25 be offered as a confidential exhibit.

1 MS. BERNAUGH: No one -- everyone that
2 submitted their name knowingly did so, and
3 purposely wantingly submitted their name with
4 the hopes that I would be able to read them.
5 But because of time and the large amount of
6 names, over 200 households --

7 JUDGE BURTON: Would you please just
8 go ahead and allow her an opportunity review?

9 MS. BERNAUGH: Absolutely, ma'am.

10 MS. SHEMWELL: There's just names, so
11 there's no phone number, or address, or anything
12 like that.

13 MS. BERNAUGH: They're all from
14 Florissant though, and I think you'll find that
15 --

16 JUDGE BURTON: Commission rules has
17 requirements to protect the privacy in
18 identifying information as far as address,
19 contact information for members of the public.
20 So if it's something that's going to be admitted
21 or offered, it needs to be marked as
22 confidential so it's not available just to
23 anyone to go online and just look just to
24 protect their identify.

25 MS. BERNAUGH: Thank you.

1 MS. SHEMWELL: But it does say
2 Florissant and has a date on it. That might be
3 helpful.

4 JUDGE BURTON: Okay. Thank you.
5 There are three sheets that Ms. Bernaugh
6 offered. I'm going to --

7 MS. BERNAUGH: Three typed, one hand.

8 JUDGE BURTON: Oh, I see.

9 MS. BERNAUGH: Thank you.

10 JUDGE BURTON: Four sheets. I'm going
11 to mark this as Exhibit LPHUMSL-4. Are there
12 any objections to the admission of these four
13 sheets?

14 MR. LUFT: None.

15 MS. FORCK: No.

16 JUDGE BURTON: Seeing non, we will
17 admit Exhibit 4. Are there any other
18 individuals that would like to testify? Okay.
19 I see a lady back there. Do you swear and
20 affirm that the statements you are about to give
21 will be the truth, the whole truth, and nothing
22 but the truth?

23 MS. GARHART: Yes.

24 JUDGE BURTON: Okay. Would you please
25 state and spell your name for the record?

1 MS. GARHART: Christine, and the last
2 --

3 JUDGE BURTON: Could you please speak
4 up a little?

5 MS. GARHART: Christine,
6 C-h-r-i-s-t-i-n-e, Garhart, G-a-r-h-a-r-t. And
7 you have asked several times about people's
8 opinions on this switch from quarterly to
9 monthly. And I have to say when I read this in,
10 what I received in the mail, my immediate
11 response was cynical. They want to bill you
12 monthly so you won't realize how much more
13 you're being billed. That was my thought.
14 Because I'm on a quarterly bill, and I thought
15 that the quarterly billing saved the company
16 money, and they would've hopefully passed these
17 savings on to us by having less monthly -- you
18 know, instead of preparing and mailing the bills
19 monthly, they were saving money by doing it
20 quarterly. But when they proposed to change
21 from quarterly to monthly, I thought they were
22 probably trying to make us not realize how much
23 more we were going to be paying.

24 I also would like to say that I think
25 the information they sent us in the bill is

1 quite confusing, because there are so many
2 different rates and so many addresses, and
3 you're looking down the other column and going,
4 oh, I guess I'm in the, I'm going to have a 45
5 percent increase. And it's not clear what
6 increase you're going to see. I guess the
7 average is 24 percent, but it varies a lot where
8 you live what your increase is really going to
9 be. And I don't think they made it clear enough
10 for the consumer. Do you want to know where I
11 live?

12 MS. COLEMAN: What area?

13 JUDGE BURTON: What area?

14 MS. GARHART: City of Greendale.

15 Which is right on the other side of UMSL.

16 JUDGE BURTON: Okay. Thank you, Ms.
17 Garhart. Was there anyone else who wanted to
18 testify?

19 MR. JONES: I forgot something when I
20 was up there.

21 JUDGE BURTON: Why don't I just let
22 this --

23 MR. JONES: You betcha.

24 JUDGE BURTON: Do you swear and affirm
25 that the statements you're about to give will be

1 the truth, the whole truth, and nothing but the
2 truth?

3 MS. MINTER: Yes.

4 JUDGE BURTON: Okay. Will you state
5 and spell your name for the record, please?

6 MS. MINTER: Vickie Minter, Vickie,
7 V-i-c-k-i-e, and Minter, M-i-n-t, as in Tom,
8 e-r. So first I'd just like to state that I do
9 oppose this increase. And most people that I've
10 talked to also oppose this increase. I think
11 it's -- well, first I heard this was going to be
12 at least 45 percent, and I'm just hearing today
13 that it might be a little less. But I think
14 even if it's 20 percent, or even a 13 percent,
15 it's still going to be too much for most people.
16 You know, I think of corporations -- most
17 corporations got a humongous tax reduction this
18 year. And a lot of cities who have different
19 utilities and things like that or companies that
20 does utilities, or the water, or for heat, and
21 things like that, they decreased and gave their
22 customers a bonus. And then I find that, you
23 know, so strange that Missouri can't do the same
24 thing -- you know, Missouri Water can't do the
25 same thing, or our heating, or our electric.

1 Because all of them have received a bonus this
2 year, but instead of giving that to the
3 customers, they're raising our rates and things
4 like that. So I really don't like that at all.

5 So I'm thankful that you guys are
6 representing us, and letting them know that we
7 do not agree with these increases, and that you
8 would work on making sure that the, that the
9 increases do not happen. Like one -- like a lot
10 of people have spoken before me said that they
11 had, that their usage has been down. And so
12 have ours, because we didn't water our grass
13 this year either. And a lot of people that I
14 talked to also didn't do that. So how is it
15 possible that a company would raise rates when
16 the usage is down, and so forth? So I
17 definitely strongly object to the rate increase.
18 And mostly that is all that I had to say today.
19 So thank you guys so much.

20 JUDGE BURTON: Thank you, Ms. Minter.

21 MS. COLEMAN: Thank you.

22 JUDGE BURTON: Was there anyone else
23 who wanted to testify who hasn't testified yet?
24 Please raise your right hand. Do you swear and
25 affirm that the statements you are about to give

1 will be the truth, the whole truth, and nothing
2 but the truth?

3 MS. HUTCHINSON: I do.

4 JUDGE BURTON: Will you state and
5 spell your name for the record, please?

6 MS. HUTCHINSON: I'm Jacqueline
7 Hutchinson. That's J-a-c-q-u-e-l-i-n-e
8 H-u-t-c-h-i-n-s-o-n. I am a St. Louis County
9 resident, first of all, but I'm also board chair
10 for Missouri Consumers Council. And so I wanted
11 to just state my case as a citizen of St. Louis
12 County and as Chairman of the Board. So
13 Consumers Council opposes the rate increase, and
14 I personally oppose the rate increase. The
15 population of St. Louis County is 10 percent
16 people living in poverty, and another 15 percent
17 of people who are barely making it. And the
18 fastest-growing population in St. Louis County
19 is the elderly, which I'm one of.

20 People who are retired and have
21 purchased their homes should not be burdened
22 with an increase of 45 percent in their rates.
23 The rates are based on -- the rate increase is
24 based on estimates and not audited costs, and
25 the 45 percent increase is unfair. It's unfair

1 the way it's being distributed, because it's
2 causing St. Louis County to pay for a
3 disproportionate share of the rate increase to
4 cover other areas. They're trying normalize the
5 rates to, and shift costs from other areas to
6 St. Louis County.

7 So in this rate increase St. Louis
8 County residents will get the largest increase
9 of all at a time when the population is aging
10 and, and the income is not increasing. So we
11 are opposed to that. So we're highly opposed to
12 the notion that they should get paid more when
13 people conserve water. So we are highly opposed
14 to any 45 percent rate increase. As a matter of
15 fact, I agree with the lady before me that, you
16 know, they got a big tax windfall, and that
17 money should be factored into the rate, and
18 maybe there should be some funds coming back to
19 rate payers in St. Louis County.

20 So that's about all I have to say. I
21 hope that you all will take all of the
22 information that has come before you and the
23 information that I've given and make a good
24 decision in this rate increase. Thank you.

25 JUDGE BURTON: Thank you, Ms.

1 Hutchinson. Next. Do you swear and affirm that
2 the statement you're about to give will be the
3 truth, the whole truth, and nothing but the
4 truth?

5 MS. DOLSON: I do.

6 JUDGE BURTON: Will you please state
7 and spell your name for the record?

8 MS. DOLSON: Kathy Dolson, K-a-t-h-y
9 D-o-l-s-o-n. I wasn't planning on doing this,
10 but after listening to everybody, I just want to
11 put it on record that I am adamantly opposed to
12 this rate increase. 45 percent is ridiculous.
13 20 percent is ridiculous when the CEO is making
14 \$4 million. I also -- I'm not on a fixed
15 income, but I just get that -- I don't get why
16 it's a private entity that can make money off of
17 us on something that we don't have a choice on.
18 It's a monopoly. We -- like somebody else said,
19 we can't just decide we don't want it anymore.
20 It's -- it's fixed. We have no say in whether
21 we have water or not. Water is a human right.
22 And why they should be able to just jack up the
23 price doesn't make any sense to me.

24 Again, with the corporate tax decrease
25 that was just approved, they have more money in

1 their pockets now from that, so why do they need
2 to take more money from us? It -- it just
3 doesn't make sense. And then the other
4 gentleman said that they're -- you know, I don't
5 know if it's happened or they're proposing it,
6 to have, you know, use less charge more model.
7 It makes no sense. I am a very good conserver
8 of water. I don't let my husband water the
9 grass. We have rain barrels for our vegetable
10 garden. We limit our shower, toilet, and
11 dishwashing use at all possible cost. We don't
12 have a lot of water use. I'm sure we have less
13 than average water use. But that doesn't mean I
14 want to pay more for the water that I do use.
15 That's all I have to say.

16 JUDGE BURTON: Thank you, Ms. Colson.

17 MS. COLSON: I forgot to say I live in
18 Bel-Nor, Missouri.

19 MS. COLEMAN: Bel-Nor?

20 MS. COLSON: Bel-Nor, yes. Thank you.

21 JUDGE BURTON: Is there anyone else
22 who would like to testify on the record? Okay.
23 Councilman Caputa, would you like to come back?
24 Oh, Jones.

25 MR. JONES: They do it all the time to

1 us. The only thing I forgot to say -- the only
2 thing I wanted to mention that I forgot -- my
3 name is Tim Jones, councilman out of
4 Florissant -- We are the biggest municipality in
5 St. Louis County at 52,000 people. Thanks.

6 MS. COLEMAN: Thank you.

7 JUDGE BURTON: Thank you.

8 MS. BERNAUGH: If it's possible to
9 provide an additional comment, I would like to.

10 JUDGE BURTON: Can you make it brief?

11 MS. BERNAUGH: Absolutely. I made
12 reference a moment ago to the other friends and
13 families and neighbors across the United States
14 that are dealing with American-Water. And I
15 come from Indiana, so a lot of my folks are
16 still from the Indiana area. And in Mooresville
17 when American-Water took over there, the
18 increased rate hikes and the problems with
19 quality there were so ripe, that many of the
20 citizens fought to get American-Water back from
21 the hands of, or fought American-Water over the
22 water rights to get back to company owned. It
23 went through years and years of legislation,
24 costly to the citizens, and they still have no
25 resolve. They still have incredibly high rates

1 such so that folks like myself that come from a
2 very country background decided to drill their
3 own wells, and now some of my family have moved
4 off of regular city-styled water in lieu of
5 using their own drilled water.

6 Now, I think that that's great, and I
7 appreciate the resourcefulness, but I have to
8 worry about my family in Indiana considering the
9 amount of runoff from areas and crops. And so
10 if we force our hands of folks that are in so
11 much poverty right now, as many of the other
12 folks and residents have already stated, we are
13 forcing the hands into people who are going to
14 make desperate choices, maybe even to drill
15 their own wells in their own backyards very well
16 today. It's a very easy process to do, but not
17 one that I think Missouri-American water or even
18 the City would like us to pursue as an option.

19 And so when desperate times call for
20 desperate measures in other cities and
21 communities, I urge this council and commission
22 to look at the other problems that Missouri
23 Water has had regionally, nationally before we
24 allow any sort of rate increase that would take
25 away such a life-sustaining and important

1 municipal resource.

2 JUDGE BURTON: Thank you, Ms.
3 Bernaugh.

4 MS. COLEMAN: Thank you.

5 JUDGE BURTON: I just want to explain
6 a little bit more about the procedure. The
7 Commission has another local public hearing in
8 Jefferson City tomorrow, and then on Thursday
9 we'll be in Branson in the afternoon and Joplin
10 in the evening. The evidentiary hearing will be
11 in Jefferson City, but if you want to watch it,
12 you can watch it via video stream through the
13 Commission's website. And that's
14 www.psc.mo.gov. It should begin on February
15 26th. If you're looking to attend in person,
16 you might want to contact the community
17 service's section or outreach with either the
18 company, the public counsel, or the Public
19 Service Commission itself to verify that the
20 start date hasn't been changed due to any
21 settlement issues.

22 There's also an opportunity if you'd
23 like to just review any of the testimony that's
24 been filed, you can do so through the
25 Commission's electronic filing and information

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system, which is also on the website, by typing
in this case number for this case. And I want
to thank everyone for coming out here tonight.
I know that I appreciate hearing all of your
comments, and I'm sure the other commissioners
who were not here will enjoy reading your
comments and looking over your exhibits. And We
will now go off the record. Thank you everyone.

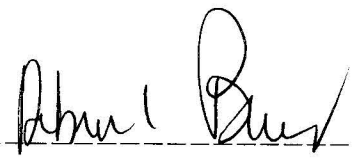
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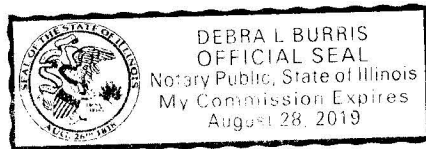
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REPORTER'S CERTIFICATE

I, DEBRA L. BURRIS, a Certified Court Reporter in and for the States of Missouri and Illinois, do hereby certify that, pursuant to agreement, the citizens named above came before me and were duly sworn by Judge Burton to testify to the truth and nothing but the truth; that the said examination was thereafter caused to be transcribed into typewriting; that this is a true and accurate transcription of the testimony given by the witnesses as aforesaid.

BY THE AUTHORITY BESTOWED UPON ME, I have hereunto set my hand on this 5th DAY OF February, 2018.


DEBRA L. BURRIS, MO CCR #789,
IL CSR #084.004545



| # | 5 | | | |
|---|--|--|--|---|
| #084.004545 [1] - 63:22 #789 [1] - 63:21 | 50 [5] - 18:23, 23:24, 26:22, 38:25, 39:3 52,000 [1] - 59:5 5:00 [2] - 17:11, 17:13 | admission [2] - 48:13, 50:12 admit [2] - 48:17, 50:17 admitted [2] - 48:20, 49:20 advance [1] - 28:9 advanced [1] - 32:25 affirm [12] - 7:19, 13:14, 21:2, 30:17, 33:21, 35:10, 38:14, 40:19, 50:20, 52:24, 54:25, 57:1 afford [3] - 18:20, 34:12, 34:24 aforesaid [1] - 63:12 afternoon [1] - 61:9 age [1] - 20:1 ages [1] - 20:3 aging [1] - 56:9 ago [4] - 15:3, 28:15, 45:10, 59:12 agree [2] - 54:7, 56:15 agreement [1] - 63:6 ahead [4] - 2:2, 30:16, 38:12, 49:8 ahold [1] - 31:24 Al [2] - 40:16, 41:1 al [2] - 1:13, 2:3 alarming [1] - 47:8 allow [6] - 35:1, 35:4, 46:22, 47:17, 49:8, 60:24 almost [1] - 9:18 American [20] - 1:12, 2:4, 3:2, 3:5, 8:18, 14:23, 15:7, 15:19, 24:6, 28:15, 42:18, 43:10, 44:20, 48:12, 48:14, 59:14, 59:17, 59:20, 59:21, 60:17 American-Water [8] - 14:23, 15:7, 15:19, 44:20, 59:14, 59:17, 59:20, 59:21 amount [3] - 19:13, 49:5, 60:9 answer [4] - 4:5, 5:4, 6:6, 30:13 answers [1] - 4:8 anytime [1] - 29:3 anyway [1] - 28:1 apologize [3] - 2:18, 7:14, 11:20 appearance [1] - 3:1 apple [1] - 13:23 appreciate [4] - 46:14, 47:23, 60:7, 62:4 apprenticeship [4] - 8:15, 12:24, 13:1, | 13:4 approach [2] - 9:2, 9:15 approved [1] - 57:25 Area [1] - 2:7 area [10] - 6:9, 9:21, 14:8, 14:10, 17:7, 27:5, 36:12, 52:12, 52:13, 59:16 Areas [1] - 1:15 areas [6] - 31:13, 37:18, 37:22, 56:4, 56:5, 60:9 argue [2] - 16:22, 17:11 arms [2] - 10:25, 14:11 article [5] - 42:17, 45:3, 46:18, 47:14, 47:16 as-needed [1] - 24:18 Ashley [3] - 13:13, 13:21, 14:6 ASHLEY [1] - 13:22 aspect [2] - 19:8, 31:19 asphalt [1] - 28:22 assessment [1] - 38:4 assessor [1] - 29:4 assume [1] - 41:18 assumed [1] - 16:13 assure [1] - 15:25 astounded [1] - 19:16 ate [1] - 27:16 attend [1] - 61:15 attorney [1] - 48:24 attorneys [3] - 6:5, 6:16, 47:17 audience [1] - 15:21 AUDIENCE [1] - 3:22 audited [2] - 42:24, 55:24 Authority [2] - 1:13, 2:5 AUTHORITY [1] - 63:14 available [3] - 2:20, 17:16, 49:22 average [2] - 52:7, 58:13 | bad [3] - 8:12, 11:6, 35:1 Barbara [1] - 34:3 BARBARA [1] - 34:3 barely [1] - 55:17 barrels [1] - 58:9 BARTON [5] - 13:25, 15:9, 20:25, 21:7, 28:11 based [7] - 38:4, 42:23, 43:1, 45:8, 47:4, 55:23, 55:24 bashing [1] - 9:3 basis [2] - 10:8, 24:18 battery's [1] - 21:19 beat [1] - 11:14 becomes [1] - 4:13 begin [3] - 3:2, 4:21, 61:14 behalf [2] - 3:8, 3:13 Bel [3] - 58:18, 58:19, 58:20 Bel-Nor [3] - 58:18, 58:19, 58:20 Bellefontaine [2] - 34:4, 36:12 belts [1] - 18:10 benefit [2] - 23:3, 25:17 Bernaugh [7] - 13:13, 13:22, 14:6, 19:2, 48:19, 50:5, 61:3 BERNAUGH [21] - 13:18, 13:21, 14:2, 14:5, 15:11, 19:3, 19:11, 20:8, 20:12, 20:17, 20:21, 47:19, 47:25, 49:1, 49:9, 49:13, 49:25, 50:7, 50:9, 59:8, 59:11 best [3] - 15:13, 37:14, 38:7 BESTOWED [1] - 63:14 betcha [1] - 52:23 better [7] - 16:17, 16:23, 25:9, 25:10, 27:10, 28:10, 37:19 bettering [1] - 16:22 between [1] - 41:21 bid [1] - 13:8 big [3] - 12:13, 32:9, 56:16 biggest [2] - 31:10, 59:4 bill [10] - 10:16, 10:20, 19:23, 31:13, 31:17, 36:24, 40:7, 51:11, 51:14, 51:25 billed [1] - 51:13 |
| \$ | 6 | | | |
| \$1,000 [1] - 22:22 \$30 [1] - 46:6 \$8.00 [1] - 39:14 | 60 [2] - 38:25, 39:4 63121 [1] - 1:9 63131 [1] - 1:24 67 [1] - 34:9 68 [1] - 34:9 6:00 [1] - 17:13 6:11 [1] - 2:8 | | | |
| ' | 7 | | | |
| '16 [1] - 22:16 | 70 [1] - 24:14 | | | |
| 1 | 8 | | | |
| 1 [4] - 19:17, 19:20, 48:13, 48:17 10 [1] - 55:15 100 [1] - 41:22 13 [1] - 53:14 15 [1] - 55:16 | 80 [2] - 24:14, 41:21 8001 [1] - 1:9 | | | |
| 2 | 9 | | | |
| 2 [4] - 19:18, 19:20, 39:13, 48:17 20 [2] - 53:14, 57:13 200 [5] - 17:3, 17:8, 17:21, 19:9, 49:6 2013 [1] - 14:9 2015 [1] - 46:7 2016 [3] - 44:25, 45:5, 48:15 2017 [3] - 22:14, 24:13, 44:21 2018 [2] - 2:7, 63:16 24 [2] - 44:2, 52:7 26th [2] - 4:22, 61:15 | 9 [3] - 15:20, 15:22, 16:1 95 [1] - 31:8 | | | |
| 3 | A | | | |
| 3 [1] - 48:18 30 [1] - 21:19 30th [2] - 2:7, 22:14 314 [1] - 1:24 31698 [1] - 1:23 | ability [1] - 47:3 able [8] - 3:20, 4:16, 5:3, 17:20, 19:22, 19:23, 49:4, 57:22 Absolutely [1] - 59:11 absolutely [3] - 17:2, 18:1, 49:9 accept [1] - 24:11 accurate [2] - 23:13, 63:11 actual [2] - 15:18, 43:1 adamantly [1] - 57:11 add [2] - 19:23, 43:2 added [3] - 17:5, 41:17, 43:3 addition [1] - 22:3 additional [1] - 59:9 address [6] - 6:12, 6:17, 42:20, 43:23, 49:11, 49:18 addressed [3] - 26:18, 28:9, 43:17 addresses [3] - 26:19, 27:2, 52:2 adjust [2] - 46:23, 47:3 | | | |
| 4 | | | | |
| 4 [3] - 44:25, 50:17, 57:14 45 [8] - 43:25, 44:4, 52:4, 53:12, 55:22, 55:25, 56:14, 57:12 47 [1] - 38:22 47.8 [1] - 24:7 481-8616 [1] - 1:24 | | | | |

billing [6] - 19:9, 19:15, 21:25, 40:3, 44:9, 51:15
bills [6] - 8:20, 34:18, 46:20, 46:22, 47:5, 51:18
bit [6] - 2:18, 4:4, 5:17, 10:17, 31:17, 61:6
black [2] - 26:21, 35:25
blacktop [1] - 22:19
bleed [1] - 14:18
bleeding [1] - 14:15
blowing [1] - 28:24
Board [1] - 55:12
board [3] - 20:4, 38:2, 55:9
body [1] - 23:23
bonus [2] - 53:22, 54:1
booming [1] - 39:16
bootstraps [1] - 18:9
bottles [1] - 25:19
bought [2] - 14:9, 18:15
Box [1] - 1:23
boy [1] - 13:22
Branson [1] - 61:9
bravo [1] - 35:19
break [1] - 31:17
breaks [10] - 9:12, 9:20, 31:21, 32:1, 32:13, 32:17, 33:13, 37:7, 37:10, 38:24
Brian [1] - 43:9
Bridge [1] - 1:9
bridges [1] - 26:16
brief [1] - 59:10
briefly [3] - 43:16, 44:17, 44:23
brothers [2] - 11:12, 15:5
budget [1] - 24:15
budgets [1] - 18:9
Building [2] - 1:8, 2:11
building [2] - 12:3, 12:17
burden [1] - 43:6
burdened [1] - 55:21
bURRIS [1] - 63:3
Burris [1] - 1:21
BURRIS [1] - 63:21
BURTON [73] - 1:17, 2:1, 3:7, 3:13, 3:20, 3:23, 4:3, 7:17, 7:23, 8:2, 11:2, 11:5, 11:17, 11:22, 11:25, 12:20, 13:10, 13:12, 13:19, 20:6, 27:4, 27:7, 27:25, 29:21,

30:2, 30:4, 30:12, 30:16, 30:21, 30:25, 33:18, 33:20, 34:1, 35:8, 35:15, 38:11, 38:18, 39:24, 40:2, 40:9, 40:19, 40:24, 45:14, 45:17, 45:22, 46:1, 47:11, 47:24, 48:11, 49:7, 49:16, 50:4, 50:8, 50:10, 50:16, 50:24, 51:3, 52:13, 52:16, 52:21, 52:24, 53:4, 54:20, 54:22, 55:4, 56:25, 57:6, 58:16, 58:21, 59:7, 59:10, 61:2, 61:5
Burton [3] - 2:13, 3:4, 63:7
buy [1] - 10:15
buying [1] - 25:19
BY [2] - 1:21, 63:14

C

C-a-p-u-t-a [1] - 30:24
caked [1] - 28:5
callback [2] - 21:17, 21:24
cancel [1] - 34:15
canceled [1] - 34:15
cannot [9] - 14:18, 18:1, 18:2, 18:3, 18:20, 34:15, 34:20, 36:22
capital [1] - 42:13
CAPUTA [3] - 30:20, 30:23, 31:1
Caputa [2] - 30:23, 58:23
car [1] - 13:2
care [2] - 27:12, 28:2
cars [1] - 25:3
case [16] - 5:8, 5:9, 6:21, 19:6, 39:3, 41:25, 42:22, 43:21, 45:12, 46:7, 46:9, 48:4, 48:9, 55:11, 62:2
cases [2] - 4:1, 37:24
caused [1] - 63:9
causing [1] - 56:2
CCR [2] - 1:21, 63:21
cellphone [1] - 21:18
cement [1] - 32:3
Center [1] - 26:25
CEO [1] - 57:13
certainly [1] - 37:20
CERTIFICATE [1] - 63:1

Certified [1] - 63:3
certify [1] - 63:5
cetera [1] - 23:8
chair [1] - 55:9
Chairman [1] - 55:12
chance [1] - 41:10
change [3] - 38:1, 46:8, 51:20
changed [1] - 61:20
chapel [1] - 20:12
Chapel [1] - 20:13
charge [4] - 21:22, 24:1, 43:2, 58:6
charges [1] - 29:4
charging [1] - 25:13
Cheryl [1] - 24:5
chief [1] - 44:23
choice [2] - 36:20, 57:17
choices [1] - 60:14
cholera [3] - 26:7, 26:10, 26:24
choose [1] - 24:4
choosing [1] - 35:1
choppy [1] - 28:23
chosen [1] - 17:12
Christine [2] - 51:1, 51:5
CHRISTINE [1] - 51:6
circular [2] - 44:1, 44:8
cities [3] - 12:11, 53:18, 60:20
citizen [1] - 55:11
citizens [3] - 59:20, 59:24, 63:6
city [4] - 6:10, 8:7, 10:6, 60:4
City [13] - 4:22, 8:4, 10:23, 11:9, 12:15, 31:24, 38:22, 39:21, 52:14, 60:18, 61:8, 61:11
city-styled [1] - 60:4
clarify [1] - 11:17
cleaned [3] - 8:7, 10:3, 32:1
cleanups [2] - 8:6, 10:2
clear [3] - 28:17, 52:5, 52:9
close [1] - 34:20
coast [2] - 15:5, 15:6
Coleman [1] - 2:16
COLEMAN [24] - 1:19, 14:3, 19:2, 19:4, 20:5, 20:10, 20:15, 20:19, 20:24, 21:12, 30:3, 33:19, 35:7, 39:19, 39:23, 40:8,

40:10, 40:15, 47:10, 52:12, 54:21, 58:19, 59:6, 61:4
color [1] - 27:20
Colson [1] - 58:16
COLSON [2] - 58:17, 58:20
Columbia [2] - 46:19, 47:16
column [1] - 52:3
columned [1] - 17:5
coming [9] - 9:3, 9:22, 12:6, 22:3, 25:4, 27:3, 41:8, 56:18, 62:3
command [1] - 25:6
commend [1] - 32:15
comment [1] - 59:9
comments [2] - 62:5, 62:7
COMMISSION [1] - 1:2
commission [3] - 2:9, 18:18, 60:21
Commission [20] - 2:15, 3:9, 3:11, 4:2, 4:25, 5:3, 5:12, 6:20, 6:22, 11:18, 13:12, 14:21, 18:17, 20:25, 47:1, 47:2, 47:7, 49:16, 61:7, 61:19
Commission's [2] - 61:13, 61:25
Commissioner [4] - 2:16, 2:17, 40:18, 47:20
Commissioners [3] - 41:3, 43:16, 46:13
commissioners [4] - 4:15, 4:16, 6:4, 62:5
COMMISSIONERS [1] - 1:20
committee [1] - 47:6
common [3] - 11:10, 12:4, 12:8
commonsense [3] - 9:2, 9:15, 10:9
communities [3] - 14:25, 15:1, 60:21
community [7] - 6:9, 14:10, 17:24, 20:6, 36:10, 39:20, 61:16
companies [3] - 18:16, 24:4, 53:19
Company [4] - 3:3, 15:7, 48:12, 48:15
company [27] - 5:12, 11:13, 11:19, 12:10, 12:14, 13:7, 14:24, 18:11, 31:18, 38:25,

39:7, 41:14, 42:1, 42:10, 42:21, 43:7, 43:19, 43:22, 44:1, 44:24, 45:7, 45:11, 47:3, 51:15, 54:15, 59:22, 61:18
Company's [2] - 1:13, 2:4
company's [1] - 48:2
compensation [4] - 44:22, 44:25, 47:12, 48:14
Compensation [1] - 48:16
complaining [3] - 24:20, 25:12, 26:17
complaint [1] - 31:10
complaints [3] - 12:1, 12:20, 21:14
completed [5] - 22:15, 22:16, 24:17, 27:9, 28:20
completely [2] - 14:16, 14:21
compliment [1] - 40:15
computer [1] - 23:18
computer-generated [1] - 23:18
concern [1] - 41:11
concerned [1] - 14:12
concerning [1] - 19:12
concerns [5] - 5:1, 6:13, 6:21, 6:24, 8:5
concluded [1] - 30:14
concrete [5] - 22:18, 27:15, 28:22, 29:15, 32:2
confidential [2] - 48:25, 49:22
confusing [1] - 52:1
conservation [1] - 43:5
conserve [1] - 56:13
conserver [1] - 58:7
consider [3] - 9:6, 10:2, 39:15
considerate [1] - 10:12
considering [1] - 60:8
constituents [4] - 31:5, 31:23, 34:6, 35:24
construction [2] - 12:3, 33:9
consumer [3] - 36:17, 43:7, 52:10
consumers [2] - 35:24, 42:25
Consumers [2] -

| | | | | |
|---|---|---|--|--|
| <p>55:10, 55:13 contact [2] - 49:19, 61:16 contaminated [1] - 26:23 continue [3] - 10:4, 14:18, 45:20 continuous [2] - 10:8, 11:12 contract [1] - 18:13 contractor [1] - 24:19 contractors [10] - 8:12, 8:14, 8:19, 10:5, 11:7, 11:14, 12:6, 13:8, 27:11, 29:9 contracts [1] - 16:19 Control [1] - 26:25 control [1] - 27:18 copper [1] - 42:5 copy [1] - 47:14 corporate [3] - 18:4, 18:7, 57:24 corporations [2] - 53:16, 53:17 correct [1] - 29:9 correctly [1] - 45:10 cost [10] - 14:13, 16:2, 16:13, 16:17, 16:20, 18:23, 19:18, 22:19, 34:18, 58:11 costly [1] - 59:24 costs [5] - 24:14, 42:24, 43:1, 55:24, 56:5 council [5] - 10:22, 11:11, 14:20, 47:19, 60:21 Council [2] - 55:10, 55:13 Councilman [2] - 33:19, 58:23 councilman [4] - 8:3, 31:2, 33:18, 59:3 Counsel [4] - 3:14, 3:17, 3:25, 41:14 counsel [3] - 5:13, 48:24, 61:18 country [1] - 60:2 County [10] - 41:20, 55:8, 55:12, 55:15, 55:18, 56:2, 56:6, 56:8, 56:19, 59:5 couple [2] - 41:11, 42:16 course [2] - 16:20, 35:18 Court [1] - 63:3 court [5] - 3:5, 3:12, 3:18, 4:11, 5:23</p> | <p>courteously [1] - 45:20 courtesy [2] - 12:4, 12:8 cover [1] - 56:4 cracked [4] - 29:16, 29:18, 29:19 crops [1] - 60:9 CSR [2] - 1:21, 63:22 curb [1] - 29:16 curbs [2] - 22:18, 28:22 curious [1] - 37:14 current [1] - 42:22 customary [1] - 47:22 customer [2] - 41:16, 42:4 customer's [1] - 42:14 customer-owned [1] - 41:16 customers [5] - 44:2, 44:8, 44:10, 53:22, 54:3 cut [6] - 14:21, 18:8, 26:6, 31:12, 45:23 cuts [2] - 9:7, 14:22 cynical [1] - 51:11</p> | <p>die [2] - 26:11, 35:2 died [3] - 26:20, 26:22 different [7] - 19:6, 20:3, 21:15, 43:11, 52:2, 53:18 difficult [3] - 34:10, 34:17, 34:21 difficulty [1] - 2:19 dig [1] - 8:25 digging [2] - 12:9, 36:9 disadvantaged [1] - 36:19 discriminatory [1] - 38:7 discussed [1] - 4:7 Disease [1] - 26:25 dishwashing [1] - 58:11 disincentivize [1] - 43:5 Dispatch [2] - 45:4, 47:14 disproportionate [1] - 56:3 disproportionately [1] - 38:6 distributed [1] - 56:1 District [2] - 28:18, 29:25 districts [1] - 16:13 doctor [1] - 34:18 document [3] - 44:18, 46:15, 46:18 documents [2] - 44:15, 47:18 dollars [1] - 18:6 DOLSON [2] - 57:5, 57:8 Dolson [1] - 57:8 done [8] - 6:2, 18:7, 18:11, 18:19, 22:7, 24:18, 27:10, 39:16 door [1] - 33:8 double [1] - 36:24 doubled [1] - 22:22 doubling [1] - 36:11 down [13] - 9:3, 9:16, 9:19, 10:11, 11:15, 12:16, 15:10, 25:25, 29:19, 34:20, 52:3, 54:11, 54:16 drastically [1] - 37:24 drill [2] - 60:2, 60:14 drilled [1] - 60:5 drilling [1] - 27:14 drink [1] - 25:18 drives [1] - 29:4 driveways [2] - 24:21, 28:22</p> | <p>driving [1] - 17:5 dropped [1] - 21:21 drops [1] - 28:2 dry [1] - 14:19 due [3] - 26:7, 26:24, 61:20 dues [1] - 39:16 duly [1] - 63:7 DuraSeal [2] - 24:20, 29:11 dust [2] - 27:15, 27:22 dying [3] - 26:24, 27:1, 34:23</p> | <p>equipment [2] - 8:23, 39:9 equitable [1] - 38:1 equity [1] - 24:8 escrow [1] - 39:3 especially [4] - 8:19, 34:11, 37:10, 38:9 essentially [1] - 43:5 estate [1] - 22:20 estimate [1] - 42:23 estimates [1] - 55:24 et [3] - 1:13, 2:3, 23:7 evening [7] - 2:1, 3:15, 8:5, 41:2, 41:12, 45:3, 61:10 everyday [1] - 10:7 evidence [3] - 44:16, 45:2, 47:21 evidentiary [2] - 4:20, 61:10 examination [1] - 63:9 except [1] - 39:12 excessive [2] - 18:8, 18:25 excuse [1] - 7:11 executive [4] - 44:22, 44:24, 47:12, 48:14 executives [1] - 18:7 Exhibit [6] - 47:11, 47:13, 48:13, 48:17, 50:11, 50:17 exhibit [2] - 47:15, 48:25 exhibits [2] - 45:15, 62:7 expected [1] - 22:25 expense [1] - 23:5 expenses [5] - 16:4, 16:5, 16:8, 16:10, 42:23 expensive [1] - 18:20 explain [5] - 4:3, 5:14, 5:16, 42:10, 61:5 exterior [2] - 27:17, 29:3 eye [2] - 27:23, 28:3 eyelids [1] - 28:6 eyes [2] - 27:22, 28:2</p> |
| D | | E | | |
| | <p>D-o-l-s-o-n [1] - 57:9 data [1] - 45:8 date [2] - 50:2, 61:20 DAY [1] - 63:15 days [4] - 29:18, 39:2, 41:7, 42:6 deal [1] - 12:3 dealing [1] - 59:14 Debra [1] - 1:21 DEBRA [1] - 63:3 dEBRA [1] - 63:21 deceptive [2] - 44:5, 44:7 decide [1] - 57:19 decided [1] - 60:2 decision [1] - 56:24 declines [1] - 43:3 decrease [4] - 16:2, 23:14, 23:20, 57:24 decreased [1] - 53:21 definitely [1] - 54:17 democratic [1] - 36:3 demographic [1] - 35:22 department [2] - 31:25, 33:12 describe [2] - 11:5, 44:17 desperate [3] - 60:14, 60:19, 60:20</p> | | <p>e-r [1] - 53:8 earn [1] - 22:6 easier [1] - 5:23 east [1] - 15:5 easy [1] - 60:16 Ebony [1] - 35:19 economic [1] - 37:2 educated [1] - 44:12 education [1] - 13:6 effect [1] - 46:10 effort [1] - 41:5 egg [1] - 13:22 either [4] - 8:17, 39:5, 54:13, 61:17 elderly [1] - 55:19 electric [2] - 46:23, 53:25 electronic [1] - 61:25 Emery [1] - 46:21 emphasis [2] - 41:17, 43:3 employee [3] - 20:16, 20:18, 23:17 employees [8] - 25:7, 25:11, 27:12, 28:3, 28:6, 28:7, 29:12, 29:14 employment [1] - 22:2 empty [1] - 14:17 enacted [1] - 47:4 encountered [1] - 38:5 END [1] - 62:10 end [1] - 37:12 English [1] - 25:6 enjoy [1] - 62:6 enraged [2] - 10:24, 36:6 ensure [1] - 18:17 enter [3] - 3:1, 17:22, 47:23 entire [1] - 37:9 entity [1] - 57:16</p> | |
| D | | F | | |
| | | | <p>face [2] - 22:6, 38:3 fact [3] - 37:12, 37:20, 56:15 factored [2] - 22:19, 56:17 facts [2] - 15:15, 19:12 failed [2] - 43:23, 44:14 fair [6] - 29:3, 29:5,</p> | |

| | | | | |
|--|--|---|--|---|
| <p>31:14, 36:16, 38:1, 39:5</p> <p>fairer [1] - 25:13</p> <p>families [2] - 18:1, 59:13</p> <p>family [6] - 14:12, 17:7, 17:24, 20:2, 60:3, 60:8</p> <p>far [3] - 25:24, 42:12, 49:18</p> <p>fastest [1] - 55:18</p> <p>fastest-growing [1] - 55:18</p> <p>faucet [1] - 18:5</p> <p>faulty [1] - 45:8</p> <p>favor [2] - 36:1, 37:3</p> <p>feasible [2] - 17:1, 17:2</p> <p>feature [2] - 21:17, 21:24</p> <p>February [2] - 4:21, 61:14</p> <p>feces [1] - 26:9</p> <p>fed [2] - 26:12, 26:23</p> <p>federal [1] - 43:13</p> <p>feedback [2] - 11:24, 12:11</p> <p>Ferguson [2] - 41:9, 43:24</p> <p>few [3] - 14:5, 29:18, 32:14</p> <p>figures [2] - 15:16, 24:13</p> <p>File [1] - 2:2</p> <p>filed [2] - 22:13, 61:24</p> <p>filing [1] - 61:25</p> <p>fine [2] - 41:6, 48:4</p> <p>fire [1] - 14:14</p> <p>first [15] - 7:7, 7:12, 7:13, 11:18, 14:9, 14:23, 21:16, 26:21, 36:2, 41:25, 44:18, 48:2, 53:8, 53:11, 55:9</p> <p>five [4] - 6:1, 12:13, 15:12, 17:19</p> <p>fix [5] - 13:2, 18:13, 32:6, 32:12, 32:21</p> <p>fixed [19] - 9:5, 9:8, 10:14, 22:1, 22:5, 25:21, 31:9, 31:14, 31:16, 32:11, 32:19, 32:22, 34:7, 34:8, 34:10, 36:25, 39:12, 57:14, 57:20</p> <p>fixing [2] - 18:12, 39:8</p> <p>flatlined [1] - 15:17</p> <p>floor [1] - 30:7</p> <p>Florissant [18] - 8:4, 10:23, 12:15, 14:7,</p> | <p>14:11, 15:4, 16:11, 16:24, 17:4, 17:7, 17:17, 20:8, 31:2, 32:17, 47:21, 49:14, 50:2, 59:4</p> <p>folk [2] - 11:10, 17:14</p> <p>folks [12] - 14:18, 16:24, 17:14, 17:17, 18:20, 19:17, 19:25, 59:15, 60:1, 60:10, 60:12</p> <p>follow [1] - 46:4</p> <p>food [1] - 10:15</p> <p>force [1] - 60:10</p> <p>forcing [1] - 60:13</p> <p>FORCK [3] - 3:10, 48:10, 50:15</p> <p>Forck [1] - 3:10</p> <p>forever [1] - 32:1</p> <p>forgot [4] - 52:19, 58:17, 59:1, 59:2</p> <p>forks [1] - 16:1</p> <p>formal [1] - 43:18</p> <p>formerly [1] - 16:14</p> <p>forth [1] - 54:16</p> <p>forward [1] - 5:20</p> <p>fought [2] - 59:20, 59:21</p> <p>four [3] - 17:9, 50:10, 50:12</p> <p>foxtrot [1] - 35:21</p> <p>free [1] - 25:18</p> <p>frequently [1] - 19:19</p> <p>friends [4] - 17:4, 17:6, 20:2, 59:12</p> <p>front [1] - 4:1</p> <p>full [3] - 8:9, 14:11, 22:18</p> <p>fundamentally [2] - 36:14, 38:8</p> <p>funding [1] - 15:18</p> <p>funds [1] - 56:18</p> <p>funny [2] - 9:19, 9:22</p> <p>furthermore [1] - 15:19</p> <p>future [2] - 42:20, 42:23</p> | <p>gears [1] - 43:11</p> <p>General [2] - 1:14, 2:5</p> <p>generated [1] - 23:18</p> <p>gentleman [1] - 58:4</p> <p>given [4] - 3:18, 4:8, 56:23, 63:12</p> <p>glass [1] - 18:25</p> <p>glazing [1] - 27:20</p> <p>gloves [1] - 28:4</p> <p>gouging [1] - 14:23</p> <p>graduate [1] - 41:6</p> <p>grape [1] - 13:24</p> <p>grass [6] - 34:23, 34:24, 35:2, 35:3, 54:12, 58:9</p> <p>great [1] - 60:6</p> <p>Greendale [1] - 52:14</p> <p>ground [2] - 32:6, 32:9</p> <p>growing [1] - 55:18</p> <p>guess [3] - 41:21, 52:4, 52:6</p> <p>guesses [1] - 43:1</p> <p>guy [4] - 13:2, 13:3, 13:5, 21:11</p> <p>guys [17] - 8:12, 9:2, 9:6, 9:9, 9:13, 10:2, 10:9, 10:13, 10:19, 11:9, 11:13, 11:15, 12:6, 54:5, 54:19</p> | <p>13:13, 21:1, 31:23, 38:24, 48:5</p> <p>heard [2] - 15:3, 53:11</p> <p>Hearing [1] - 1:6</p> <p>hearing [20] - 2:10, 4:6, 4:10, 4:18, 4:19, 4:20, 4:21, 5:10, 6:15, 6:23, 26:15, 28:4, 30:13, 36:5, 43:18, 44:17, 53:12, 61:7, 61:10, 62:4</p> <p>hearings [3] - 7:9, 44:13, 47:6</p> <p>heat [2] - 14:20, 53:20</p> <p>heating [1] - 53:25</p> <p>heavy [1] - 8:23</p> <p>hell [1] - 32:16</p> <p>Hello [1] - 14:6</p> <p>help [4] - 5:14, 21:24, 22:1, 22:3</p> <p>helpful [1] - 50:3</p> <p>hereby [1] - 63:5</p> <p>hereunto [1] - 63:15</p> <p>high [3] - 19:24, 22:23, 59:25</p> <p>highly [2] - 56:11, 56:13</p> <p>hike [4] - 36:1, 36:5, 36:15, 37:3</p> <p>hikes [1] - 59:18</p> <p>Hill [2] - 27:6, 27:7</p> <p>hire [4] - 8:17, 8:19, 25:9, 29:13</p> <p>hired [1] - 29:10</p> <p>hiring [4] - 8:12, 10:5, 11:13, 11:15</p> <p>hold [2] - 21:19, 28:12</p> <p>hole [1] - 32:10</p> <p>home [4] - 6:14, 33:2, 33:3, 36:23</p> <p>homes [1] - 55:21</p> <p>homework [1] - 9:18</p> <p>honestly [1] - 44:5</p> <p>hope [5] - 9:5, 10:2, 10:19, 27:10, 56:21</p> <p>hopefully [1] - 51:16</p> <p>hopes [1] - 49:4</p> <p>hours [3] - 17:9, 23:15, 44:3</p> <p>house [7] - 6:11, 14:9, 24:23, 25:2, 27:16, 27:17, 29:4</p> <p>household [3] - 17:3, 17:21, 17:23</p> <p>households [2] - 17:8, 49:6</p> <p>houses [1] - 33:8</p> <p>human [2] - 36:8, 57:21</p> <p>humongous [1] -</p> | <p>53:17</p> <p>hurt [1] - 35:6</p> <p>husband [1] - 58:8</p> <p>HUTCHINSON [2] - 55:3, 55:6</p> <p>Hutchinson [2] - 55:7, 57:1</p> |
| I | | | | |
| <p>i-e-l-d [1] - 35:21</p> <p>idea [3] - 16:16, 16:20, 36:15</p> <p>ideas [1] - 21:15</p> <p>identify [1] - 49:24</p> <p>identifying [1] - 49:18</p> <p>IL [1] - 63:22</p> <p>Illinois [1] - 63:5</p> <p>immediate [1] - 51:10</p> <p>immediately [1] - 32:19</p> <p>Implement [2] - 1:13, 2:5</p> <p>implement [1] - 31:19</p> <p>implemented [2] - 23:19, 31:11</p> <p>important [4] - 4:24, 14:19, 17:1, 60:25</p> <p>improve [1] - 29:3</p> <p>improved [1] - 29:1</p> <p>improvements [1] - 23:1</p> <p>included [1] - 19:13</p> <p>income [14] - 9:8, 10:14, 16:2, 18:2, 22:1, 22:5, 25:21, 31:16, 34:8, 34:10, 37:1, 39:12, 56:10, 57:15</p> <p>incomes [4] - 9:5, 31:9, 31:15, 34:7</p> <p>Increase [2] - 1:14, 2:5</p> <p>increase [42] - 8:21, 8:23, 9:23, 10:8, 15:18, 16:1, 16:21, 17:2, 17:25, 18:22, 18:23, 19:13, 19:14, 19:18, 20:2, 31:7, 31:12, 34:12, 35:5, 38:2, 38:8, 43:14, 46:7, 46:12, 52:5, 52:6, 52:8, 53:9, 53:10, 54:17, 55:13, 55:14, 55:22, 55:23, 55:25, 56:3, 56:7, 56:8, 56:14, 56:24, 57:12, 60:24</p> <p>increased [3] - 16:9, 37:23, 59:18</p> | <p>folk [2] - 11:10, 17:14</p> <p>folks [12] - 14:18, 16:24, 17:14, 17:17, 18:20, 19:17, 19:25, 59:15, 60:1, 60:10, 60:12</p> <p>follow [1] - 46:4</p> <p>food [1] - 10:15</p> <p>force [1] - 60:10</p> <p>forcing [1] - 60:13</p> <p>FORCK [3] - 3:10, 48:10, 50:15</p> <p>Forck [1] - 3:10</p> <p>forever [1] - 32:1</p> <p>forgot [4] - 52:19, 58:17, 59:1, 59:2</p> <p>forks [1] - 16:1</p> <p>formal [1] - 43:18</p> <p>formerly [1] - 16:14</p> <p>forth [1] - 54:16</p> <p>forward [1] - 5:20</p> <p>fought [2] - 59:20, 59:21</p> <p>four [3] - 17:9, 50:10, 50:12</p> <p>foxtrot [1] - 35:21</p> <p>free [1] - 25:18</p> <p>frequently [1] - 19:19</p> <p>friends [4] - 17:4, 17:6, 20:2, 59:12</p> <p>front [1] - 4:1</p> <p>full [3] - 8:9, 14:11, 22:18</p> <p>fundamentally [2] - 36:14, 38:8</p> <p>funding [1] - 15:18</p> <p>funds [1] - 56:18</p> <p>funny [2] - 9:19, 9:22</p> <p>furthermore [1] - 15:19</p> <p>future [2] - 42:20, 42:23</p> | <p style="text-align: center;">H</p> <p>H-u-t-c-h-i-n-s-o-n [1] - 55:8</p> <p>half [2] - 24:7, 24:8</p> <p>hand [15] - 7:18, 8:8, 8:13, 8:17, 9:4, 9:13, 10:21, 13:14, 21:2, 30:9, 35:10, 38:13, 50:7, 54:24, 63:15</p> <p>handle [1] - 16:17</p> <p>handled [1] - 28:10</p> <p>hands [3] - 59:21, 60:10, 60:13</p> <p>hang [1] - 7:9</p> <p>hanging [1] - 40:14</p> <p>happy [2] - 13:24, 15:23</p> <p>hard [1] - 7:17</p> <p>harder [1] - 22:5</p> <p>HART [1] - 35:20</p> <p>hartfield [1] - 38:12</p> <p>HARTFIELD [2] - 35:14, 35:18</p> <p>Hartfield [1] - 35:20</p> <p>hateful [1] - 12:8</p> <p>headed [1] - 18:21</p> <p>health [1] - 25:22</p> <p>hear [11] - 2:23, 2:24, 3:21, 4:25, 5:5, 6:20,</p> | <p>13:13, 21:1, 31:23, 38:24, 48:5</p> <p>heard [2] - 15:3, 53:11</p> <p>Hearing [1] - 1:6</p> <p>hearing [20] - 2:10, 4:6, 4:10, 4:18, 4:19, 4:20, 4:21, 5:10, 6:15, 6:23, 26:15, 28:4, 30:13, 36:5, 43:18, 44:17, 53:12, 61:7, 61:10, 62:4</p> <p>hearings [3] - 7:9, 44:13, 47:6</p> <p>heat [2] - 14:20, 53:20</p> <p>heating [1] - 53:25</p> <p>heavy [1] - 8:23</p> <p>hell [1] - 32:16</p> <p>Hello [1] - 14:6</p> <p>help [4] - 5:14, 21:24, 22:1, 22:3</p> <p>helpful [1] - 50:3</p> <p>hereby [1] - 63:5</p> <p>hereunto [1] - 63:15</p> <p>high [3] - 19:24, 22:23, 59:25</p> <p>highly [2] - 56:11, 56:13</p> <p>hike [4] - 36:1, 36:5, 36:15, 37:3</p> <p>hikes [1] - 59:18</p> <p>Hill [2] - 27:6, 27:7</p> <p>hire [4] - 8:17, 8:19, 25:9, 29:13</p> <p>hired [1] - 29:10</p> <p>hiring [4] - 8:12, 10:5, 11:13, 11:15</p> <p>hold [2] - 21:19, 28:12</p> <p>hole [1] - 32:10</p> <p>home [4] - 6:14, 33:2, 33:3, 36:23</p> <p>homes [1] - 55:21</p> <p>homework [1] - 9:18</p> <p>honestly [1] - 44:5</p> <p>hope [5] - 9:5, 10:2, 10:19, 27:10, 56:21</p> <p>hopefully [1] - 51:16</p> <p>hopes [1] - 49:4</p> <p>hours [3] - 17:9, 23:15, 44:3</p> <p>house [7] - 6:11, 14:9, 24:23, 25:2, 27:16, 27:17, 29:4</p> <p>household [3] - 17:3, 17:21, 17:23</p> <p>households [2] - 17:8, 49:6</p> <p>houses [1] - 33:8</p> <p>human [2] - 36:8, 57:21</p> <p>humongous [1] -</p> | <p>53:17</p> <p>hurt [1] - 35:6</p> <p>husband [1] - 58:8</p> <p>HUTCHINSON [2] - 55:3, 55:6</p> <p>Hutchinson [2] - 55:7, 57:1</p> |

| | | | | |
|---|--|---|--|---|
| <p>increases [8] - 14:24, 14:25, 15:2, 15:14, 15:16, 16:17, 54:7, 54:9</p> <p>increasing [5] - 14:13, 16:6, 56:10</p> <p>incredibly [1] - 59:25</p> <p>Indiana [3] - 59:15, 59:16, 60:8</p> <p>indicated [2] - 5:18, 30:5</p> <p>individual [3] - 7:13, 36:13, 43:7</p> <p>individual's [1] - 48:21</p> <p>individuals [5] - 2:20, 5:17, 30:5, 30:8, 50:18</p> <p>infants [1] - 26:21</p> <p>inferior [2] - 25:8, 37:15</p> <p>information [12] - 3:6, 3:12, 3:18, 19:5, 25:1, 48:22, 49:18, 49:19, 51:25, 56:22, 56:23, 61:25</p> <p>infrastructure [4] - 37:5, 37:13, 37:14, 37:17</p> <p>initial [1] - 16:19</p> <p>initiative [1] - 36:2</p> <p>installed [1] - 23:12</p> <p>instant [1] - 23:13</p> <p>instead [4] - 8:16, 25:10, 51:18, 54:2</p> <p>institution [1] - 41:6</p> <p>interested [3] - 6:22, 16:24, 19:7</p> <p>interviewed [1] - 29:12</p> <p>investment [3] - 41:16, 42:2, 42:11</p> <p>investor [1] - 43:6</p> <p>investor-owned [1] - 43:6</p> <p>involved [1] - 19:6</p> <p>irrelevant [1] - 48:7</p> <p>issue [4] - 28:16, 29:15, 36:8, 40:4</p> <p>issues [9] - 5:9, 5:15, 6:17, 6:24, 7:2, 11:6, 28:8, 44:12, 61:21</p> <p>it'll [1] - 46:11</p> <p>itself [1] - 61:19</p> | <p>Jacqueline [1] - 55:6</p> <p>JACQUELINE [1] - 55:7</p> <p>jam [1] - 9:16</p> <p>jammed [2] - 8:20, 8:21</p> <p>jamming [1] - 10:11</p> <p>January [2] - 2:7, 34:12</p> <p>JC [1] - 2:11</p> <p>Jeff [1] - 30:23</p> <p>JEFF [1] - 30:24</p> <p>Jefferson [3] - 4:22, 61:8, 61:11</p> <p>Jim [1] - 24:19</p> <p>jimmie [1] - 38:20</p> <p>JIMMIE [1] - 38:20</p> <p>job [4] - 15:8, 25:9, 27:10, 32:16</p> <p>jobs [3] - 12:11, 12:13, 12:23</p> <p>Jones [8] - 7:15, 7:16, 7:25, 24:19, 31:3, 31:21, 58:24, 59:3</p> <p>JONES [14] - 7:16, 7:22, 7:25, 8:3, 11:4, 11:8, 11:20, 11:23, 12:2, 12:22, 13:11, 52:19, 52:23, 58:25</p> <p>jones [1] - 7:17</p> <p>Joplin [1] - 61:9</p> <p>JUDGE [78] - 1:18, 2:1, 3:7, 3:13, 3:20, 3:23, 4:3, 7:17, 7:23, 8:2, 11:2, 11:5, 11:17, 11:22, 11:25, 12:20, 13:10, 13:12, 13:19, 13:25, 15:9, 20:6, 20:25, 21:7, 27:4, 27:7, 27:25, 28:11, 29:21, 30:2, 30:4, 30:12, 30:16, 30:21, 30:25, 33:18, 33:20, 34:1, 35:8, 35:15, 38:11, 38:18, 39:24, 40:2, 40:9, 40:19, 40:24, 45:14, 45:17, 45:19, 45:22, 47:11, 47:24, 48:11, 49:7, 49:16, 50:4, 50:8, 50:10, 50:16, 50:24, 51:3, 52:13, 52:16, 52:21, 52:24, 53:4, 54:20, 54:22, 55:4, 56:25, 57:6, 58:16, 58:21, 59:7, 59:10, 61:2, 61:5</p> <p>Judge [4] - 2:14, 3:4, 41:2, 63:7</p> <p>judge [2] - 5:3, 46:1</p> | <p>July [1] - 46:11</p> <p>jump [1] - 20:3</p> <p>June [1] - 22:14</p> | <p>60:25</p> <p>likelihood [1] - 19:14</p> <p>likely [2] - 21:20, 43:13</p> <p>limit [2] - 26:1, 58:10</p> <p>line [2] - 16:9, 21:17</p> <p>lines [6] - 7:1, 23:4, 23:7, 41:17, 41:19, 41:21</p> <p>list [4] - 5:17, 7:3, 30:5, 47:20</p> <p>listen [1] - 5:5</p> <p>listening [2] - 2:24, 57:10</p> <p>live [15] - 6:10, 20:9, 22:14, 24:17, 27:5, 27:6, 34:4, 35:3, 35:4, 36:12, 36:22, 37:17, 52:8, 52:11, 58:17</p> <p>living [11] - 14:13, 16:3, 16:21, 18:23, 23:25, 32:3, 34:10, 34:19, 37:9, 38:21, 55:16</p> <p>Local [1] - 1:6</p> <p>local [3] - 2:9, 7:8, 61:7</p> <p>location [1] - 6:15</p> <p>locations [1] - 23:13</p> <p>look [7] - 17:10, 31:18, 34:25, 36:4, 36:8, 49:23, 60:22</p> <p>looked [1] - 34:22</p> <p>looking [4] - 22:2, 52:3, 61:15, 62:7</p> <p>looks [3] - 28:23, 29:1, 38:4</p> <p>loudly [1] - 2:22</p> <p>loudness [1] - 12:21</p> <p>Louis [17] - 1:8, 1:9, 1:24, 2:11, 28:18, 41:20, 42:18, 45:4, 55:8, 55:11, 55:15, 55:18, 56:2, 56:6, 56:7, 56:19, 59:5</p> <p>love [2] - 14:9, 14:10</p> <p>lowest [1] - 13:8</p> <p>LPHUMSL-1 [1] - 47:12</p> <p>LPHUMSL-2 [1] - 47:13</p> <p>LPHUMSL-3 [1] - 47:15</p> <p>LPHUMSL-4 [1] - 50:11</p> <p>LUFT [7] - 3:4, 28:14, 29:8, 30:1, 48:1, 48:7, 50:14</p> <p>Luft [4] - 3:5, 3:7,</p> | <p>28:12, 28:14</p> <p>lumpy [1] - 28:25</p> |
| M | | | | |
| | <p>M-a-n-e [1] - 38:21</p> <p>ma'am [9] - 13:18, 19:3, 19:11, 21:12, 32:3, 33:21, 35:9, 38:13, 49:9</p> <p>MAIDA [1] - 1:19</p> <p>mail [1] - 51:10</p> <p>mailed [1] - 44:1</p> <p>mailing [1] - 51:18</p> <p>main [9] - 9:11, 9:20, 32:1, 32:13, 32:17, 33:13, 37:7, 37:10, 38:23</p> <p>mains [5] - 22:11, 22:15, 23:7, 28:24, 41:23</p> <p>maintain [1] - 34:19</p> <p>major [1] - 15:1</p> <p>man [2] - 9:7, 23:15</p> <p>mandatory [1] - 12:25</p> <p>MANE [5] - 38:17, 38:20, 39:22, 40:1, 40:5</p> <p>Mane [3] - 38:20, 39:19, 39:24</p> <p>manner [1] - 32:22</p> <p>map [2] - 9:20, 26:19</p> <p>March [1] - 34:9</p> <p>Marc [1] - 3:10</p> <p>mark [2] - 43:21, 50:11</p> <p>marked [4] - 47:11, 47:13, 47:15, 49:21</p> <p>mason [1] - 32:3</p> <p>Matter [1] - 1:12</p> <p>matter [5] - 2:3, 17:9, 18:24, 44:2, 56:14</p> <p>ME [1] - 63:14</p> <p>mean [9] - 4:19, 9:4, 9:8, 12:2, 34:18, 37:1, 39:6, 43:20, 58:13</p> <p>means [1] - 42:24</p> <p>measures [1] - 60:20</p> <p>mechanism [1] - 45:6</p> <p>meeting [1] - 26:14</p> <p>mellow [1] - 39:17</p> <p>members [1] - 49:19</p> <p>mention [2] - 5:1, 59:2</p> <p>merit [3] - 19:21, 20:19, 20:22</p> <p>mess [1] - 31:22</p> <p>met [1] - 28:15</p> <p>meter [1] - 45:9</p> <p>meters [2] - 23:12, 45:9</p> | | | |
| <p>J</p> | | | | |
| <p>J-o-n-e-s [1] - 8:1</p> <p>J.C [1] - 1:8</p> <p>jack [1] - 57:22</p> | | | | |
| | <p>Kathy [1] - 57:8</p> <p>KATHY [1] - 57:8</p> <p>keep [4] - 5:25, 8:12, 10:5</p> <p>KIM [1] - 1:17</p> <p>Kim [1] - 2:13</p> <p>kind [8] - 6:17, 9:19, 20:13, 22:6, 32:25, 39:17, 41:6, 44:5</p> <p>KMOX [1] - 43:8</p> <p>knowingly [1] - 49:2</p> <p>knowledge [1] - 42:1</p> <p>knows [1] - 9:11</p> | <p>L</p> <p>lady [5] - 4:10, 36:6, 38:23, 50:19, 56:15</p> <p>laid [1] - 24:23</p> <p>language [1] - 25:6</p> <p>large [1] - 49:5</p> <p>largest [1] - 56:8</p> <p>last [11] - 15:20, 22:21, 35:19, 41:9, 41:12, 43:24, 45:3, 45:23, 46:5, 46:12, 51:1</p> <p>LAW [1] - 1:18</p> <p>Law [1] - 2:14</p> <p>law [3] - 41:2, 43:13, 47:4</p> <p>lawsuit [1] - 22:13</p> <p>layout [1] - 9:1</p> <p>lead [5] - 6:25, 7:2, 41:18, 42:3, 42:6</p> <p>leaflet [1] - 33:8</p> <p>leaking [1] - 26:8</p> <p>least [1] - 53:12</p> <p>left [2] - 2:15, 14:15</p> <p>legislation [2] - 47:2, 59:23</p> <p>legislature [1] - 47:7</p> <p>Lera [2] - 3:16, 3:24</p> <p>less [13] - 10:3, 16:25, 22:5, 24:11, 43:14, 43:20, 44:2, 44:4, 51:17, 53:13, 58:6, 58:12</p> <p>letting [1] - 54:6</p> <p>lie [1] - 25:25</p> <p>lieu [2] - 18:11, 60:4</p> <p>life [4] - 5:23, 24:1, 37:9, 60:25</p> <p>life-sustaining [1] -</p> | | |

| | | | | |
|--|---|---|--|--|
| <p>metropolitan [2] - 37:15, 37:21 Metropolitan [3] - 28:17, 29:24, 29:25 microphone [1] - 2:20 might [11] - 4:8, 5:9, 5:15, 6:7, 6:9, 6:23, 6:24, 7:1, 50:2, 53:13, 61:16 mildly [1] - 37:11 million [6] - 18:6, 24:7, 24:14, 44:25, 46:6, 57:14 mine [1] - 22:21 MINT [1] - 53:7 MINTER [2] - 53:3, 53:6 Minter [3] - 53:6, 53:7, 54:20 minute [2] - 45:25, 46:2 minutes [4] - 6:1, 15:12, 17:19, 21:19 mispronounce [1] - 7:14 missed [1] - 41:12 MISSOURI [1] - 1:1 Missouri [29] - 1:8, 1:9, 1:12, 1:15, 1:24, 2:4, 2:6, 2:10, 2:14, 3:2, 3:5, 3:8, 3:11, 4:22, 14:7, 24:6, 28:15, 31:3, 36:18, 37:9, 43:10, 48:12, 53:23, 53:24, 55:10, 58:18, 60:17, 60:22, 63:4 Missouri-American [9] - 1:12, 2:4, 3:2, 3:5, 24:6, 28:15, 43:10, 48:12, 60:17 Missourian [2] - 46:20, 47:16 MO [1] - 63:21 model [2] - 43:4, 58:6 moment [4] - 15:3, 28:12, 47:24, 59:12 moms [1] - 17:23 money [17] - 9:14, 22:6, 24:2, 24:12, 25:1, 26:5, 29:5, 29:6, 39:2, 39:3, 39:8, 51:16, 51:19, 56:17, 57:16, 57:25, 58:2 money's [1] - 25:20 monopolies [1] - 36:19 monopoly [2] - 24:3, 57:18</p> | <p>monthly [12] - 19:9, 19:15, 19:23, 21:25, 40:3, 40:7, 44:9, 51:9, 51:12, 51:17, 51:19, 51:21 months [3] - 8:7, 32:14 Mooreville [1] - 59:16 more/pay [1] - 43:4 mortality [2] - 26:7, 26:20 most [7] - 11:8, 11:9, 16:1, 17:14, 53:9, 53:15, 53:16 Most [2] - 8:13, 42:4 mostly [1] - 54:18 moved [2] - 14:8, 60:3 MR [29] - 3:4, 7:22, 7:25, 8:3, 11:4, 11:8, 11:20, 11:23, 12:2, 12:22, 13:11, 28:14, 29:8, 30:20, 30:23, 31:1, 40:13, 40:17, 40:23, 41:1, 45:16, 45:23, 46:3, 46:15, 48:5, 48:7, 50:14, 52:19, 52:23 MS [62] - 3:10, 3:15, 3:24, 13:18, 13:21, 14:2, 14:3, 14:5, 15:11, 19:4, 19:11, 20:5, 20:8, 20:10, 20:12, 20:17, 20:19, 20:21, 20:24, 21:6, 21:12, 21:13, 27:6, 27:8, 28:1, 29:10, 29:24, 30:3, 33:25, 34:3, 35:14, 35:18, 38:17, 38:20, 39:19, 39:23, 40:1, 40:5, 40:8, 40:15, 47:19, 47:25, 48:10, 49:9, 49:10, 49:13, 49:25, 50:1, 50:7, 50:15, 50:23, 51:1, 51:5, 52:14, 53:3, 54:21, 55:3, 55:6, 57:5, 57:8, 58:20, 61:4 MSD [2] - 29:8, 29:24 mud [1] - 8:9 municipal [2] - 18:16, 61:1 municipalities [1] - 33:6 municipality [1] - 59:4</p> | <p>name [27] - 2:13, 5:21, 7:7, 7:15, 7:24, 13:20, 13:21, 14:4, 14:6, 20:10, 21:8, 30:22, 30:23, 34:2, 35:16, 35:18, 35:19, 38:19, 40:25, 49:2, 49:3, 50:25, 53:5, 55:5, 57:7, 59:3 named [1] - 63:6 names [8] - 17:4, 17:6, 17:19, 17:21, 47:21, 48:21, 49:6, 49:10 nancy [1] - 13:23 nationally [1] - 60:23 Natural [1] - 1:9 necessary [1] - 23:22 necessity [1] - 24:1 need [18] - 8:17, 8:18, 16:22, 17:25, 18:2, 18:4, 19:21, 23:4, 23:24, 25:14, 26:5, 26:16, 26:25, 33:14, 34:19, 40:7, 42:11, 58:1 needed [2] - 24:18, 26:17 needing [1] - 15:18 needs [5] - 23:25, 24:17, 28:10, 48:24, 49:21 negotiations [1] - 43:21 neighborhood [5] - 13:9, 20:7, 26:17, 33:10, 34:25 neighborhoods [1] - 12:5 neighbors [3] - 17:7, 17:24, 59:13 Neighbors [2] - 34:4, 36:12 Nelson [5] - 21:1, 21:9, 27:4, 28:11, 29:21 NELSON [9] - 21:6, 21:9, 21:13, 27:6, 27:8, 28:1, 28:21, 29:10, 29:24 Netflix [2] - 34:13, 34:14 never [5] - 29:20, 37:9, 38:23, 42:14 new [11] - 14:8, 20:14, 22:15, 22:18, 23:4, 23:8, 23:12, 24:16, 24:21, 24:23, 43:13 newer [2] - 23:3, 23:4 newspaper [2] - 42:18, 46:19</p> | <p>next [2] - 13:13, 21:1 Next [1] - 57:1 nice [4] - 4:10, 28:23, 29:1, 41:7 night [4] - 41:9, 43:24, 45:24, 46:6 nominally [1] - 37:23 non [2] - 20:22, 50:16 non-profit [1] - 20:22 none [2] - 15:25, 50:14 normalize [1] - 56:4 normally [1] - 45:11 Norton [1] - 24:5 nothing [13] - 7:21, 13:16, 21:4, 30:19, 33:23, 35:12, 38:16, 40:21, 50:21, 53:1, 55:1, 57:3, 63:8 notice [2] - 32:25, 36:4 notify [1] - 44:8 notifying [1] - 12:21 notion [1] - 56:12 Number [1] - 2:3 number [2] - 49:11, 62:2 numerous [2] - 31:4, 41:15</p> | <p>one [20] - 2:19, 7:8, 7:18, 18:22, 19:7, 19:22, 28:12, 29:19, 32:16, 32:23, 34:22, 35:25, 45:16, 47:24, 48:2, 49:1, 50:7, 54:9, 55:19, 60:17 ones [4] - 10:4, 11:11, 16:16, 32:21 ongoing [1] - 43:22 online [2] - 44:20, 49:23 ONLY [1] - 35:19 OPC [1] - 26:15 open [1] - 30:7 operator [1] - 8:24 Ophthalmologist [1] - 27:25 opinion [2] - 19:10, 43:23 opinions [2] - 38:4, 51:8 opportunity [7] - 4:17, 7:6, 7:12, 30:9, 41:4, 49:8, 61:22 oppose [3] - 53:9, 53:10, 55:14 opposed [10] - 35:2, 36:14, 38:8, 45:8, 45:10, 46:24, 56:11, 56:13, 57:11 opposes [1] - 55:13 option [1] - 60:18 optometrist/surgeon [1] - 27:24 order [1] - 15:12 outreach [1] - 61:17 outside [1] - 20:13 overcharged [1] - 42:25 overrule [1] - 48:16 oversees [1] - 36:8 overshadow [1] - 18:3 own [11] - 6:14, 15:15, 15:16, 23:2, 42:3, 42:12, 60:3, 60:5, 60:15 owned [4] - 41:16, 42:4, 43:6, 59:22 owner [1] - 22:12 owners [1] - 23:7</p> |
| O | | | | |
| | | | <p>object [2] - 48:1, 54:17 objected [1] - 48:12 objection [3] - 48:6, 48:10, 48:17 objections [2] - 47:18, 50:12 obligated [1] - 45:13 obviously [1] - 36:7 occurred [1] - 7:1 October [1] - 22:16 OF [4] - 1:1, 1:4, 62:10, 63:15 offer [1] - 5:24 offered [3] - 48:25, 49:21, 50:6 Office [4] - 3:14, 3:16, 3:25, 41:13 officer [1] - 44:24 official [1] - 4:9 old [8] - 27:14, 35:25, 39:1, 39:10, 41:7, 41:22, 41:23, 42:5 older [1] - 31:9 once [7] - 4:13, 23:18, 24:18, 24:22, 25:9, 25:15, 31:21 One [1] - 8:5</p> | |
| P | | | | |
| | N | N-e-l-s-o-n [1] - 21:10 | | |
| | | | <p>p.m [1] - 2:8 P.O [1] - 1:23 page [1] - 17:6 paid [3] - 25:15, 39:16, 56:12 paint [2] - 27:16,</p> | |

| | | | | |
|---|--|---|--|--|
| <p>27:17 painted [2] - 27:19, 27:20 paragraphs [1] - 42:17 park [1] - 25:3 part [5] - 4:9, 4:13, 4:23, 22:2, 36:3 part-time [1] - 22:2 participating [1] - 2:24 particular [4] - 6:13, 37:4, 37:8, 38:2 parties [1] - 2:25 pass [1] - 7:10 passed [1] - 51:16 past [4] - 20:22, 32:14, 34:22, 42:15 patronize [1] - 36:20 Patterson [1] - 20:9 pay [19] - 10:16, 10:20, 18:6, 19:21, 22:10, 22:12, 23:1, 23:5, 23:9, 23:11, 23:20, 25:16, 31:13, 34:21, 39:6, 56:2, 58:14 payers [1] - 56:19 paying [7] - 22:23, 23:14, 23:15, 23:17, 39:5, 40:6, 51:23 peeling [1] - 27:18 Peggy [2] - 21:1, 21:9 PEGGY [1] - 21:9 pending [1] - 46:21 Penney [2] - 1:8, 2:11 people [41] - 7:3, 7:5, 7:10, 7:11, 8:10, 8:18, 9:5, 9:8, 10:24, 11:16, 12:5, 12:19, 19:9, 19:25, 22:4, 25:9, 25:11, 26:10, 31:9, 31:14, 32:24, 33:2, 33:15, 34:5, 35:1, 35:6, 36:9, 36:24, 37:17, 37:22, 45:19, 53:9, 53:15, 54:10, 54:13, 55:16, 55:17, 55:20, 56:13, 59:5, 60:13 people's [1] - 51:7 percent [23] - 15:20, 15:23, 16:1, 18:23, 19:20, 23:24, 26:22, 31:8, 39:13, 43:25, 44:4, 52:5, 52:7, 53:12, 53:14, 55:15, 55:16, 55:22, 55:25, 56:14, 57:12, 57:13 perfect [1] - 14:2 period [1] - 10:10</p> | <p>permanent [1] - 32:11 person [3] - 10:22, 34:8, 61:15 personal [1] - 48:22 personally [1] - 55:14 persons [1] - 17:24 phone [5] - 10:7, 11:8, 21:22, 31:4, 49:11 pick [1] - 13:5 pipe [1] - 24:15 pipes [4] - 8:25, 24:23, 27:3, 38:25 place [3] - 9:12, 23:19, 35:5 planning [2] - 28:9, 57:9 plus [1] - 32:2 pockets [1] - 58:1 point [3] - 5:2, 26:2, 46:4 population [3] - 55:15, 55:18, 56:9 portion [1] - 30:13 position [1] - 41:13 positively [1] - 18:1 possible [3] - 54:15, 58:11, 59:8 possibly [1] - 31:19 Post [2] - 45:4, 47:14 Post-Dispatch [2] - 45:4, 47:14 poverty [2] - 55:16, 60:11 power [1] - 46:25 POWs [1] - 17:23 practically [1] - 36:11 preceded [1] - 4:6 preliminary [1] - 28:9 prepare [1] - 33:16 preparing [1] - 51:18 present [3] - 44:16, 45:1, 45:2 presented [1] - 19:12 president [1] - 24:6 Presiding [1] - 1:17 pretty [4] - 17:11, 25:8, 36:11, 36:25 prevent [1] - 17:25 preventing [1] - 25:23 price [1] - 57:23 primered [1] - 27:19 PRIMO [1] - 1:23 priorities [1] - 32:21 priority [1] - 26:6 privacy [1] - 49:17 private [1] - 57:16 privilege [1] - 45:21 problems [4] - 15:2, 25:22, 59:18, 60:22</p> | <p>procedure [1] - 61:6 PROCEEDINGS [1] - 1:4 process [9] - 4:4, 4:23, 4:24, 5:8, 5:14, 16:14, 36:3, 60:16 product [1] - 13:9 profit [5] - 15:19, 18:4, 20:22, 24:3, 24:7 profits [2] - 15:22, 23:21 program [4] - 8:15, 12:24, 13:1, 13:4 project [1] - 29:9 projects [1] - 24:16 promised [3] - 18:12, 18:13, 18:14 proper [3] - 8:19, 15:7, 18:3 properly [2] - 12:23, 43:24 properties [3] - 23:1, 23:3, 29:2 property [3] - 22:12, 23:1, 25:17 Property [1] - 23:7 proposal [1] - 42:21 proposals [1] - 41:15 proposed [3] - 36:5, 36:11, 51:20 proposing [2] - 46:22, 58:5 protect [2] - 49:17, 49:24 protected [1] - 28:8 protecting [1] - 28:6 protection [2] - 28:4 provide [1] - 59:9 Provided [2] - 1:15, 2:6 provider [1] - 29:22 proxy [1] - 44:21 public [12] - 2:9, 5:13, 6:12, 7:9, 16:15, 18:18, 36:5, 48:23, 49:19, 61:7, 61:18 PUBLIC [1] - 1:2 Public [12] - 1:6, 2:14, 3:8, 3:11, 3:14, 3:17, 3:25, 4:1, 41:13, 47:1, 61:18 publications [1] - 17:13 published [3] - 42:17, 45:4, 46:19 pull [1] - 18:9 purchased [1] - 55:21 purposely [1] - 49:3 pursuant [1] - 63:5 pursue [1] - 60:18</p> | <p>put [12] - 9:9, 21:17, 22:16, 24:22, 24:24, 27:20, 28:2, 29:17, 33:8, 33:14, 39:2, 57:11 putting [4] - 24:21, 35:2, 37:11, 42:13</p> <p style="text-align: center;">Q</p> <p>Q&A [2] - 43:17, 44:13 qualified [1] - 14:25 quality [8] - 5:8, 7:2, 15:3, 15:4, 15:13, 16:18, 18:3, 59:19 quarterly [9] - 19:8, 19:15, 40:3, 44:9, 51:8, 51:14, 51:15, 51:20, 51:21 questions [11] - 4:7, 4:25, 5:2, 5:4, 5:7, 6:3, 6:5, 6:6, 6:7, 6:18, 30:12 quit [2] - 45:24 quite [1] - 52:1 quote [2] - 42:22, 43:12</p> <p style="text-align: center;">R</p> <p>R-a-t-e-r-m-a-n-n [1] - 41:2 rain [1] - 58:9 rainy [1] - 39:2 raise [10] - 7:18, 13:13, 19:20, 21:2, 30:9, 35:9, 38:13, 43:2, 54:15, 54:24 raises [1] - 19:19 raising [1] - 54:3 Ralph [1] - 13:23 ran [1] - 41:10 Rate [2] - 1:14, 2:5 rate [50] - 4:1, 5:8, 8:23, 9:8, 9:23, 10:8, 14:21, 14:22, 14:24, 14:25, 15:1, 15:14, 17:25, 18:21, 19:13, 19:14, 19:24, 20:1, 26:7, 31:6, 31:7, 31:11, 36:1, 36:5, 36:15, 37:3, 37:4, 38:2, 41:25, 42:22, 43:14, 45:12, 46:6, 46:7, 46:9, 48:4, 48:9, 54:17, 55:13, 55:14, 55:23, 56:3, 56:7, 56:14, 56:17, 56:19, 56:24, 57:12, 59:18, 60:24</p> | <p>RATERMANN [9] - 40:13, 40:17, 40:23, 41:1, 45:16, 45:19, 45:23, 46:3, 46:17 Ratermann [2] - 41:1, 45:14 rates [19] - 16:6, 16:7, 16:9, 18:19, 26:20, 36:10, 37:19, 37:23, 43:3, 46:10, 46:24, 47:3, 52:2, 54:3, 54:15, 55:22, 55:23, 56:5, 59:25 Rates [1] - 42:25 rather [1] - 42:23 reach [1] - 12:17 read [4] - 42:16, 43:8, 49:4, 51:9 reading [3] - 23:16, 45:9, 62:6 readings [2] - 23:13, 45:9 real [1] - 22:20 realize [3] - 47:22, 51:12, 51:22 really [8] - 17:1, 22:23, 24:3, 26:5, 29:5, 44:3, 52:8, 54:4 reason [2] - 5:22, 16:4 received [4] - 31:4, 46:6, 51:10, 54:1 record [22] - 2:2, 3:1, 4:9, 4:14, 5:22, 6:13, 7:24, 13:20, 21:8, 28:17, 30:22, 34:2, 35:16, 38:19, 40:25, 50:25, 53:5, 55:5, 57:7, 57:11, 58:22, 62:8 RECORD [1] - 62:10 recovery [3] - 48:3, 48:8 redone [1] - 29:14 reduced [1] - 37:24 reduction [1] - 53:17 reference [2] - 42:19, 59:12 references [1] - 46:20 referred [1] - 45:3 referring [1] - 41:18 reflect [2] - 19:19, 37:20 refused [1] - 34:24 regarding [1] - 19:10 regardless [1] - 37:1 region [2] - 37:15, 37:21 regionally [1] - 60:23 regions [1] - 37:16 regular [1] - 60:4</p> |
|---|--|---|--|--|

REGULATORY [1] - 1:18
Regulatory [1] - 2:14
relatively [1] - 14:8
relax [1] - 39:18
relevance [1] - 48:2
remain [1] - 7:5
remember [1] - 21:13
remote [1] - 23:13
remove [1] - 27:14
repair [1] - 32:6
repaired [1] - 29:20
repairs [2] - 32:5, 32:8
replaced [1] - 26:16
replacement [1] - 24:15
replacing [3] - 22:11, 41:16, 42:14
REPORTED [1] - 1:21
Reporter [1] - 63:4
reporter [5] - 3:6, 3:12, 3:18, 4:11, 5:23
REPORTER'S [1] - 63:1
REPORTING [1] - 1:23
represent [5] - 4:1, 17:8, 35:22, 35:23, 38:5
representatives [2] - 5:11, 6:17
representing [3] - 3:16, 3:25, 54:6
request [5] - 41:25, 42:22, 43:19, 45:6, 45:12
Request [2] - 1:13, 2:4
requesting [1] - 44:9
requirements [1] - 49:17
reside [5] - 6:8, 14:7, 20:7, 39:20
residence [1] - 36:23
RESIDENT [2] - 30:11, 30:15
resident [2] - 14:8, 55:9
residents [4] - 12:9, 31:5, 56:8, 60:12
resolve [2] - 5:15, 59:25
resource [1] - 61:1
resourcefulness [1] - 60:7
respect [1] - 37:12
response [1] - 51:11
responsibility [2] - 23:2, 25:16
rest [3] - 14:16, 17:17, 18:8

restaurants [1] - 25:19
retired [1] - 55:20
retirees [1] - 31:9
return [2] - 41:15, 42:2
revenue [1] - 45:5
review [5] - 4:17, 47:17, 48:24, 49:8, 61:23
reviewing [1] - 41:12
Riddle [1] - 46:21
ridiculous [4] - 12:15, 24:25, 57:12, 57:13
rights [2] - 36:8, 59:22
ripe [1] - 59:19
rise [1] - 26:8
risk [1] - 43:6
Road [2] - 1:9, 20:9
Rock [2] - 27:6, 27:7
room [3] - 17:10, 17:11, 28:16
Room [2] - 1:8, 2:12
rules [1] - 49:16
run [2] - 16:15, 21:20
runoff [1] - 60:9
RUPP [3] - 1:19, 46:15, 48:5
Rupp [1] - 2:17
rural [3] - 37:16, 37:18, 37:22
Russell [1] - 43:9

S

sadly [1] - 36:3
safety [1] - 28:8
salaries [1] - 39:12
salary [2] - 48:3, 48:9
save [2] - 39:1, 43:4
save-more/pay-more [1] - 43:4
saved [1] - 51:15
saving [1] - 51:19
savings [2] - 43:12, 51:17
saw [1] - 20:2
schedule [1] - 38:9
scheduled [1] - 4:21
schools [1] - 26:5
SCOTT [1] - 1:19
second [1] - 24:24
section [1] - 61:17
Security [1] - 39:13
sediment [1] - 27:13
see [17] - 9:19, 10:6, 15:23, 16:8, 21:16, 22:13, 23:6, 23:9, 23:20, 23:21, 27:22, 34:14, 47:18, 48:24, 50:8, 50:19, 52:6

Seeing [1] - 50:16
seeing [1] - 15:25
seek [2] - 42:2, 42:11
seeking [3] - 41:15, 48:3, 48:8
seem [1] - 38:3
seizures [1] - 26:13
senate [1] - 46:20
Senator [1] - 46:21
senior [1] - 31:16
SENIOR [1] - 1:18
seniors [1] - 10:13
sense [3] - 57:23, 58:3, 58:7
sent [1] - 51:25
separate [1] - 22:17
serendipitous [1] - 37:7
SERVICE [2] - 1:2, 1:23
service [8] - 5:8, 6:22, 6:25, 18:18, 29:23, 41:17, 41:18, 41:21
Service [9] - 1:15, 1:15, 2:6, 2:7, 2:15, 3:9, 3:11, 47:1, 61:19
service's [1] - 61:17
services [3] - 41:23, 42:3, 42:14
session [2] - 4:6, 43:17
sessions [1] - 44:13
set [2] - 2:9, 63:15
settled [1] - 32:9
settlement [1] - 61:21
settles [1] - 32:7
several [7] - 19:12, 22:21, 25:10, 29:14, 31:4, 32:18, 51:7
sewage [1] - 26:8
Sewer [5] - 1:14, 2:6, 28:18, 29:24, 29:25
sewer [1] - 29:22
sewers [1] - 22:15
share [1] - 56:3
shareholders [2] - 24:9, 24:11
sheet [1] - 47:13
sheets [4] - 48:19, 50:5, 50:10, 50:13
SHEMWELL [4] - 3:15, 3:24, 49:10, 50:1
Shemwell [4] - 3:16, 3:21, 3:24, 48:23
shift [2] - 43:6, 56:5
shoddy [7] - 8:16, 9:24, 10:5, 10:6, 11:13, 12:6, 13:7

shout [2] - 32:15, 32:20
show [2] - 44:11, 44:12
shower [1] - 58:10
showing [1] - 15:17
shut [4] - 32:23, 32:24, 33:1, 33:15
sic [3] - 14:22, 18:18
side [2] - 18:11, 52:15
sidewalks [1] - 33:7
single [2] - 17:22, 17:23
sisters [2] - 11:12, 15:5
sitting [2] - 10:14, 25:23
situation [1] - 37:2
six [1] - 12:13
slap [1] - 22:6
sleep [1] - 25:25
slow [1] - 15:10
small [1] - 16:12
social [1] - 39:13
sold [1] - 16:15
solely [1] - 35:23
someday [1] - 10:13
someone [1] - 23:16
sometimes [1] - 24:10
somewhere [1] - 41:21
soon [1] - 26:12
sorry [5] - 15:11, 21:10, 43:11, 46:18, 48:5
sort [1] - 60:24
sounds [1] - 14:3
sparse [1] - 17:11
speaking [3] - 10:22, 10:23, 15:10
specific [3] - 6:11, 12:1, 26:17
spell [13] - 5:21, 7:24, 13:20, 21:8, 30:22, 34:2, 35:16, 38:19, 40:25, 50:25, 53:5, 55:5, 57:7
spelled [1] - 14:4
spend [1] - 26:5
spoken [2] - 40:12, 54:10
spokesman [1] - 43:9
spurred [1] - 19:24
St [17] - 1:8, 1:9, 1:24, 2:11, 28:18, 41:20, 42:18, 45:4, 55:8, 55:11, 55:15, 55:18, 56:2, 56:6, 56:7, 56:19, 59:5
stabilization [1] - 45:5

staff [6] - 3:8, 3:10, 5:11, 42:9, 45:7, 45:10
stand [3] - 15:22, 17:18, 34:7
standing [1] - 25:24
start [2] - 38:12, 61:20
STATE [1] - 1:1
state [18] - 5:21, 7:23, 13:19, 21:7, 27:5, 29:22, 30:21, 34:1, 35:15, 37:14, 38:18, 40:24, 50:25, 53:4, 53:8, 55:4, 55:11, 57:6
State [4] - 14:14, 20:15, 20:17, 36:18
statement [4] - 41:13, 43:9, 44:21, 57:2
statements [13] - 6:1, 6:2, 7:19, 13:15, 21:3, 30:17, 33:22, 35:11, 38:14, 40:20, 50:20, 52:25, 54:25
States [2] - 59:13, 63:4
stay [4] - 5:10, 6:2, 6:15, 40:5
steps [2] - 9:14, 10:10
still [6] - 20:13, 29:15, 53:15, 59:16, 59:24, 59:25
stop [3] - 12:16, 12:18, 14:22
storm [2] - 22:10, 22:17
Story [1] - 44:23
Story's [2] - 48:3, 48:9
straightforward [1] - 44:6
strange [1] - 53:23
stream [1] - 61:12
street [4] - 22:14, 25:3, 28:25, 29:19
streets [12] - 8:9, 22:19, 24:16, 26:15, 27:14, 28:19, 28:23, 32:4, 32:8, 32:10, 33:7, 33:10
stripped [1] - 27:19
strongly [2] - 46:24, 54:17
structure [1] - 16:18
stuff [4] - 8:15, 9:9, 10:21, 28:5
stuff's [1] - 12:18
styled [1] - 60:4
subdivision [3] - 6:11, 20:11, 22:18
subdivision's [1] -

| | | | | |
|--|--|---|---|---|
| <p>27:8 subject [1] - 46:8 submit [2] - 44:19, 47:20 submitted [2] - 49:2, 49:3 suggest [2] - 42:9, 43:15 suggested [1] - 38:9 suggestions [1] - 21:14 summary [1] - 48:15 Summary [1] - 48:15 Summit [2] - 1:8, 2:12 sun [1] - 34:11 surgeon [1] - 27:23 Susan [3] - 44:23, 48:3, 48:9 suspiciously [1] - 37:6 sustain [1] - 24:1 sustaining [1] - 60:25 swear [13] - 5:20, 7:19, 13:14, 21:2, 30:17, 33:21, 35:10, 38:14, 40:19, 50:19, 52:24, 54:24, 57:1 switch [2] - 43:11, 51:8 sworn [1] - 63:7 system [3] - 26:9, 41:24, 62:1 systems [1] - 23:4</p> | <p>43:18, 61:23, 63:12 testing [1] - 7:1 thankful [1] - 54:5 THE [1] - 63:14 thereafter [1] - 63:9 thinking [2] - 13:9, 26:23 third [3] - 24:24, 46:15, 46:17 thoughts [1] - 40:3 three [9] - 4:16, 10:1, 15:20, 24:22, 44:15, 45:12, 46:4, 50:5, 50:7 throats [2] - 9:4, 9:17 Thursday [1] - 61:8 tight [1] - 7:9 tighten [1] - 18:10 Tim [7] - 3:5, 7:15, 7:25, 15:3, 28:14, 31:3, 59:3 TIM [1] - 7:25 timely [1] - 32:22 timer [1] - 5:25 today [9] - 2:7, 14:20, 15:16, 17:3, 17:8, 17:15, 53:12, 54:18, 60:16 today's [1] - 43:8 together [2] - 9:10, 19:25 toilet [1] - 58:10 Tom [1] - 53:7 tomorrow [1] - 61:8 tonight [2] - 35:23, 62:3 took [7] - 16:11, 18:14, 24:15, 27:9, 28:21, 36:4, 59:17 topic [2] - 42:19, 43:11 topics [1] - 41:11 tore [4] - 24:22, 24:24, 28:18, 33:11 torn [1] - 24:21 total [1] - 44:24 towards [1] - 2:22 trade [2] - 8:24, 32:3 trades [2] - 12:3, 12:17 transcribed [1] - 63:10 transcribing [1] - 4:12 TRANSCRIPT [1] - 1:4 transcription [1] - 63:11 trash [1] - 9:7 treatment [1] - 26:12 tried [1] - 18:15 trouble [1] - 22:23</p> | <p>true [1] - 63:11 truth [38] - 7:20, 7:21, 13:16, 13:17, 21:4, 21:5, 30:18, 30:19, 33:23, 33:24, 35:12, 35:13, 38:15, 38:16, 40:21, 40:22, 50:21, 50:22, 53:1, 53:2, 55:1, 55:2, 57:3, 57:4, 63:8 trying [2] - 51:22, 56:4 turn [2] - 18:5, 33:3 turnips [1] - 14:15 twice [2] - 23:11, 23:12 two [12] - 4:20, 24:15, 27:9, 28:15, 28:21, 33:11, 45:10, 45:25, 46:5, 46:12, 46:20, 48:4 two-week [1] - 4:20 typed [1] - 50:7 types [1] - 12:1 typewriting [1] - 63:10 typing [1] - 62:1</p> | <p>57:22 upfront [1] - 44:11 UPON [1] - 63:14 uproar [1] - 43:25 upset [1] - 8:10 urge [2] - 14:20, 60:21 usage [3] - 43:3, 54:11, 54:16 utilities [12] - 8:13, 9:7, 9:16, 12:25, 16:14, 22:8, 31:15, 34:13, 36:18, 46:22, 53:19, 53:20 utility [1] - 32:15</p> | <p>22:11, 22:15, 22:17, 23:7, 23:23, 23:24, 23:25, 24:4, 25:18, 25:19, 25:20, 26:9, 26:13, 26:24, 27:2, 28:24, 31:18, 31:21, 31:25, 32:1, 32:13, 32:17, 32:24, 33:3, 33:4, 33:12, 33:13, 34:15, 34:24, 35:2, 36:7, 36:22, 36:23, 36:24, 37:7, 37:10, 38:23, 38:24, 39:7, 41:14, 41:22, 45:8, 46:7, 46:23, 53:20, 54:12, 56:13, 57:21, 58:8, 58:12, 58:13, 58:14, 59:22, 60:4, 60:5, 60:17 water's [2] - 33:1, 33:15 waterlines [1] - 16:23 ways [1] - 18:6 website [4] - 43:8, 44:20, 61:13, 62:1 week [2] - 4:20, 33:11 weighing [1] - 10:15 weight [1] - 29:18 welcome [2] - 13:11, 31:1 welcomed [1] - 14:10 wells [3] - 36:9, 60:3, 60:15 west [2] - 15:6, 35:8 WEST [2] - 33:25, 34:3 West [1] - 34:3 white [1] - 35:25 who've [2] - 5:18, 30:5 whole [14] - 5:14, 7:20, 13:16, 17:6, 21:4, 30:18, 33:23, 35:12, 38:15, 40:21, 50:21, 53:1, 55:1, 57:3 wild [1] - 41:21 willing [2] - 5:13, 19:17 wind [1] - 21:21 windfall [1] - 56:16 witnesses [1] - 63:12 woman [1] - 26:14 wonder [1] - 20:20 word [1] - 20:19 workers [1] - 32:16 works [2] - 4:5, 8:24 worry [1] - 60:8 worse [1] - 37:16 would've [1] - 51:16 WR-2017-0285 [2] - 1:13, 2:3</p> |
| T | | | | |
| <p>Table [1] - 48:16 tango [1] - 35:20 tax [7] - 22:20, 22:21, 39:6, 43:13, 53:17, 56:16, 57:24 taxes [3] - 14:15, 16:3, 29:2 tear [1] - 33:6 technical [1] - 2:19 telephone [1] - 21:17 televised [1] - 37:11 temporarily [1] - 46:23 terrible [4] - 9:17, 11:1, 12:10, 12:12 test [1] - 42:20 tested [1] - 27:2 testified [5] - 7:4, 7:6, 7:8, 41:9, 54:23 testify [12] - 2:21, 4:13, 5:5, 5:19, 7:6, 30:6, 35:9, 50:18, 52:18, 54:23, 58:22, 63:8 testimony [4] - 5:24,</p> | | | | |
| | U | | | |
| | <p>umbrella [1] - 13:24 UMSL [2] - 41:5, 52:15 uncalled [1] - 10:16 unconscionable [1] - 36:16 under [4] - 27:18, 28:5, 34:11, 43:12 undercut [1] - 47:8 underneath [1] - 29:17 unfair [4] - 38:6, 55:25 unfortunately [2] - 17:19, 35:22 unions [1] - 12:17 United [1] - 59:13 University [4] - 1:8, 2:10, 38:22, 39:21 up [47] - 2:21, 5:5, 6:2, 6:19, 8:4, 8:7, 8:10, 8:25, 9:3, 10:3, 10:24, 10:25, 12:6, 14:8, 15:6, 15:20, 15:22, 16:3, 16:4, 16:5, 18:9, 21:21, 22:8, 22:21, 22:22, 25:14, 26:18, 28:5, 28:18, 28:24, 29:2, 30:7, 32:2, 33:7, 33:11, 34:5, 35:16, 39:12, 39:14, 40:12, 44:11, 44:13, 45:17, 46:4, 51:4, 52:20,</p> | | | |
| | | V | | |
| | | <p>value [1] - 38:3 varies [1] - 52:7 vegetable [1] - 58:9 ventured [1] - 42:1 verify [1] - 61:19 versus [1] - 40:3 vets [1] - 17:23 via [1] - 61:12 Vickie [2] - 53:6 VICKIE [1] - 53:7 video [1] - 61:12 View [1] - 20:13 village [1] - 6:10 violent [1] - 26:9</p> | | |
| | | | W | |
| | | <p>W-e-s-t [1] - 34:4 wage [2] - 11:14, 11:15 waiting [1] - 21:19 walking [1] - 25:24 wantingly [1] - 49:3 ward [1] - 32:18 waste [2] - 25:1, 27:11 wastewater [2] - 22:11, 22:17 watch [2] - 61:11, 61:12 Water [20] - 1:12, 1:14, 2:4, 2:6, 3:3, 3:5, 8:18, 14:23, 15:7, 15:19, 43:10, 44:20, 48:12, 48:14, 53:24, 59:14, 59:17, 59:20, 59:21, 60:23 water [81] - 6:25, 8:24, 9:11, 9:20, 10:16, 10:20, 11:13, 11:19, 12:10, 12:14, 13:7, 14:14, 14:19, 16:12, 16:18, 18:3, 18:11, 19:1, 19:22, 22:10,</p> | | |

written [1] - 16:19
www.psc.mo.gov [1] -
61:14

Y

ya' [1] - 34:14
yards [1] - 8:8
year [11] - 15:2, 15:23,
18:24, 26:21, 34:22,
42:20, 46:11, 53:18,
54:2, 54:13
years [18] - 15:20,
22:21, 24:15, 27:9,
28:15, 28:21, 38:22,
38:25, 39:4, 39:7,
39:16, 41:22, 45:10,
45:12, 46:5, 46:12,
59:23
yell [1] - 2:22
yesterday [1] - 42:18
young [2] - 35:25,
38:22
younger [1] - 35:24
yourself [1] - 10:13