

Exhibit No. 19

Staff – Exhibit 19
Adam Stamp Testimony
from WO-2024-0036
File No. WC-2023-0353

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Evidentiary Hearing

In the Matter of the Petition)
for an Interim Receiver and for)
an Order Directing the General) File No. WO-2024-0036
Counsel to Petition the Circuit)
Court for the Appointment of a)
Receiver for Misty Water Works)

Wednesday, October 25, 2023
9:00 a.m. - 5:55 p.m.

Governor Office Building
200 Madison Street
Jefferson City, MO 65101
and WebEx

VOLUME 2
Pages 1 - 246

JOHN CLARK, Presiding
SENIOR REGULATORY LAW JUDGE

SCOTT T. RUPP, Chairman
MAIDA J. COLEMAN, Commissioner
JASON R. HOLSMAN, Commissioner
GLEN KOLKMEYER, Commissioner
KAYLA HAHN, Commissioner

Stenographically Reported By:
Beverly Jean Bentch, RPR, CCR No. 640

Job No. 155233

1 **THE WITNESS: I do.**

2 JUDGE CLARK: Thank you. Staff, you may go
3 ahead and question your witness.

4 MS. KERR: Thank you. Good morning.

5 **THE WITNESS: Good morning.**

6 **ADAM STAMP,**

7 **having been first duly sworn, was examined and testified**
8 **as follows:**

9 DIRECT EXAMINATION

10 BY MS. KERR:

11 Q. Could you please state and spell your name for
12 the record?

13 A. Adam Stamp, A-d-a-m S-t-a-m-p.

14 Q. And by whom are you employed and what's your
15 position?

16 A. I am an analyst for the Missouri Public Service
17 Commission.

18 Q. And just generally what are your job duties and
19 responsibilities?

20 A. Investigate consumer complaints, do site visits
21 to investigate water, sewer and sink systems.

22 Q. And do your job duties include investigating
23 water and sewer systems that are regulated and not
24 regulated by PSC?

25 A. Yes..

1 Q. And just generally what does that involve?

2 A. **Site visits, interviews, internet searches,**
3 **research.**

4 Q. Are you familiar with Leon Travis Blevins?

5 A. **I am.**

6 Q. And what about Misty Water Works?

7 A. **Yes.**

8 Q. How did you become familiar with them?

9 A. **In December of 2022, the PSC received emails**
10 **from Missouri Department of Natural Resources requesting**
11 **information about Mr. Blevins and the water systems he**
12 **operates. In addition to that, we also at the same time**
13 **received several customer complaints.**

14 Q. And are you familiar with the different well
15 systems that Mr. Blevins operates, grounds?

16 A. **Mostly.**

17 Q. How did you become familiar with those?

18 A. **Research, talking to customers and Mr. Blevins**
19 **himself.**

20 Q. And can you explain what it means to be a
21 public water system generally under Missouri Department
22 of Natural Resource regulations? Do you know?

23 A. **DNR classifies a public water system I believe**
24 **as at least 15 connections or serving 25 customers.**

25 Q. Do you know how many of Mr. Blevins' systems

1 are considered public water systems under Missouri DNR
2 regulations?

3 **A. Currently three.**

4 **Q. Do you know which ones they are?**

5 **A. That would be the Charity system near Dixon,
6 the Misty Mountain system near St. Robert and the Rolling
7 Hill system near Richland.**

8 **Q. Are they different than systems that aren't
9 designated public water systems?**

10 **A. They are.**

11 **Q. How are they different than ones that aren't
12 designated?**

13 **A. Larger, larger-neighborhood serving more people
14 whereas the other wells that Mr. Blevins operates or
15 formerly operated might serve only two or three houses.**

16 **Q. Are they still regulated by DNR, do you know?**

17 **A. No.**

18 **Q. Do they still, the ones that are not designated
19 public water systems, do they still provide water service
20 to residents?**

21 **A. They do.**

22 **Q. And do you know which ones those are?**

23 **A. Somewhat.**

24 **Q. Did they get different treatment from DNR?**

25 **A. They are not regulated by DNR.**

1 Q. Do they get different treatment from the PSC?

2 A. No.

3 Q. If they were regulated, would they get
4 different treatment from the PSC?

5 A. No.

6 Q. Can you explain that?

7 A. If Mr. Blevins is charging customers for water
8 service, then he should be regulated by the PSC.

9 Q. Does it matter how big the system is?

10 A. No.

11 Q. So did you eventually have the opportunity to
12 investigate Mr. Blevins' business?

13 A. I did.

14 Q. And so when did that investigation begin?

15 A. December of 2022.

16 Q. Okay. And that was prompted by those
17 complaints that were filed?

18 A. Correct.

19 Q. Do you know what the nature of those complaints
20 were?

21 A. There were various things. Most alarming was
22 probably water quality issues, specifically bacteria in
23 the water. There were also several customers that were
24 angry about apparent ownership change that their wells
25 had been purchased by Mr. Blevins and he immediately

1 raised the rates.

2 MS. KERR: If I can approach.

3 JUDGE CLARK: Please.

4 BY MS. KERR:

5 Q. I'm going to hand you what's been marked
6 Exhibit 1.

7 MS. KERR: How do you want me to mark these?

8 JUDGE CLARK: Huh?

9 MS. KERR: How do you want me to mark these?

10 JUDGE CLARK: I assume the court reporter can
11 mark them; is that correct? This is Exhibit 1, correct?

12 MS. KERR: Yes.

13 (STAFF EXHIBIT 1 WAS MARKED FOR IDENTIFICATION
14 BY THE COURT REPORTER.)

15 MS. KERR: That's the official marked 1.

16 JUDGE CLARK: Thank you.

17 BY MS. KERR:

18 Q. Can you tell me what that is, what those are?

19 A. **These are complaints to the PSC from customers**
20 **of Misty Water Works.**

21 Q. Are those obtained by the PSC in the normal
22 course of business?

23 A. **Yes.**

24 Q. And how does the PSC get those?

25 A. **Phone calls, complaints on our online system.**

1 Q. Without describing -- Without divulging any of
2 the confidential information like the name of the
3 consumers or any of that, basically how many different
4 complaints are there?

5 JUDGE CLARK: Could you speak a little closer
6 to the microphone?

7 MS. KERR: Sure, sorry.

8 BY MS. KERR:

9 Q. How many different complaints are there?

10 A. In this document?

11 Q. Yes.

12 A. Probably around seven, eight.

13 Q. Okay. Would those be complaints that you were
14 talking about that started your investigation?

15 A. Yes.

16 Q. And just generally what are they complaining
17 about?

18 A. Mr. Blevins apparently purchased the wells that
19 feed the customer homes here and immediately raised the
20 rates.

21 MS. KERR: I'll ask that Exhibit 1 be entered
22 into evidence.

23 JUDGE CLARK: Has Exhibit 1 previously been
24 provided to Mr. Blevins?

25 MS. KERR: No.

1 JUDGE CLARK: Mr. Blevins, have you had an
2 opportunity to look over Staff's Exhibit 1?

3 MR. BLEVINS: Not all of these, no, sir.

4 JUDGE CLARK: Do you want to take a moment to
5 look it over?

6 MR. BLEVINS: I'm doing that at the present
7 time as best I can here.

8 JUDGE CLARK: I'm going to ask you if you have
9 any objections to admitting Exhibit 1 onto the record.
10 Why don't you take a quick look at it and let me know
11 when you're finished.

12 MR. BLEVINS: Right now?

13 JUDGE CLARK: Yes.

14 MR. BLEVINS: Okay. One moment. If it's okay,
15 I'll just read through this at the same time and speak
16 with you at the same time.

17 JUDGE CLARK: No. We're not going to talk
18 about this exhibit now. What Staff is asking to do is to
19 move it onto the hearing record so that it has
20 evidentiary value. It is evidence that they are offering
21 for admission. I am asking if you are objecting to this
22 evidence of theirs being incorporated into the record for
23 the Commission to consider in making its decision.
24 Before I ask you whether or not you have any objections,
25 I would like you to have an opportunity to look at this

1 exhibit since you haven't previously had an opportunity
2 to so that I'm not just asking you whether you have any
3 objections to a document that you are not familiar with.
4 So take a moment and look it over and just let me know
5 when you're finished. You will have an opportunity to
6 question Mr. Stamp about this should you want to --

7 MR. BLEVINS: Okay.

8 JUDGE CLARK: -- if it's admitted onto the
9 record. As a matter of fact, why don't you do that while
10 we break for agenda. It is now 9:44. It looks like
11 agenda is going to be about an hour. So why don't we
12 come back at 11:00, and that will be -- That will be
13 roughly 45 minutes from the time agenda starts. If not
14 11:00, immediately after agenda.

15 For your information, Mr. Blevins, the
16 Commission has a weekly meeting during which it goes over
17 Commission business. Unfortunately the only day I could
18 fit your hearing in was on a day that we do that.
19 So we are going to recess from now until we'll all be
20 back down here at eleven o'clock or as soon as agenda
21 concludes.

22 Mr. Stamp, I'll remind you when you come back
23 that you are still under oath. With that, we will recess
24 until eleven o'clock after agenda and go off the record.

25 (A recess was taken.)

1 (STAFF EXHIBITS 2 THROUGH 8 WERE MARKED FOR
2 IDENTIFICATION BY THE COURT REPORTER.)

3 JUDGE CLARK: It is 11:00. Are we missing
4 anyone? It does not appear we are. Let's go back on the
5 record. Okay. Mr. Stamp, if you would come back up to
6 the witness stand. And when we left off, Staff had just
7 offered their Exhibit 1 for admission onto the hearing
8 record. Mr. Blevins, have you had an opportunity to look
9 at Exhibit 1?

10 MR. BLEVINS: Yes, I have.

11 JUDGE CLARK: Do you have any objections to
12 admitting it onto the hearing record?

13 MR. BLEVINS: I have no objection to enter it
14 in as an exhibit so to speak. I do have questions in
15 reference to it.

16 JUDGE CLARK: When you say "in reference to
17 it," do you mean about it?

18 MR. BLEVINS: Yes, sir.

19 JUDGE CLARK: Okay. You'll have an opportunity
20 -- If you have no objections that would require
21 clarification, you'll have an opportunity to ask
22 Mr. Stamp here questions about it when it's your turn to
23 question him.

24 MR. BLEVINS: Okay.

25 JUDGE CLARK: Given that there's no objection,

1 Staff Exhibit 1 is admitted onto the hearing record.

2 (STAFF EXHIBIT 1 WAS RECEIVED ONTO THE HEARING
3 RECORD AND MADE A PART OF THIS RECORD.)

4 JUDGE CLARK: And Staff, you may continue your
5 direct examination.

6 MS. KERR: Thank you.

7 WITNESS ADAM STAMP RESUMED THE WITNESS STAND.

8 BY MS. KERR:

9 Q. All right. Mr. Stamp, could you please
10 describe your investigation?

11 A. Yes. I spoke with Mr. Blevins, also spoke to
12 his customers, visited well sites, visited the customers'
13 homes, looked at their bills, looked at any other notices
14 that he had sent them.

15 Q. And how often did you -- You said you talked to
16 the residents. About how many of the residents did you
17 talk to?

18 A. Personally, probably between 10 and 15. When
19 you figure in the hearings, it would be a much higher
20 number.

21 Q. About how many residents are there total? Do
22 you know?

23 A. Customers?

24 Q. Yeah, customers.

25 A. At the beginning of our investigation, there

1 were around 100 connections. Mr. Blevins has since sold
2 some of those.

3 Q. So you talked to about how many of those?

4 A. 25 percent.

5 Q. Okay. And how often did you talk to them?

6 A. Weekly.

7 Q. And what did you learn from talking to the
8 residents?

9 A. Pretty high level of discontent, whether it be
10 through his billing practices or the quality of service
11 itself. For example, lines freezing in the winter, water
12 quality issues like bacteria and just inconsistent
13 billing.

14 Q. When you say "inconsistent billing," can you
15 explain what you mean by that?

16 A. As far as I can tell based on my conversations
17 with customers, some may have the same service on the
18 same system but be paying different amounts because
19 they're not billed for usage but rather based on time.

20 Q. What do you mean by that?

21 A. Monthly, usually.

22 Q. So they're billed like for 30 days? What do
23 you mean by based on time?

24 A. Customers based on what I've seen and the bills
25 can prepay for a set amount of months or by the month.

1 Q. So they're not metered; is that what you mean?

2 A. **Correct, yes.**

3 Q. Okay. And is that -- Is there something wrong
4 with that?

5 A. **It can make for inaccurate situations, I guess.**
6 **Mr. Blevins maybe adds charges for things like swimming**
7 **pools or livestock but usage is not measured.**

8 Q. So somebody with a swimming pool might be
9 charged differently than someone without a swimming pool?

10 A. **Correct.**

11 Q. And that's based on whether they're paying
12 monthly or bimonthly or six months?

13 A. **Based on what I've seen usually, yes.**

14 Q. Okay. If they were regulated by the PSC, how
15 would that be different or would it be different?

16 A. **We would probably try to clarify the billing**
17 **practices.**

18 Q. How so?

19 A. **Likely based on usage.**

20 Q. Is that how other utilities do their billing?

21 A. **Typically.**

22 Q. And you said you had a public meeting that you
23 held?

24 A. **Yes.**

25 Q. And when was that?

1 **A. That was on June 1.**

2 **Q. Of 2023?**

3 **A. 2023, yes.**

4 **Q. And where was that held?**

5 **A. That was held at a public hall in Waynesville.**

6 **Q. And can you tell me about that?**

7 **A. Very well attended. Probably somewhere between**
8 **60 and 80 people. Very high level of discontent.**

9 **Q. What was the purpose behind having that?**

10 **A. We were unsure of the size of Mr. Blevins'**
11 **customer base and we wanted to speak to them directly in**
12 **a larger forum rather than individually and we wanted to**
13 **hear what they had to say.**

14 **Q. Okay. So how was this brought together?**

15 **A. By my supervisor Curt Gateley and I.**

16 **Q. How did you do that? Did you send out notices?**
17 **What did you do to bring?**

18 **A. We did. Fortunately Mr. Blevins gave us a list**
19 **of customers. We sent notices to them. DNR was there as**
20 **well.**

21 **Q. Okay. And then so did that help Staff in any**
22 **way having this open forum?**

23 **A. Yes.**

24 **Q. How so? Can you explain that?**

25 **A. There were a lot of clarifications of not**

1 necessarily assumptions but issues that we thought were
2 going on, and again we were able to speak directly to
3 customers which was very beneficial to us.

4 Q. Okay. What kind of things did they tell you or
5 did you learn from that?

6 A. A lot of unhappy customers. Again, water
7 quality issues, issues with the service, lines freezing
8 in the winter, issues with how Mr. Blevins has tried to
9 fix some of the service problems that have happened and
10 inconsistent billing.

11 Q. Same kind of issues that you were just talking
12 about?

13 A. Yes.

14 Q. I'm going to hand you what's been marked
15 Exhibit 2.

16 MS. KERR: May I approach?

17 JUDGE CLARK: Yes.

18 BY MS. KERR:

19 Q. Do you recognize that?

20 A. I do.

21 Q. And what is it?

22 A. These are public comments we've received from
23 -- the PSC has received from customers of Mr. Blevins.

24 Q. And these are the customer comments that were
25 filed in his complaint case?

1 **A. That's correct.**

2 Q. The WC-2023-0353?

3 **A. Yes.**

4 Q. And just generally what are the gist of the
5 comments?

6 **A. Customers unhappy with their service.**

7 Q. And are the comments that were filed in the
8 complaint case, are those similar to the types of
9 comments that you received at the public meeting and
10 throughout your investigation?

11 **A. Yes.**

12 MS. KERR: I ask that Exhibit 2 be entered into
13 evidence.

14 JUDGE CLARK: Mr. Blevins, have you had an
15 opportunity to look over Staff Exhibit 2?

16 MR. BLEVINS: I have.

17 JUDGE CLARK: Do you have any objections to
18 admitting it onto the hearing record?

19 MR. BLEVINS: I have no objection, sir.

20 JUDGE CLARK: Staff Exhibit 2 is admitted onto
21 the hearing record.

22 (STAFF EXHIBIT 2 WAS ADMITTED ONTO THE HEARING
23 RECORD AND MADE A PART OF THIS RECORD.)

24 BY MS. KERR:

25 Q. So you talked about some customer service type

1 issues raised by the residents. Anything in particular,
2 any specific type of issues that were raised by customers
3 to you just over the course of your investigation?

4 **A. The biggest concern is probably the water**
5 **quality issues, finding bacteria in the water and**
6 **Mr. Blevins' inability to fix the problem in a timely**
7 **manner.**

8 Q. Did he try to fix any of the problems that you
9 know?

10 **A. I don't know.**

11 Q. How were some of these -- How were some of
12 these problems brought to your attention?

13 **A. Initially by the Missouri Department of Natural**
14 **Resources and afterward by customers.**

15 Q. How did the customers get in touch with you
16 about their problems with the wells?

17 **A. Phone calls to the PSC.**

18 Q. Did they send you letters, emails, any of that?

19 **A. Everything.**

20 Q. And when they -- Did they give you access to
21 any social media?

22 **A. They have.**

23 Q. And can you describe that?

24 **A. Again, customers that are not receiving safe**
25 **and adequate service.**

1 Q. Can you -- let me go back. Did you get -- You
2 said they sent you emails, and did they give you access
3 to any of their Facebook accounts or any of the social
4 media?

5 A. There are private social media groups where
6 these neighborhoods can talk amongst themselves, talk
7 about issues in their neighborhoods, one of which there
8 is particularly a lot of traffic about their water
9 service and I was given access to that group to monitor
10 the situation.

11 Q. Okay. Why were you given access to that?

12 A. The customers felt that it was a good way for
13 them to express the situations they were having to deal
14 with.

15 Q. And who gave you -- Sorry, let me take that
16 back. And were you able to get on that Facebook account
17 and look at some of the things that the residents were
18 putting on that account?

19 A. I was.

20 Q. What did you -- Did you learn anything from it?
21 Did you see anything from it?

22 A. A less formal, less formal way to see what
23 customers had to say as opposed to the meeting we held.
24 Pretty much just echoes of the same things we had been
25 hearing from the beginning.

1 Q. Did you get a sense of how the residents felt
2 about how their issues were being handled by Mr. Blevins?

3 A. **Extreme discontent.**

4 Q. What were they saying about how he handled the
5 issues? Did he seem to be cognizant of them? Did he
6 seem to be cognizant of their troubles?

7 A. **I think the majority of customers felt that**
8 **Mr. Blevins was not doing a good enough job to try to**
9 **correct the situation.**

10 Q. And why would you think -- What made you think
11 that?

12 A. **Throughout this whole case we've heard from a**
13 **lot of very unhappy customers.**

14 Q. What would they say?

15 A. **Unreliable service. When there are issues,**
16 **failure to fix them in a timely manner.**

17 Q. And okay. Did you have an opportunity -- You
18 said you went on some site visits and actually looked at
19 some of the wells?

20 A. **I did.**

21 Q. And how many of those wells did you look at?
22 Can you tell me about those site visits?

23 A. **I believe at the time there were 19.**

24 Q. And did you go look at all of them?

25 A. **I visited 17 or 18 of them.**

1 Q. When did you do that?

2 A. Numerous times, particularly January of 2023,
3 again in August of 2023.

4 Q. Did you take pictures when you were there?

5 A. I did.

6 Q. Did you see the wells that were part of the
7 Misty Water Works systems?

8 A. The Misty Mountain system?

9 Q. Misty Mountain. I'm sorry. Yes.

10 A. Yes.

11 Q. Any of the smaller private wells?

12 A. I have.

13 Q. So just generally when you went and saw those,
14 what did you see? Can you describe that?

15 A. Various situations. Some are newer and a
16 little better kept. Most I would say are in disrepair,
17 not kept up to the standards they should be, poor
18 maintenance, poor lack of safety measures to prevent
19 problems.

20 Q. What do you mean by that, like disrepair?

21 A. So this well will sit in a wellhouse. It was
22 not uncommon to see the wellhouse falling apart. In some
23 there are holes in the roofs. We found some without the
24 door on them. This could lead to tampering. It could
25 lead to wildlife issues. It could lead to freezing.

1 Q. I'm going to hand you --

2 MS. KERR: May I approach?

3 JUDGE CLARK: Yes.

4 BY MS. KERR:

5 Q. I'm going to hand you what's been marked
6 Exhibit 3. Do you recognize that?

7 A. I do.

8 Q. And what is that a picture of?

9 A. **This is a picture of a well on Tigger Lane**
10 **within Mr. Blevins' Misty Mountain system.**

11 Q. How do you recognize that?

12 A. **I visited the site.**

13 Q. And how did you get those pictures?

14 A. **I took the picture myself.**

15 Q. And what was the circumstances behind how you
16 got that picture?

17 A. **I visited with a neighbor who receives water**
18 **service from this well, and he suggested that I take a**
19 **look inside here.**

20 Q. And what was the purpose of you getting that
21 picture? Was that part of your site visit?

22 A. **It was.**

23 Q. And was that picture taken as part of your
24 duties in the normal ordinary course of business?

25 A. **Yes.**

1 Q. As an analyst for PSC?

2 A. Correct.

3 Q. Is that picture kept in your files and records
4 in the normal and ordinary course of business at the
5 Missouri PSC?

6 A. Yes.

7 Q. Can you describe what that picture shows?

8 A. It's Staff's opinion that there's poor
9 maintenance going on here, a lack of cleanliness. You
10 can see from algae on all the equipment there that there
11 are leaks, exposed wires. You can't see it on this
12 picture but this particular wellhouse has parts of the
13 roof missing. So wildlife is able to get in and be
14 around the equipment.

15 Q. Okay. But can you just kind of describe what
16 is in that picture?

17 A. Yes. That's a well that leads to a pressure
18 tank that leads to pipes that will go out into the
19 distribution system that feeds the customers' houses.

20 Q. And what about these wires?

21 A. Those wires would be coming from a power
22 source, and Mr. Blevins will use them to power the well
23 pump and other various equipment, maybe a heater.

24 Q. Does anything stand out that concerns you here?

25 A. The cleanliness is a big deal especially

1 because several customers have had issues with their
2 water quality. Also the exposed wiring could lead to
3 problems.

4 Q. Are there any dangers that you see or any other
5 concerns?

6 A. I could see it being hazardous, yes.

7 Q. And is this -- Would you say this is typical of
8 some of the other wells that you saw that Mr. Blevins
9 owns or operates?

10 A. Some of them.

11 MS. KERR: I'll ask that Exhibit 3 be entered
12 into evidence.

13 JUDGE CLARK: Mr. Blevins, do you have any
14 objections to admitting Staff Exhibit 3 onto the hearing
15 record?

16 MR. BLEVINS: No objection.

17 JUDGE CLARK: Staff Exhibit 3 is admitted onto
18 the hearing record.

19 (STAFF EXHIBIT 3 WAS ADMITTED ONTO THE HEARING
20 RECORD AND MADE A PART OF THIS RECORD.)

21 MS. KERR: May I approach?

22 JUDGE CLARK: Yes.

23 BY MS. KERR:

24 Q. I'm going to hand you what's been marked
25 Exhibit 4. Do you recognize that document?

1 **A. I do.**

2 Q. And can you explain what that is, that document
3 is?

4 **A. These are pictures from a customer.**

5 Q. And how did you get them?

6 **A. She sent them to me.**

7 Q. And can you explain why you would have gotten
8 that from a customer?

9 **A. She was worried about the state of the well
10 that's supplying water to her home.**

11 Q. And is this the same well that -- or same
12 picture of the same well that was in Exhibit 3?

13 **A. No, a different well.**

14 Q. And so what's the significance behind how you
15 got this picture?

16 **A. To the customer?**

17 Q. I mean, did you ask for this picture?

18 **A. She sent me these because she was concerned
19 with the condition of the equipment that supplies her
20 water.**

21 Q. But you didn't ask for the picture?

22 **A. No.**

23 Q. So those pictures were obtained by you as part
24 of your duties and in the normal and ordinary course of
25 business as a Staff member of the PSC?

1 **A. Correct.**

2 Q. And are those pictures kept in your files in
3 the normal and ordinary course of business of the PSC?

4 **A. They are.**

5 Q. And can you just kind of describe what's --
6 There's three pictures here, correct, attached to Exhibit
7 4?

8 **A. Correct.**

9 Q. Can you just describe what are in each of the
10 three pictures for the record?

11 **A. We see --**

12 Q. What's in the first picture? We'll just go
13 through them.

14 **A. Picture one is mainly of the distribution that
15 will take water from the source and send it out to
16 customers' homes.**

17 Q. Okay. So each of those red letters, are those
18 each different distribution pipes I guess?

19 **A. Yes, shut-off valves specifically.**

20 Q. Okay. So this well -- Would I be correct in
21 describing that this one serves four different homes
22 then?

23 JUDGE CLARK: When you say "red," I'm looking
24 at black and white.

25 MS. KERR: I'm sorry. I'll give you the color

1 copy.

2 BY MS. KERR:

3 Q. There's three valves. How many houses would
4 this well serve? Can you tell by the picture?

5 A. Based on what I see, I believe it would be
6 four, but I am not certain of that.

7 Q. Okay. And then there's a pressure valve
8 somewhere or a pressure gauge?

9 A. Correct.

10 Q. Okay. And then there's a bunch of wires?

11 A. Correct.

12 Q. What are those wires? What are they connected
13 to or what do they do?

14 A. Anything that needs electricity for a power
15 source.

16 Q. And then there looks to be like a lamp up in
17 the corner, top right corner of the picture. What is
18 that for? Do you know?

19 A. I assume that Mr. Blevins does that for heat to
20 prevent freezing.

21 Q. All right. And then the next picture, what is
22 that a picture of? I mean, is that the same wellhouse?
23 These are all the same wellhouse, right?

24 A. Correct.

25 Q. So what is the second picture?

1 **A.** The second picture I assume was taken to
2 illustrate that the door is not being kept on the
3 wellhouse.

4 Q. Okay. That's just a further away picture I
5 guess?

6 **A.** From the outside looking in, yes.

7 Q. And the third picture, just another vantage
8 point of it?

9 **A.** Correct.

10 Q. Does anything stand out to you in those
11 pictures that concerns you?

12 **A.** Yes.

13 Q. What would that -- Can you describe what that
14 would be?

15 **A.** I guess I would just say poor maintenance.

16 Q. What do you mean by that?

17 **A.** This is a source providing a neighborhood with
18 water and the poor job of wiring, the lack of upkeep
19 inside the house itself, not keeping the door on the
20 house to prevent tampering or animals or freezing here in
21 a few months is concerning to me.

22 Q. Okay. Are there any specific examples besides
23 that?

24 **A.** Of?

25 Q. That give you concern?

1 A. I would be concerned over the electrical wires
2 that we see there. They're just not kept better.

3 Q. So this is a wellhouse for water and there's
4 all these electrical wires all over the place?

5 A. Correct.

6 Q. So what -- Are there problems that this could
7 cause?

8 A. Potentially, yes.

9 Q. Like what?

10 A. We see the power source actually coming in from
11 the outside meaning that anyone could have easy access to
12 the power source for the wellhouse.

13 Q. This is one of Mr. Blevins' wells that he owns
14 and operates?

15 A. Correct, on the Charity system, I believe.

16 MS. KERR: Okay. I'll ask that Exhibit 4 be
17 entered into evidence.

18 JUDGE CLARK: I've got a few questions. Why is
19 this a black and white one?

20 MS. KERR: I can give you the color copy.

21 JUDGE CLARK: Would it be possible to get a
22 color version of the exhibit before the end of the day?

23 MS. KERR: Sure.

24 JUDGE CLARK: I don't want to take your only
25 copy.

1 MS. KERR: Sure. I can just print off color
2 copies.

3 JUDGE CLARK: You said this is on the Charity
4 system?

5 **THE WITNESS: Yes, sir, I believe so.**

6 JUDGE CLARK: I know I'm not talking about this
7 exhibit, but what system was the previous Exhibit 3?

8 **THE WITNESS: Exhibit 3 would have been from**
9 **Mr. Blevins' Misty Mountain public water system.**

10 JUDGE CLARK: Mr. Blevins, do you have any
11 objection to admitting Staff Exhibit 4 onto the hearing
12 record?

13 MR. BLEVINS: No objection, sir.

14 JUDGE CLARK: Staff Exhibit 4 is admitted onto
15 the hearing record.

16 (STAFF EXHIBIT 4 WAS ADMITTED ONTO THE HEARING
17 RECORD AND MADE A PART OF THIS RECORD.)

18 BY MS. KERR:

19 Q. So did you discuss any of these problems with
20 Mr. Blevins?

21 **A. Yes.**

22 Q. And what was his reaction?

23 **A. Mr. Blevins expressed concern but his actions**
24 **have not followed through.**

25 Q. What do you mean by that specifically?

1 A. Both the PSC and DNR have requested that
2 Mr. Blevins try to improve his practices and he has not
3 done as much.

4 Q. Could you give me specifics like what do you
5 mean -- what specifically was he asked to do to fix what
6 problems? I mean, what didn't he do?

7 A. The Topo Drive well on the Misty Mountain
8 system failed bacteria tests in August of 2022. DNR then
9 put that well onto a boil order and requested that
10 Mr. Blevins act to fix the problem. It remained on boil
11 order and failing tests until April of 2023, when it
12 failed permanently, failed bacteria tests.

13 Q. And specific to these wells, did you ask them
14 to make any fixes to these wells that were in Exhibit 3
15 and 4?

16 A. Most of his interactions as far as that goes
17 have been with DNR, but yes, we have.

18 Q. And specifically what did he fix or did he not
19 fix?

20 A. He has not improved much. Most of the problems
21 that DNR has dealt with Mr. Blevins about remain to be
22 solved.

23 Q. Like specifically do you know any specifics?

24 A. Still customer service issues. Customers
25 continue to complain about lines freezing in the winter.

1 There have still been bacteria concerns with multiple
2 wells. And again, the lack of consistency in the
3 billing.

4 Q. Do you think -- Have you corresponded or spoken
5 with anyone else like the city or county water system or
6 water district?

7 A. Briefly, yes.

8 Q. And which one? Who?

9 A. Pulaski County Public Water Supply District No.
10 2.

11 Q. Can you tell me about that?

12 A. Yes. They are now supplying part of
13 Mr. Blevins' system with water because Mr. Blevins' well
14 failed and he was unable to find a solution to that.

15 Q. Which well? Which part of his system are they
16 providing water to?

17 A. The Topo Drive well on the Misty Mountain
18 system that failed the bacteria test in August of 2022
19 remained on boil order for eight months until April of
20 2023, when it structurally failed permanently and the
21 county began supplying water to the system for these
22 people.

23 Q. So is there any reason why the Pulaski County
24 Water Company or Water District couldn't have been hooked
25 up to the Blevins' system prior to that?

1 **A. No.**

2 **Q. So why wasn't it hooked up before that?**

3 **A. I don't know.**

4 **Q. Do you know if it's feasible for that water**
5 **system to be hooked up to the Blevins' system?**

6 **A. I don't.**

7 **Q. So you said you had contact with Missouri DNR,**
8 **Department of Natural Resources. Did you contact them,**
9 **they contact you? How did that happen?**

10 **A. Initially they contacted my supervisor,**
11 **Mr. Curt Gateley.**

12 **Q. And do you know about when that was?**

13 **A. December of 2022.**

14 **Q. Do you know what prompted that?**

15 **A. Yes. The failure of bacteria tests from that**
16 **Topo Drive well in August prompted it. In addition to**
17 **the fact that they realized that Mr. Blevins was charging**
18 **for water service and thought that he should be regulated**
19 **by the PSC.**

20 **Q. Okay. So they contacted the PSC?**

21 **A. Correct.**

22 **Q. And do you know what they wanted PSC to do?**

23 **A. They wanted us to look into the situation.**

24 **Q. Do you know what they had done before**
25 **contacting us, contacting the PSC with regard to**

1 Mr. Blevins' systems?

2 A. They tried to work with Mr. Blevins to fix the
3 issues the customers were having.

4 Q. What issues?

5 A. Mainly the water quality issues, the particular
6 well that was on boil order for failed bacteria tests.

7 Q. Do you know if they had any luck with that?

8 A. They did not.

9 Q. And what do they think could be accomplished if
10 both agencies worked together? Do you know?

11 A. Hopefully safe and adequate service.

12 Q. And how did the PSC feel about that, do you
13 know, about working together with the DNR?

14 A. We hoped for a better situation for the
15 customers.

16 Q. So you talked about Mr. Blevins charging his
17 residents for use of the water. Did you -- You received
18 documentation explaining or showing how he charges the
19 residents for the water service?

20 A. Yes.

21 Q. And who did you get that information from?

22 A. Various customers.

23 JUDGE CLARK: Can I ask a question here? We've
24 been over this twice. Now we've talked about billing
25 before which would make a lot of sense to me if we were

1 talking about the complaint case but we're here on the
2 receivership. Under 393.145, the billing isn't listed as
3 one of the reasons. So I'm concerned that we may be
4 confusing these or putting them together in a way that
5 something that's unnecessary is actually being used as a
6 support for other stuff. So I'm not sure why we're
7 getting into billing, because that has to do with more
8 whether or not the system should be regulated and not
9 whether he is unwilling or unable to provide service or
10 whether he's abandoned it.

11 MS. KERR: I think it goes to his ability to
12 provide adequate service. The way he's been charging
13 shows that he's taking control of these wells and has
14 taken ownership of the wells and is trying to service the
15 wells. We're trying to also figure out which wells he
16 owns. And some of the billing information shows what
17 he's doing to the customers, how he's trying to get --
18 he's trying to bill the customers for the wells he owns,
19 how he conducts his business.

20 JUDGE CLARK: How does Staff define adequate
21 here when they say safe and adequate service and safe
22 seems to be kind of obvious, but I'm not sure what you
23 mean when you say it goes to adequacy.

24 MS. KERR: Well, adequacy, it goes to the
25 customer service as well as like how -- it's not just

1 providing the water but also providing the customer
2 service to the customers if they have questions about how
3 he's billing them. He's charging them for it as well.
4 And so, you know, how he's providing that he's trying to
5 recover his charges for the service he's providing and
6 his billing practices, just goes towards his billing
7 practices.

8 JUDGE CLARK: There's no objection. So I'm
9 going --

10 THE WITNESS: Judge, if I may. I think a lack
11 of consistency and reliability as far as adequacy goes.

12 JUDGE CLARK: Thank you. There's no standing
13 objection, so I'm going to allow you to continue down
14 this line of questioning.

15 BY MS. KERR:

16 Q. And can you explain how you know about how
17 Mr. Blevins charges for the water usage?

18 A. Customers have been very forthcoming with any
19 documents they get from Mr. Blevins.

20 MS. KERR: May I approach?

21 JUDGE CLARK: Yes.

22 BY MS. KERR:

23 Q. Hand you what's been marked Exhibit 5. Can you
24 describe what those documents are?

25 A. These are documents that customers have

1 received from Mr. Blevins.

2 Q. And what information do they contain?

3 A. Billing amounts, notices of ownership change of
4 the wells that provide them with service, notice of their
5 particular systems being enrolled with DNR as a public
6 water supply system.

7 Q. What do they show about how Mr. Blevins
8 conducts his business?

9 A. Could you be more specific? It shows that he's
10 billing for service.

11 Q. Does he -- Is he being consistent across the
12 different customers on how he's billing?

13 A. No.

14 Q. Do these documents show that?

15 A. Yes.

16 Q. And do you see any problems with what
17 Mr. Blevins is doing as far as the PSC is concerned?

18 A. Mr. Blevins is not regulated by the PSC yet he
19 is charging for water service.

20 Q. Is there any rhyme or reason -- Does it look
21 like there's any rhyme or reason for how he's doing this,
22 how he's conducting his business and how he's charging?

23 A. Could you be more specific, please.

24 Q. Does there seem to be any consistency on how
25 he's charging different residents for water?

1 **A. No.**

2 Q. For example, there are late fees on here to
3 some of the residents. Is that something that would be a
4 problem?

5 **A. Yes.**

6 Q. How so?

7 **A. Mr. Blevins is charging for service, charging**
8 **late fees when he's not regulated by the PSC.**

9 Q. Strike that. So what effect or ramification
10 might his actions have on those residents without any
11 kind of regulatory oversight of his business practices?

12 **A. They have -- They're subjected to basically**
13 **whatever rate he feels is adequate.**

14 Q. Okay. Is there anybody or any agency to
15 determine what that adequate rate is?

16 **A. No.**

17 Q. If he was regulated, would there be?

18 **A. Yes.**

19 Q. And that would be the PSC, correct?

20 **A. Correct.**

21 Q. Right now he can charge anybody anything?

22 **A. That's correct.**

23 MS. KERR: Ask that Exhibit 5 be entered into
24 evidence.

25 JUDGE CLARK: Mr. Blevins, do you have any

1 objections to --

2 MR. BLEVINS: No objection, sir.

3 JUDGE CLARK: Thank you, Mr. Blevins. Would
4 you mind in the future waiting until I'm finished asking
5 my question before you answer?

6 MR. BLEVINS: I'm sorry.

7 JUDGE CLARK: That's okay. Thank you. Staff
8 Exhibit 5 is admitted onto the hearing record.

9 (STAFF EXHIBIT 5 WAS ADMITTED ONTO THE HEARING
10 RECORD AND MADE A PART OF THIS RECORD.)

11 BY MS. KERR:

12 Q. Was anybody else on Staff involved in this
13 investigation?

14 A. **Just my supervisor, Curt Gateley.**

15 Q. What kind of involvement did he have?

16 A. **Mainly just oversight of me.**

17 Q. Like could you explain?

18 A. **My investigation.**

19 Q. So did what you learned during your
20 investigation influence your actions going forward?

21 A. **Could you be more specific.**

22 Q. Based on what you learned during your
23 investigation, did you -- what did you do?

24 A. **Yes. We felt that Mr. Blevins should be**
25 **regulated by the PSC based on the service he was**

1 providing and the way he was providing it.

2 Q. Did you make any recommendations based on your
3 investigation?

4 A. I did.

5 Q. And so what did your investigation reveal about
6 Misty Water Works as a business?

7 A. That Misty Water Works does not necessarily
8 exist as a business. Mr. Blevins uses that name when
9 sending bills or notices to customers but that
10 Mr. Blevins is providing water service for around 100
11 connections in Pulaski County at the time.

12 Q. And what did your investigation reveal about
13 how he maintains his books and accounts? Did you find
14 out anything about that?

15 A. Some inconsistencies sort of hard to track I
16 guess.

17 Q. What do you mean by that, hard to track?

18 A. It's difficult to be able to understand how he
19 decides what to bill his customers.

20 Q. And did you have any problems about trying to
21 figure out how to -- his accounting, his accounts for his
22 billing?

23 A. Could you repeat the question, please.

24 Q. Did you have any problems figuring out his
25 books and his accounts? Did you have a chance to look at

1 that I guess first of all?

2 A. Some. Whatever Mr. Blevins was willing to
3 share.

4 Q. Did he share any of that?

5 A. Some.

6 Q. And based on what you saw, was it -- did you
7 have any problems figuring out his books and accounts?

8 A. It was difficult to do so.

9 Q. How so?

10 A. Handwritten, a lot of times not necessarily
11 legible, just difficult to understand.

12 Q. What did you have difficulty understanding?
13 What do you mean by that, difficult to understand?

14 A. His billing practices, how records are kept.

15 Q. Can you give me an example?

16 A. We have no way of understanding why Mr. Blevins
17 charges the rates he charges to particular households.

18 Q. Did you have a chance to try to figure out what
19 wells Mr. Blevins actually owns?

20 A. I investigated that through Pulaski County
21 records.

22 Q. What did you find out?

23 A. Very difficult to understand based on my
24 search. I think that Mr. Blevins owns or has easements
25 to about half the wells that he at the time was charging

1 people for service from.

2 Q. So is he charging people for service for wells
3 that he didn't own?

4 A. I can't say for sure. But based on Pulaski
5 County records, it looked to be.

6 Q. So yes?

7 A. I don't know.

8 Q. So what you're saying is it was hard to figure
9 out what he owned and what he didn't own?

10 A. Correct.

11 Q. Does that seem to be a problem?

12 A. Yes.

13 Q. And why is that a problem?

14 A. If Mr. Blevins does not own or have easements
15 to these water wells and their distribution systems, then
16 he shouldn't be able to charge customers for service that
17 they are providing.

18 Q. Are any of those issues still being brought to
19 your attention?

20 A. Yes.

21 Q. Has Mr. Blevins provided you with information
22 about the wells he owns and what he's doing about them?

23 A. Some.

24 Q. What do you mean by some?

25 A. Incomplete records, hard to -- difficult to

1 understand.

2 Q. Can you give me an example of that or can you
3 explain what you mean by that?

4 A. Mr. Blevins submitted some property records
5 when he submitted an application to the PSC for a CCN?

6 Q. When you say that, do you mean he didn't
7 provide all of them or what do you mean by that?

8 A. Correct.

9 Q. So are you certain that -- So are you saying
10 that the information that you got is not completely
11 accurate or I guess what are you trying to say?

12 A. I can't be certain.

13 Q. Can't be certain that it's accurate?

14 A. No.

15 Q. So since you started your investigation, do
16 things seem to be better or worse for the residents with
17 regard to their water service?

18 A. I would say it's the same.

19 Q. Is that -- In your opinion, is that good, bad,
20 indifferent?

21 A. I would call it poor.

22 Q. Do you think Mr. Blevins can do better?

23 A. I do.

24 Q. Do you think he would do better?

25 A. I don't know.

1 MS. KERR: May I approach?

2 JUDGE CLARK: Yes.

3 BY MS. KERR:

4 Q. Hand you what's been marked Exhibit 6. Do you
5 recognize that?

6 A. I do.

7 Q. And what is that exhibit? What is that
8 document?

9 A. This is a PSC Staff Memorandum.

10 Q. And was that document prepared by you in the
11 normal and ordinary course of your business as a data
12 analyst with the Missouri PSC?

13 A. Yes.

14 Q. It's kept in your files in the normal and
15 ordinary course of business as a data analyst?

16 A. Yes.

17 Q. And it's information made at or near the time
18 of the acts or events described in the document?

19 A. Yes.

20 Q. What's in that document?

21 A. PSC Staff's recommendation.

22 Q. Recommendation for?

23 A. To not grant Mr. Blevins with a CCN.

24 Q. Was this also what was filed with the petition
25 for interim receivership?

1 **A. Yes.**

2 Q. And so does this document basically describe
3 what you have testified to here today?

4 **A. Yes.**

5 Q. This includes your findings of your
6 investigation and your recommendations?

7 **A. Yes.**

8 Q. And explains your conclusions and reasonings
9 for that?

10 **A. It does.**

11 MS. KERR: I'll ask that Exhibit 6 be entered
12 into evidence.

13 JUDGE CLARK: - Mr. Blevins, do you have any
14 objection to admitting Exhibit 6 which is Staff's
15 Memorandum from the CCN case, Case No. WA-2023-0418?

16 MR. BLEVINS: No objection.

17 JUDGE CLARK: Staff's Exhibit 6 is admitted
18 onto the hearing record.

19 (STAFF'S EXHIBIT 6 WAS RECEIVED ONTO THE
20 HEARING RECORD AND MADE A PART OF THIS RECORD.)

21 BY MS. KERR:

22 Q. It's also attached to the Petition in this
23 case. So would you say that Mr. Blevins is providing
24 safe and adequate water service to the residents of the
25 systems that he operates?

1 **A. No.**

2 Q. How safe do you think the water is for the
3 residents that use the water provided by his systems?

4 **A. Depends on the location. For some, unsafe.**

5 Q. Are some of them safe do you think?

6 **A. I don't know.**

7 Q. Does Staff think that Mr. Blevins can continue
8 to operate Misty Water Works successfully?

9 **A. No.**

10 Q. Do you think he can do that in a safe and
11 adequate manner?

12 **A. No.**

13 Q. And why not?

14 **A. Mr. Blevins' practices to this point have not
15 been safe and adequate.**

16 Q. Can you explain what it means to be operating
17 an authorized water utility for PSC purposes?

18 **A. That you are regulated by the PSC.**

19 Q. And are the systems he's operating, would they
20 -- strike that. Is Staff contending that the systems
21 that Mr. Blevins is operating, are they subject to PSC
22 regulations?

23 **A. Yes.**

24 Q. So why does Staff -- Does Staff think a
25 receiver should be appointed in this case?

1 **A. Yes.**

2 Q. And can you explain why?

3 **A. Mr. Blevins has shown an inability to provide**
4 **safe and adequate water service.**

5 Q. What concerns do you have if no receiver is
6 appointed? What does Staff have?

7 **A. That customers will continue to have poor**
8 **service.**

9 MS. KERR: I don't have any other questions.

10 JUDGE CLARK: Mr. Blevins, it's your turn to
11 ask questions of this witness. You can ask questions
12 about exhibits that were submitted. You can ask
13 questions about exhibits that you may have brought today.
14 You may ask questions about what he has testified to.
15 The important thing being that they are, in fact,
16 questions. It is not an opportunity at this time to
17 rebut or to offer testimony of your own. You'll have an
18 opportunity to do so. But if you have questions you want
19 to ask this witness, as you indicated earlier you had
20 about some of the exhibits, now would be the time to do
21 that.

22 MR. BLEVINS: Thank you.

23 QUESTIONS

24 BY MR. BLEVINS:

25 Q. I'd like to go back through Exhibit No. 1, I

1 guess. And I see where you have provided I guess a (name
2 deleted) complaint.

3 JUDGE CLARK: Can we strike that name. Brian,
4 will you be sure that that name is struck from the
5 recording.

6 Mr. Blevins, the Commission is not allowed to
7 release customer specific information. I'm going to ask
8 -- you can certainly ask. I'd ask that you refer to it
9 by complaint inquiry number at the top or by the page of
10 these one, two, three, four, five, six, seven pages. So
11 if you can do that, please do not mention a customer's
12 name again.

13 MR. BLEVINS: Okay. I'm sorry.

14 BY MR. BLEVINS:

15 Q. Complaint inquiry number C202300642. In your
16 complaint inquiry, you said increased the cost of water
17 pretty dramatically to the residents. Routing to our
18 Water/Sewer Department. I guess we'll go back to this
19 magic word of billing. Do you have a document that shows
20 a billing for this particular complaint?

21 A. **The customer provided us with the documents**
22 **that he received.**

23 Q. What document is that? I don't see one.

24 A. **It's not included in this exhibit.**

25 Q. Not included. Okay. In this same complaint

1 was there any mention that this -- that there was a past
2 due account?

3 **A. In this particular complaint?**

4 Q. In that complaint, yes, sir.

5 **A. No.**

6 Q. No. In your investigation, who else did you
7 talk to about that particular complaint?

8 **A. Could you repeat the question, please.**

9 Q. Who else did you talk to in your investigation
10 about that particular complaint?

11 **A. About the complaint from this customer?**

12 Q. Yes.

13 **A. I spoke with this customer and the neighboring
14 customers that are fed by the same water supply.**

15 Q. Did you ask them a question about mostly just
16 increased payment or increased charge? Did you ask them
17 how they were charged?

18 **A. I did.**

19 Q. How were they charged then?

20 **A. A flat rate in addition to increases if they
21 owned pools or livestock.**

22 Q. I believe in this particular well and in
23 providing safe water that you do not water livestock; is
24 that correct?

25 MS. KERR: Objection, relevance.

1 JUDGE CLARK: Your objection is overruled.
2 Your question is that -- Would you restate your question.
3 Is your question is the water used to water livestock or
4 is the question whether or not he knows whether livestock
5 is watered?

6 MR. BLEVINS: Well, that is part of the
7 investigation, sir. I'm trying to ask how exactly they
8 do an investigation or is it a one-sided transaction with
9 the complainant?

10 JUDGE CLARK: I understand that. I'm going to
11 allow you to ask your question in regard to livestock.
12 I'm just wondering if you can clarify the question.

13 BY MR. BLEVINS:

14 Q. Yes, livestock. You mentioned that there was
15 charges for livestock; is that correct?

16 A. **Based on bills that I saw, yes, sir.**

17 Q. What bill did you see that charged livestock or
18 -- It's to my understanding that a water well would not
19 be used, drinking water well would not be used to water
20 livestock; is that correct?

21 A. **That would be up to the customer.**

22 Q. That would not be very safe in my opinion.
23 I'll just go by that. In complainant number C202300644,
24 in your investigation who did you talk to about that
25 particular complaint?

1 MS. KERR: Judge, I'm going to object to going
2 through every single one of these complaints. It's not
3 relevant to this case.

4 JUDGE CLARK: Why is it not relevant to this
5 case? You introduced these for a reason. Why shouldn't
6 he be able to ask questions about them?

7 MS. KERR: I introduced them as notice that
8 that's when the investigation started. These complaints
9 notified Staff that there was a problem and that's what
10 started the investigation.

11 JUDGE CLARK: That may have been your reason
12 for introducing it, but Mr. Blevins may have a different
13 reason he wants to offer it -- or he wants to ask
14 questions about it. I'm going to go ahead and let him
15 ask questions about it. So the objection is overruled.

16 MR. BLEVINS: Thank you.

17 BY MR. BLEVINS:

18 Q. My question again, Mr. Stamp, was who else did
19 you talk to about this complaint, your investigation
20 process?

21 JUDGE CLARK: Mr. Blevins, I'm not sure, when
22 you say "investigation process," I'm not sure what you
23 mean. Do you just want to know who else he talked to
24 during his investigation?

25 MR. BLEVINS: Yes, I do.

1 BY MR. BLEVINS:

2 Q. I would like to know how far did you carry your
3 investigation or did you just take the word of someone
4 telling you something?

5 A. Each of the customers in these complaints here
6 have called the PSC. I have personally visited and
7 spoken face to face with several of them.

8 Q. Several. How many? Did you say several?

9 A. 30 percent.

10 Q. Okay. In that same complaint inquiry for a
11 complainant, did you determine that the customer was two
12 years past due in his -- in their rent, or not rent, but
13 water usage or payment for water usage?

14 A. No, sir. But the customers were concerned that
15 you had supposedly bought the wells and raised the rates,
16 and they were unsure if you actually now owned the wells.

17 Q. Well, okay. In complaint number C202300645,
18 the complaint, again about the same complaint, did you
19 talk to anyone else about that particular case or
20 complaint?

21 A. The complaints we see here all come from
22 neighboring houses, and I spoke to several.

23 Q. This particular one right here, did you talk
24 with anyone else?

25 A. Could you be more specific.

1 JUDGE CLARK: What do you mean anyone else,
2 Mr. Blevins?

3 MR. BLEVINS: Well, I was trying to be more
4 specific for Mr. Stamp as to who he talked to.

5 JUDGE CLARK: Again, I don't want to say names
6 of customers here. Can we strike that from the
7 transcript and, Brian, would you see that that is taken
8 out of the recording. I'm going to caution you again
9 about using customer names or we're going to have to
10 severely limit your ability to question in regard to
11 those.

12 MR. BLEVINS: Okay.

13 JUDGE CLARK: -When you say talk to other
14 people, do you mean talk to the person who made the
15 complaint or talk to other residents about that person's
16 complaint? I think that's the clarity that's being
17 requested.

18 MR. BLEVINS: Other residents.

19 **THE WITNESS: Okay.**

20 BY MR. BLEVINS:

21 Q. Did you talk with the owner of the well?

22 A. **It's unclear who owns the well.**

23 Q. Okay. Did you talk with the previous owner of
24 the well?

25 A. **No.**

1 Q. Okay. Was there a date that this all started,
2 this complaint? When did the new owners take over this
3 well from, do you have a date?

4 A. I don't know.

5 Q. You don't know. Okay. In a complaint
6 C202300646, in your investigation did you determine that
7 that complainant was \$960 past due on paying water to
8 whoever owned the well?

9 A. No.

10 Q. In complaint inquiry C202300647, again, I guess
11 the complaint would be then that an increase in the
12 amount of the charge for water. Again, did you determine
13 that the past due amount was over two years old that
14 never been paid for two years, the water? Did you
15 determine that in your investigation?

16 A. No.

17 Q. In complaint C202300649, it says that property
18 owners were sent notices threatening to disconnect their
19 well service if they don't agree to a new contract that
20 includes rate increases of up to 15 percent per quarter.
21 Do you have that document?

22 A. I've seen the document.

23 Q. Pardon?

24 A. The customers gave me the documents.

25 Q. Do you have the document that threatens them to

1 disconnect their service? Do you have that document that
2 I didn't see it in here.

3 **A. Currently, no.**

4 **Q. Did you see a document?**

5 **A. Yes.**

6 **Q. Did you provide that particular document with**
7 **the owners of the well at that time in your**
8 **investigation?**

9 **A. Could you repeat the question, please.**

10 **Q. In your investigation, did you share that**
11 **information with whoever owned the well at that time or**
12 **whoever was sending this threatening letter of sorts that**
13 **you alluded to on that -- from that case file or this**
14 **complaint?**

15 **A. I'm afraid I don't understand what you're**
16 **asking me.**

17 **JUDGE CLARK: He's asking you if you shared --**
18 **You had indicated that you saw the document threatening**
19 **to disconnect the customers, correct?**

20 **THE WITNESS: Yes, sir.**

21 **JUDGE CLARK: He's asking if you shared that**
22 **document with the well owner.**

23 **THE WITNESS: It's difficult to know for sure**
24 **who owns the well.**

25 **JUDGE CLARK: Is that a no? Mr. Blevins, I'm**

1 asking a question. Is that a no?

2 **THE WITNESS: No.**

3 JUDGE CLARK: Go on, Mr. Blevins.

4 MR. BLEVINS: Okay. Thank you.

5 BY MR. BLEVINS:

6 Q. On complaint C202300657, it says here that the
7 complaint is the same area as the Rowden Lane,
8 Waynesville, residents whose wells were sold, who is now
9 threatening disconnection if the residents don't pay
10 drastically higher rates for water. I think you say this
11 is related together. How far away is Topo Drive from the
12 Rowden property?

13 JUDGE CLARK: Again, Mr. Blevins, I'm going to
14 ask you -- you keep using -- well, this is a --

15 MR. BLEVINS: Rowden Street.

16 JUDGE CLARK: I understand. I'm looking at it.
17 No, I think you're fine. Go ahead.

18 BY MR. BLEVINS:

19 Q. Rowden Lane and Topo Drive, how far apart are
20 those properties?

21 **A. I'm not sure.**

22 Q. Would you say they're five miles or down the
23 block or 20 miles? In your investigation you have a
24 complaint here. I'm trying to determine how you really
25 investigated things that are put on this piece of paper

1 or on this exhibit.

2 JUDGE CLARK: Mr. Blevins, will you give him a
3 moment to answer the question. You had given him a
4 number of options as to how far apart these two
5 properties were but you haven't let him answer yet.

6 MR. BLEVINS: Okay, sorry.

7 THE WITNESS: Closer to 20 than 5.

8 BY MR. BLEVINS:

9 Q. In your investigation, would you say that
10 they're not really related then or together?

11 A. Both have a common owner.

12 Q. Who is the owner?

13 A. And water provider.

14 Q. Who is the owner -- disregard that question. I
15 don't want you to mention the name, I guess. Again, it's
16 threatening disconnection if the residents don't pay
17 drastically higher rates for water. Do you have that
18 particular document? How was that threatened in your
19 investigation? Is that a threat? I mean, was that in
20 writing?

21 A. Could you clarify, please.

22 Q. Well, I'm trying to clarify. It says here is
23 now threatening disconnection if the residents don't pay
24 drastically higher rates for water. What document shows
25 that threatening? How did you determine the threatening?

1 In your investigation, I'm just trying to find out about
2 your investigation, how you did that and what are you
3 sharing with anyone else? Was this shared maybe with the
4 owner?

5 JUDGE CLARK: I'm not seeing a question at this
6 point. You seem to be engaging in a narrative. Let's
7 cut back to the question and see if he can clarify that.

8 MR. BLEVINS: Okay. I'm sorry.

9 JUDGE CLARK: Is your question how did you
10 determine that?

11 BY MR. BLEVINS:

12 Q. How did you determine that threat of
13 disconnection?

14 A. Based on what customers have told us.

15 Q. No other documents then? In your
16 investigation, no further documents? Just what they told
17 you; is that correct or not?

18 MS. ASLIN: Judge Clark, could I, before we
19 continue, just clarify maybe for Mr. Blevins the nature
20 of this exhibit. I think these are mostly, and Mr. Stamp
21 can correct me if I'm wrong, but these are mostly notes
22 taken based off of phone calls, communications that he
23 had with customers and not -- I wouldn't say that they're
24 so much of a report of an investigation.

25 THE WITNESS: That's correct.

1 JUDGE CLARK: That may be correct, but these
2 complaint inquiry descriptions say such things as that
3 they're now threatening disconnection if the residents
4 don't pay drastically higher rates. I believe he's
5 perfectly entitled to inquire whether or not your witness
6 saw actual documentation of that or whether he was told
7 that. I think that that's a valid question. So I'll
8 allow Mr. Blevins to ask that question.

9 BY MR. BLEVINS:

10 Q. Did you see those documents, those threatening
11 documents?

12 A. I've seen documents that terminate the
13 customers' rights.

14 JUDGE CLARK: I don't think that answered the
15 question. I guess the question, as I understand it, is
16 in regard to this particular complaint, is that
17 information about threatening disconnection, was that
18 reported to you or did you see, did you see actual
19 evidence of that?

20 THE WITNESS: Reported.

21 JUDGE CLARK: Thank you.

22 BY MR. BLEVINS:

23 Q. To your knowledge and investigation, was there
24 any water turned off, disconnected based on those
25 threatening?

1 JUDGE CLARK: When you can see he's thinking
2 about answering a question, please let him answer the
3 question before you continue.

4 MR. BLEVINS: Thank you.

5 **THE WITNESS: No.**

6 BY MR. BLEVINS:

7 Q. Okay. I think I'll go to No. 2 at the present
8 time.

9 JUDGE CLARK: Do you mean Exhibit 2?

10 MR. BLEVINS: Exhibit 2.

11 BY MR. BLEVINS:

12 Q. It says link consumer comments. I guess
13 there's -- How did you investigate this particular, I
14 don't know, a complaint? It's a link complaint I guess.

15 JUDGE CLARK: These appear to be comments.

16 MR. BLEVINS: Appears to be, yes, sir.

17 BY MR. BLEVINS:

18 Q. Did you discuss these comments with --

19 JUDGE CLARK: Don't say a name.

20 MR. BLEVINS: Right.

21 JUDGE CLARK: With the customer.

22 BY MR. BLEVINS:

23 Q. -- with the customer?

24 **A. This particular customer?**

25 Q. Well, it looks like there may be two or three

1 different customers, two different. This one is on the
2 first page there. It says see attachments.

3 **A. I have not spoken to this particular customer.**

4 Q. Okay. How did you obtain this then in your
5 investigation?

6 **A. These are public comments provided to the PSC
7 from the customers.**

8 Q. And in your investigation, do you know why it
9 was prompted to you that way?

10 JUDGE CLARK: Can you clarify that? I don't
11 think I understand the question.

12 BY MR. BLEVINS:

13 Q. I guess the question would be what prompted
14 this to be part of your investigation and you had no
15 discussion with the customer?

16 **A. The PSC takes public comments from customers.**

17 Q. You don't question that back at all in your
18 investigation?

19 **A. Could you clarify, sir, please?**

20 Q. Do you question the comments back to the
21 customer when you receive these?

22 **A. Do we question the comments?**

23 Q. Yes.

24 JUDGE CLARK: When you receive a comment, do
25 you follow up on the comments to obtain further

1 information in regard to the comment?

2 **THE WITNESS: Generally, yes.**

3 BY MR. BLEVINS:

4 Q. Did you converse with this customer?

5 A. **With this particular customer?**

6 Q. Yes.

7 A. **No, sir.**

8 Q. Did you converse with the owner of the water
9 well about this particular situation, this comment?

10 A. **I was unable to determine who owns the water
11 well.**

12 Q. On the second page. I don't see a number.
13 Consumer comment P202302172. Consumer comment there, did
14 you converse -- how did you receive that particular
15 comment?

16 A. **Customers can make comments to the PSC.**

17 Q. What prompted that in your own investigation
18 process?

19 A. **This customer was not satisfied with their
20 service.**

21 MS. KERR: Judge, if I could just clarify.
22 These were comments that were just submitted on the
23 public comment form by customers in the complaint case.
24 These weren't complaints filed specifically with the PSC
25 Staff. I don't know if that --

1 JUDGE CLARK: You're telling me that these are
2 comments made through the website?

3 MS. KERR: Correct.

4 JUDGE CLARK: They were offered as part of your
5 witness's testimony. He's entitled to follow up as to
6 whether anything was done with them.

7 MS. KERR: Correct, I'm not --

8 JUDGE CLARK: Which, I believe, is what you're
9 doing. Were you just offering that for clarity?

10 MS. KERR: Yes.

11 JUDGE CLARK: Thank you very much. I
12 appreciate that. I'm sorry. I mistook that for an
13 objection.

14 MS. KERR: NO.

15 BY MR. BLEVINS:

16 Q. In your investigation of that, did you talk
17 with any other party, the owner of the well or any more
18 conversation with this party?

19 A. I've spoken to several customers. I've also
20 spoken with you who claimed to provide water service. I
21 have not been able to --

22 Q. About this customer right here, about this?

23 A. About that particular customer?

24 Q. About this comment right there on that page?

25 A. Spoken with you?

1 Q. Yes. Did you speak with me?

2 A. **With that particular customer, no.**

3 Q. Thank you. The next page I don't see numbers.

4 JUDGE CLARK: We're talking about this was an
5 email to counsel, is that correct, to Ms. Kerr?

6 MR. BLEVINS: Yes, I guess so. That's the page
7 at the top there.

8 JUDGE CLARK: That was set for identification
9 purposes so you may ask about it.

10 MS. KERR: This was also on the -- All three of
11 these were on the public comments on the website.

12 MR. BLEVINS: Well, the information received.

13 JUDGE CLARK: Wait a second. I can see the
14 ones that are made. Was this an attachment? I can see
15 the ones that are comments. I can see that this is an
16 email where it appears they emailed their comment
17 directly to you; is that correct?

18 MS. KERR: Yes, but that email was attached to
19 a comment that was filed on the website. If you go on
20 the website, that's what it prints up as.

21 JUDGE CLARK: That's just another submitted
22 comment?

23 MS. KERR: Right, right. I circled the three
24 customer consumer comments and those were attached to
25 them.

1 JUDGE CLARK: These were attached to them.

2 Okay.

3 MS. KERR: The first page is the table of
4 contents, the cover page.

5 JUDGE CLARK: I found it. Mr. Blevins, the
6 longer ones appear to be comments that were attached to
7 the individual consumer comments that were submitted
8 through the website.

9 MS. KERR: Correct.

10 BY MR. BLEVINS:

11 Q. My question would be attached to those consumer
12 comments, then what did you do to investigate that? You
13 submitted it for evidence of some sort. How did you
14 investigate that particular -- these comments that were
15 received then?

16 A. I spoke with customers.

17 Q. Did you speak with the owner? Did you speak
18 with the owner or myself, for example, I guess?

19 A. The owner of?

20 Q. The water wells is what they're talking about
21 here. This is on the Corvair.

22 A. It's been difficult to tell for sure who owns
23 the wells. I've spoken to you about your relationship
24 with customers.

25 Q. Did you speak with me about this particular

1 situation, this comment? I don't recall that at all.

2 **A. With that customer.**

3 Q. Did you speak with me about this?

4 **A. With this particular customer?**

5 Q. Yes.

6 **A. No, sir.**

7 Q. Okay. Wouldn't you think to investigate
8 something thoroughly that you would indulge to talk with
9 other people besides just maybe the complainant to
10 validate maybe what's being said in these comments or not
11 validate it?

12 **A. I don't know.**

13 Q. You don't know. Okay. In this particular
14 comment it said that --

15 JUDGE CLARK: Would you identify the comment
16 for me?

17 MR. BLEVINS: The one that has the email
18 Carolyn Kerr at the top.

19 JUDGE CLARK: Thank you.

20 BY MR. BLEVINS:

21 Q. It indicated here that experienced water
22 outages of seven to ten days without water. Was that
23 confirmed maybe or not confirmed in your investigation?

24 **A. This is based on what customers have told the**
25 **PSC.**

1 Q. Do you believe everything that customers tell
2 you without investigating it?

3 A. No.

4 Q. How did you investigate this then, Mr. Stamp?

5 A. There have been an abundance of customer
6 complaints from your customers and I've investigated a
7 pretty high volume of them.

8 Q. High volume. How many?

9 A. Like how many of your customers have I spoken
10 to?

11 Q. You just said that you had a high volume of
12 customers complaining about me I guess; is that right?

13 A. Yes, sir.

14 Q. How many is abundance?

15 A. Between 30 and 40 maybe.

16 Q. If you had that many, would you have contacted
17 me, for example, and talked with me about those 30 or 40
18 complaints that you allude to there?

19 A. We met with you, Mr. Blevins.

20 Q. Did we talk about 30 or 40 complaints?

21 A. We spoke about them as a larger issue.

22 Q. What is a larger issue?

23 A. The high amount of complaints that we were
24 receiving from your customers.

25 Q. Have you provided those complaints in writing

1 somewhere?

2 **A. I'm afraid I don't understand the question,**
3 **sir.**

4 **Q. You said you had 30 or 40 complaints. Did you**
5 **provide those 30 or 40 complaints to me in writing or in**
6 **a form so I could retort to it or answer to it or see**
7 **what the complaint really was? Did you do that?**

8 **A. They're available for public viewing.**

9 **Q. Do you have them?**

10 **A. We have some here.**

11 **Q. You have 30 or 40 complaints there?**

12 **A. In front of me?**

13 **Q. Yes.**

14 **A. No, sir. That was including the phone calls**
15 **I've gotten, the discussions I've had with customers at**
16 **hearings, face-to-face visits at their houses.**

17 **Q. But in your investigation, how far did you**
18 **investigate those complaints then? Maybe that's what I'm**
19 **asking you or can you answer that question? How far did**
20 **you investigate to find out if those 30 or 40 complaints**
21 **that you're now referring to was valid or invalid?**

22 **A. I spoke with customers and visited sites**
23 **myself.**

24 **Q. Well, in reference to customer comment**
25 **P202302151, again, that's just a customer comment, how**

1 did you investigate that since it's been provided here
2 and seems to have some value? How did you investigate
3 that in I guess the next page it's part of that; is that
4 correct?

5 MS. KERR: Yes.

6 JUDGE CLARK: Please let the witness answer the
7 question.

8 **THE WITNESS:** Could you repeat the number,
9 please, which one you're referring to.

10 BY MR. BLEVINS:

11 Q. It's P202302151.

12 A. Okay.

13 Q. How did you investigate that comment along with
14 apparently a letter that was I guess provided by the
15 customer?

16 A. I have not spoken to this particular customer.
17 It's consistent with the same complaints that we received
18 from multiple customers.

19 Q. So this is entered as evidentiary to what
20 you're providing, you're believing what they say? How
21 did you investigate if you didn't speak to them at all?

22 A. I've spoke with several customers and yourself.

23 Q. Did you speak with this customer?

24 A. This particular customer?

25 Q. Yes. Did you speak with this particular

1 customer?

2 **A. No.**

3 Q. Okay. Do you think maybe you should have? Is
4 there a reason why you didn't?

5 **A. That complaint is very consistent with a lot of**
6 **the complaints that we received from your customers.**

7 Q. A lot of these complaints. I've yet to see a
8 lot of these complaints. Are there more than what we're
9 looking at right now?

10 **A. Yes.**

11 Q. Can you provide them? I've not been provided
12 with them.

13 **A. At this moment, no.**

14 Q. How about in the past? They have not been
15 provided in the past that I'm aware of. You apparently
16 put this in these exhibits here to be considered. I'm
17 just trying to determine just how well did you do your
18 investigation?

19 JUDGE CLARK: Is there a question somewhere in
20 there?

21 BY MR. BLEVINS:

22 Q. Well, I guess the question would be what did
23 you investigate to be able to put this document here as
24 evidence?

25 MS. KERR: It's been asked and answered, and

1 the evidence has been entered into evidence.

2 JUDGE CLARK: I was actually just going to get
3 to that. Mr. Blevins, we're kind of hitting you seem to
4 be -- we seem to be asking the same question of each of
5 these comments. If that's what we're getting to.

6 Mr. Stamp --

7 **THE WITNESS: Yes, sir.**

8 JUDGE CLARK: -- in regard to the comments made
9 through the website in regard to these comments, did you
10 personally talk to any of these customers in Exhibit 2?

11 **THE WITNESS: Personally myself with these**
12 **particular customers, no, sir.**

13 JUDGE CLARK: I think that follows up with what
14 you were saying. I think you've established what you
15 wanted to establish in regard to this exhibit. I'll also
16 remind you that this exhibit was offered and you had
17 every opportunity to object to it and you chose not to.
18 So it was admitted on the hearing record. You're
19 absolutely allowed to do that. You're absolutely allowed
20 to ask questions about it such as you did that go to
21 weight and veracity. But again, you did not object.

22 MR. BLEVINS: No, sir, I didn't object.

23 BY MR. BLEVINS:

24 Q. Okay. I guess Exhibit No. 3 it's a photo.
25 Taking another well in the system that's similar to this

1 --

2 JUDGE CLARK: Say that again.

3 BY MR. BLEVINS:

4 Q. Taking another well that might be similar to
5 this, does this measure up to another well maybe in the
6 -- with your knowledge and the investigation of different
7 wells like the wiring that's put in there by a well
8 certified individual?

9 JUDGE CLARK: I don't understand the question.

10 MR. BLEVINS: Was that you? I'm sorry. Who
11 said that?

12 JUDGE CLARK: Me. I'm not sure what you're
13 asking. You said is this comparable to other wells. Is
14 that the question?

15 MR. BLEVINS: Yes. Is this comparable to any
16 other well that --

17 JUDGE CLARK: Wells you own or wells that they
18 investigated or wells in systems across Missouri?

19 MR. BLEVINS: This is in reference -- My
20 question is in reference to your investigation. You took
21 pictures or provided this picture which has been in there
22 for about 20 years that way. Does that meet with the
23 normal or abnormal? Is that normal well?

24 THE WITNESS: I think that would be a matter of
25 opinion, sir.

1 BY MR. BLEVINS:

2 Q. Your opinion then. Okay. All right. Okay.
3 I'll go to No. 4, please, Exhibit No. 4. Let me look at
4 it a second, please. Have you been to this well in
5 Exhibit No. 4?

6 A. Yes.

7 Q. Did you see a door on the well?

8 A. Did I see a door on the well?

9 Q. Did you see a door on the well? You indicated
10 that the wellhouse was left open or open or didn't have a
11 door. Did you see a door there?

12 A. When I visited the well, the door was closed.

13 Q. The door was closed. Okay. Can you tell me
14 why the comment, one of the comments that I remember here
15 is that there was no door or the door was open. It's
16 open when you took the picture. You didn't take these
17 pictures though, did you?

18 A. No, sir.

19 Q. Okay.

20 JUDGE CLARK: Just to clarify, you did visit
21 this well and there was a door on it when you visited?

22 THE WITNESS: That's correct.

23 BY MR. BLEVINS:

24 Q. It says here that the wellhouse is in disrepair
25 and the door has been off for months. Did you

1 investigate that, that the door had been off for months?

2 **A. No, sir. That is a claim made by a customer.**

3 Q. Thank you. Okay. I'd like to go to Exhibit
4 No. 5, please. It's a document that says Dear Water
5 Customer. How did you determine this? Did you determine
6 this to be a billing or what did you determine that
7 document really was in your investigation?

8 **A. It appears to be a water bill.**

9 Q. Appears to be a water bill. When I look at the
10 document, I know the document because I signed it. It's
11 not a water billing.

12 JUDGE CLARK: Mr. Blevins, you'll have an
13 opportunity to testify. - Right now I'm going to ask you
14 to limit yourself to asking questions rather than
15 providing your own testimony about exhibits.

16 MR. BLEVINS: I'm sorry. Thank you.

17 BY MR. BLEVINS:

18 Q. These documents, Mr. Stamp, do you consider all
19 of them billings in your investigation? What did you
20 consider those documents to be?

21 **A. No, sir, they're various documents in here.**

22 Q. How about the document from starts out as of
23 September of this year 2022? What do you consider that
24 document in your investigation?

25 **A. I believe this is a notice to customers of the**

1 systems that have been enrolled in DNR's PWS system that
2 they are now on such.

3 Q. Did you find that to be a derogatory document
4 or an informative document?

5 JUDGE CLARK: What do you mean derogatory
6 document?

7 MR. BLEVINS: Something that's bad maybe. I
8 don't know. These documents are in these exhibits.

9 JUDGE CLARK: I understand. I'm thinking of
10 what you're saying. I'm thinking it probably ought to be
11 two questions. Why don't we start with what is this
12 document, which I believe he's answered.

13 MR. BLEVINS: What do you consider this --

14 JUDGE CLARK: And does he have an opinion of
15 this document. He may or may not have one.

16 BY MR. BLEVINS:

17 Q. What is your opinion of that document, this
18 document?

19 A. I do not have an opinion of it. However, I've
20 had a chance to read through it. I flipped over to the
21 other side here. It also appears that because they're
22 going to be enrolled in the DNR system that you will now
23 need to increase rates to those customers.

24 Q. Would you consider that a billing then in your
25 investigation or not a billing, just information?

1 **A. I guess I would call it a notice followed by a**
2 **rate increase.**

3 Q. Okay. The next document it says Agreement to
4 Furnish Water. Can you tell me what your investigation
5 tells you what that document really means in your
6 investigation?

7 **A. Yes, sir. That you will be charging this**
8 **customer for water service.**

9 Q. The amount that's being charged on this here as
10 you say in your investigation, is that in excess of some
11 other charge or not?

12 JUDGE CLARK: What do you mean in excess of
13 some other charge?

14 BY MR. BLEVINS:

15 Q. I guess my question redone would be is the \$55
16 per month fee, a flat rate fee, is it excess of the cost
17 or expenses?

18 **A. I do not have access to that information, your**
19 **expenses.**

20 Q. Have you ever seen an agreement like that where
21 basically it says that somebody provides water and the
22 other party pays for the water at that particular rate?
23 Have you ever seen any other documents like that anywhere
24 else in your investigations?

25 **A. It appears to be a water bill.**

1 Q. You consider that a water billing?

2 A. Yes.

3 Q. In the next item I would have maybe a question
4 about it. Let me identify it. It's dated January 9,
5 2023, which is a notice to a customer. In your
6 investigation, what did you determine that document to
7 be?

8 A. Sir, could you be more specific which document
9 this is?

10 Q. It's the one document dated January 9, 2023.

11 JUDGE CLARK: What's it say at the top?

12 MR. BLEVINS: It has my name at the top, Travis
13 Blevins.

14 THE WITNESS: Okay. I have one from December.

15 MR. BLEVINS: Can I give him the address?

16 JUDGE CLARK: No. Are you talking about the
17 notice of change?

18 MR. BLEVINS: No, sir.

19 JUDGE CLARK: Which one are you talking about?
20 Here's the documents that I've got. Let's start from the
21 back because we're closer to that. I've got one that
22 says at the top two occupant owner.

23 MS. KERR: I believe it's the one right before
24 that.

25 JUDGE CLARK: Okay. It's very difficult to

1 read your name at the top. Do you have the document in
2 front of you now?

3 **THE WITNESS: Yes, sir.**

4 **MR. BLEVINS: The one dated January 9, 2023?**

5 **JUDGE CLARK: Yes.**

6 **THE WITNESS: I do, yes.**

7 **BY MR. BLEVINS:**

8 Q. What did you consider that document to be in
9 your investigation?

10 A. It's difficult to read, but it appears to be a
11 past due bill notice.

12 Q. It's a notice. Okay. Do you consider that
13 being a threat?

14 A. I consider it a notice of the customer having
15 not paid you for water service.

16 Q. Okay. Thank you. The next document is to the
17 occupant owner in reference water wells transfer. Can
18 you tell me in your investigation what you consider that
19 document to be?

20 A. Yes. This is a notice to customers that you,
21 Mr. Blevins, will now be providing water service because
22 you apparently now own the wells that provide their
23 service.

24 Q. Okay. Go to Exhibit No. 6, please. There's
25 just a lot of stuff on this or a lot of comments, et

1 cetera. It's difficult at best to probably even
2 interpret from my viewpoint what's really here,
3 Mr. Stamp. But some of the -- Some of the items on it
4 here, if we can go back to listings on page number --
5 well, I guess the second page or the third page actually.
6 It shows the well, the connections, location, DNR, PWS
7 and the well owners. And specifically did you
8 investigate and write those, put those together?

9 **A. Yes.**

10 Q. Okay. Where it says MW21, you show the owner
11 there. On MW22, 23 and 24 you show a different owner.
12 Did you look at the deed?

13 **A. I searched Pulaski County property records.**

14 Q. And what date was that? Do you remember?

15 **A. I searched on a near weekly basis for almost a**
16 **year now.**

17 Q. Have you determined any transfers of deeds?

18 **A. Yes.**

19 Q. And what was the transfer dates specifically
20 for the MW22, 23 and 24, for example?

21 **A. There was no transfer. They appear as under**
22 **the old owner.**

23 Q. How many different -- In your investigations
24 that you do for ownership, how many different type of
25 documents do you ever see in your investigations as far

1 as ownership or control of that nature, possession? Am I
2 making my question clear or not?

3 **A. Could you clarify, please.**

4 Q. Yes. Do you think a contract of sale would be
5 an ownership document?

6 **A. Not necessarily.**

7 Q. What would you call it then? What would you
8 determine it to be if you had a contract for sale?

9 **A. I would refer to it as a contract for sale.**

10 Q. Ownership?

11 **A. Not necessarily.**

12 Q. Is it a recorded document or a not recorded?
13 Would you consider that an ownership? Is that a
14 determining factor in your investigation as what
15 ownership is?

16 MS. KERR: Objection. He's asking him to make
17 a legal determination.

18 JUDGE CLARK: As to ownership?

19 MS. KERR: As to what the document, what the
20 legal determination of the document is, what the legal
21 function of that document is.

22 MR. BLEVINS: Do I need to rephrase that?

23 JUDGE CLARK: Hold on just a second,
24 Mr. Blevins. You're asking him whether that document
25 implies ownership?

1 MR. BLEVINS: Yes. In his investigation.

2 JUDGE CLARK: I'm going to overrule the
3 objection. You can answer, if you know.

4 **THE WITNESS: I don't know.**

5 BY MR. BLEVINS:

6 Q. Did you try to investigate any further other
7 than the courthouse, for example, when you say you
8 checked the county records? Did you try to investigate
9 anything else for ownership or did you just let it go at
10 that?

11 **A. I investigated Pulaski County records.**

12 Q. Just the records. In order to do that, it has
13 to be recorded; is that correct?

14 JUDGE CLARK: In order to do what?

15 MR. BLEVINS: Pardon, sir?

16 JUDGE CLARK: You said in order to do that. In
17 order to do what?

18 MR. BLEVINS: To check the ownership at the
19 county. If you're going to check the ownership only at
20 the county, there are other forms of ownership, but you
21 did not investigate that; is that correct or not correct?
22 Did you do any other investigations besides just the
23 courthouse per records that have been recorded like a
24 deed, a fee simple deed? Did you do any other type of
25 investigation?

1 JUDGE CLARK: You've asked the question a
2 number of times. Please let him answer the question
3 instead of asking it a number of different ways.

4 **THE WITNESS: I investigated Pulaski County**
5 **property records and requested records from you.**

6 BY MR. BLEVINS:

7 Q. I think it was mentioned during the time of
8 this particular exhibit about the lack of inconsistency.

9 MS. KERR: Which exhibit are we talking about?

10 MR. BLEVINS: Exhibit No. 6.

11 MS. KERR: Okay. Thank you.

12 BY MR. BLEVINS:

13 Q. Lack of inconsistency. Could you explain what
14 you really mean about that during this memorandum that's
15 Exhibit 6?

16 A. **Could you clarify the question, sir?**

17 Q. Well, lack of inconsistency as to maybe my
18 service. Is that what this refers to?

19 A. **A lack of inconsistency.**

20 Q. Yes. What do you mean by inconsistency? Of
21 what?

22 A. **I think you're referring to PSC Staff's**
23 **reference to the way you bill your customers.**

24 Q. Do you have a billing document? Do you have a
25 billing document?

1 **A. The documents we reviewed earlier appear to be**
2 **water bills.**

3 **Q. That's your opinion?**

4 **A. Yes.**

5 MR. BLEVINS: I have no further questions, sir.

6 JUDGE CLARK: Thank you. Normally at this
7 point I would ask for Commission questions and then maybe
8 some bench questions, but we've been going for about two
9 hours plus and it's 1:12. I think we're going to take
10 about 45 minutes for lunch at this point, a little more
11 than that. Why don't we all come back -- We'll recess
12 until two o'clock. We'll recess until two o'clock and
13 we'll go off the record.-

14 (A lunch recess was taken.)

15 JUDGE CLARK: Okay. It's two o'clock so why
16 don't we go back on the record.

17 Mr. Stamp, if you'd retake the witness stand.
18 I'll remind you you're still under oath.

19 WITNESS ADAM STAMP RESUMED THE STAND.

20 JUDGE CLARK: At this time I'll ask if there
21 are any questions from the Commission for this witness?
22 I hear none at this point. I have a few questions for
23 you, Mr. Stamp. So why don't we start with those.

24 QUESTIONS

25 BY JUDGE CLARK:

1 Q. I've heard Mr. Blevins say that Misty Water
2 Works is a fictitious name. And the Petition references
3 the Blevins and Misty Water Works. The Misty Water
4 Works, is that just the Blevins' or is that in some way a
5 separate entity?

6 A. **Mr. Blevins and employees.**

7 Q. What do you mean when you say employees? How
8 many employees does Mr. Blevins have, to your knowledge?

9 A. **I can't say for sure.**

10 Q. Are you aware of any employees Mr. Blevins has?

11 A. **Yes.**

12 Q. And what employee is that?

13 A. **Secretaries when I met with him at his office.**

14 **Customers also talk of several different people who do**
15 **service work on these wells.**

16 Q. So anecdotally you're familiar?

17 A. **Yes.**

18 Q. Have you met any of the employees yourself?

19 A. **A secretary.**

20 Q. Now, you indicated in your testimony that not
21 all of these systems are regulated by DNR; is that
22 correct?

23 A. **Yes, sir.**

24 Q. And currently none by the PSC?

25 A. **Correct.**

1 Q. You indicated that there were three systems
2 that DNR regulates; is that correct?

3 A. **That's correct.**

4 Q. And those would be Charity PWS, Misty Mountain
5 and Rolling Hills PWS?

6 A. **Correct.**

7 Q. Those are systems that are owned by Mr. Blevins
8 or Mr. Blevins and his wife; is that correct?

9 A. **I don't know.**

10 Q. You don't know if they own those systems?

11 A. **Correct.**

12 Q. Why do you not know if they own those systems?

13 A. **Based on my search of Pulaski County records,**
14 **it shows that there could be other owners of those wells.**

15 Q. Did you ask Mr. Blevins if he owns those
16 systems?

17 A. **I did.**

18 Q. Did Mr. Blevins indicate that he did or did
19 not?

20 A. **He's made it seem as though he does.**

21 Q. But he hasn't outright said he does?

22 A. **No.**

23 Q. To the best of your knowledge, how many wells
24 does Mr. Blevins own?

25 A. **I can confirm probably three or four based on**

1 **Pulaski County records.**

2 Q. How many times have you discussed -- Have you
3 only met with Mr. Blevins once?

4 A. Yes.

5 Q. What information did you request from
6 Mr. Blevins?

7 A. Customer lists, ownership records, anything
8 else associated with applying for a CCN with the PSC.

9 Q. Was Mr. Blevins forthcoming with records he
10 had?

11 A. Yes.

12 Q. Was Mr. Blevins cooperative?

13 A. I would say so, yes.

14 Q. Is the only reason that the Commission -- that
15 you're unable to answer some of these questions is
16 because the information just wasn't available?

17 A. Yes, sir.

18 Q. So Mr. Blevins' records were incomplete?

19 A. Yes, sir.

20 Q. What did Mr. Blevins show you that indicated he
21 owned wells?

22 A. Most of my research was through Pulaski County.
23 Mr. Blevins did submit some various documents with his
24 CCN application, documents that showed maybe some
25 easements or there might have been a deed. There was a

1 deed.

2 Q. To the best of your knowledge, how many -- To
3 the best of your knowledge, how many total connections
4 are there in the Blevins' systems?

5 A. All systems, sir?

6 Q. Why don't we start with that, yes.

7 A. When my investigation started, it would have
8 been about 100. Currently, probably around half that.

9 Q. Mr. Blevins had said in his opening that he had
10 sold a number of wells and was down to 65 customers. Do
11 you have reason to disagree with that?

12 A. No, sir.

13 Q. What exactly is Staff asking for here, and I'm
14 going to clarify that because it's just a little
15 confusing to me, is Staff, because I mean some of these
16 are regulated by DNR and some of these are not and none
17 of these are regulated by the PSC, so are you asking that
18 all of Mr. Blevins' wells be placed under receivership?

19 A. Yes.

20 Q. And that would be inclusive of the ones that
21 are not regulated by DNR?

22 A. Yes.

23 Q. Why?

24 A. Because he is responsible for providing water
25 service to these people and he has not done so safe and

1 **adequately.**

2 Q. Bear with me for just a moment. I need to
3 think for just a second. How many wells have you
4 personally visited?

5 A. I believe 18.

6 Q. Are you talking about 18 total in your career
7 or 18 in this case?

8 A. Oh, in this case, Mr. Blevins' wells.

9 Q. So you visited 18 of those wells?

10 A. Yes, sir.

11 Q. And of those 18 wells, how many do you believe
12 were substandard?

13 A. Half.

14 Q. So approximately nine wells were substandard?

15 A. Yes.

16 Q. Now, there was a well -- Now, these wells, they
17 serve confined areas, right?

18 A. Yes, sir.

19 Q. Why not just request receiverships for the nine
20 wells that are substandard?

21 A. Because this case is not just about substandard
22 well construction. It's also about poor business
23 practice.

24 Q. Can you elaborate?

25 A. Yes, sir. Inconsistent billing, lack of

1 **response when problems arise.**

2 Q. Does Mr. Blevins have a dedicated customer
3 service number?

4 A. **Yes.**

5 Q. And how is that customer service number manned?

6 A. **By himself, I believe.**

7 Q. Does that customer service number go to his
8 personal phone or to a business phone or do you know?

9 A. **I do not know.**

10 Q. You had expressed and provided a number that
11 they're billing inconsistencies between different wells.
12 What do you mean by that?

13 A. **By that I mean that customers on the same**
14 **system, neighbors for example, may be charged different**
15 **rates for the same service.**

16 Q. Within the same system?

17 A. **Correct.**

18 Q. Is that variation due only to one neighbor may
19 have a pool or livestock and the other may not?

20 A. **According to customers, no.**

21 Q. What do -- Do you know what the inconsistencies
22 are based on?

23 A. **Customers claim that it's due to whether he**
24 **likes you or not.**

25 Q. Now, you indicated you've spoken to 30 or 40

1 customers actually.

2 **A. Or heard from them at public hearings, yes,**
3 **sir.**

4 Q. Where you were present?

5 **A. Yes.**

6 Q. Have customers expressed to you personally that
7 they've been without water for periods of time?

8 **A. Yes, sir.**

9 Q. Now, I hear the term E. coli come up at one
10 point in the introduction to this. Are you the witness
11 for that or is that DNR?

12 **A. DNR, sir.**

13 Q. Thank you. Roughly how many customers that you
14 talked to expressed that they had outages?

15 **A. It's been a common complaint. I don't know**
16 **that I could put a number on it.**

17 Q. More than five?

18 **A. Yes.**

19 Q. Are you aware of any upgrades that Mr. Blevins
20 has made to wells?

21 **A. No.**

22 Q. Is Mr. Blevins holding himself out as a water
23 company?

24 **A. Sir, could you clarify holding himself out?**

25 Q. Is he presenting himself as a water utility?

1 **A. I believe so.**

2 Q. What makes you think that?

3 **A. The fact that he gives customers water bills.**

4 Q. Has Mr. Blevins expressed to you that there are
5 wells that he provides water to customers from but does
6 not own?

7 **A. No.**

8 Q. Now, you had indicated in your testimony that
9 Staff thinks that there are wells that he does not own
10 that he is providing water from; is that correct?

11 **A. Yes, sir.**

12 Q. What leads Staff to believe that?

13 **A. Lack of proof of ownership.**

14 Q. Have you discovered any other owners of any of
15 the wells that you investigated in this case?

16 **A. Discovered as in names?**

17 Q. Yes.

18 **A. Yes, sir.**

19 Q. Have you talked to that -- or those
20 individuals?

21 **A. No.**

22 Q. Now, you indicated that this -- I'm running --
23 My questions have some assumptions built into the
24 question. If the assumptions are wrong, let me know.

25 **A. Okay.**

1 Q. This Staff's investigation was started by a
2 contact from DNR; is that correct?

3 A. That's correct.

4 Q. What was the nature of that contact?

5 A. They were concerned that a well was
6 contaminated with bacteria and that Mr. Blevins was not
7 rectifying the issue.

8 Q. And what well was that?

9 A. That was the Topo Drive well on the Misty
10 Mountain public water system.

11 Q. And when did DNR contact the Commission?

12 A. December of 2022.

13 Q. Do you know when the first boil order was
14 placed or is that a question for DNR?

15 A. It is, but I believe it was in August of 2022.

16 Q. And I believe you said that that stayed in
17 effect for eight months until the well failed?

18 A. Yes, sir.

19 Q. When you say the well failed, what do you mean?

20 A. Structurally, specifically, sir, the pitless
21 adapter came apart.

22 THE COURT REPORTER: I'm sorry. Could you
23 repeat that answer.

24 THE WITNESS: Structurally the well itself
25 failed. The pitless adapter disconnected and came apart

1 and the well --

2 THE COURT REPORTER: I'm sorry?

3 THE WITNESS: The pitless and the well is no
4 longer usable.

5 BY JUDGE CLARK:

6 Q. I'm not a technical person so bear with me.
7 Why is that? Why can't it be used again?

8 A. The well is unable to move water into its
9 distribution system because the connection has been
10 severed.

11 Q. Now, upon being contacted by DNR where they
12 expressed concerns about the Topo well, what did Staff do
13 in regard to that contact?

14 A. Staff began to speak with customers of that
15 well.

16 Q. Did Staff speak with Mr. Blevins about
17 rectifying anything with the well?

18 A. Most of those particular interactions were
19 between Mr. Blevins and DNR.

20 Q. Is the Topo well within -- Which system is that
21 within as you're dividing them up?

22 A. That is the Misty Mountain system.

23 Q. Have you looked at wells within the Charity PWS
24 system?

25 A. I have.

1 Q. And were any of those wells substandard?

2 A. There have also been bacteria issues in a few
3 of those wells.

4 Q. What about the Rolling Hills public water?

5 A. Other than it's likely serving more connections
6 than it was designed for, no specific issues.

7 Q. Did you, and I may have asked this another way,
8 I apologize if I have, did you ever request from
9 Mr. Blevins a list of wells that he owns or partially
10 owns?

11 A. I requested from Mr. Blevins a list of wells
12 that he was using to provide water service and charge for
13 water service.

14 Q. So you requested a list of wells he was
15 operating?

16 A. Correct.

17 Q. And did he provide you with a list of wells
18 that he was operating?

19 A. Yes, sir.

20 Q. How many wells were on that list?

21 A. I believe it was 19.

22 Q. In regard to these systems, do you know like if
23 I was to ask you about the Charity public water supply or
24 the Charity system, do you know how many wells are on
25 that system?

1 A. **Yes, sir.**

2 Q. How many?

3 A. **Four.**

4 Q. And Misty Mountain?

5 A. **Currently or previously?**

6 Q. Let's do both.

7 A. **When our investigation started, it would have**
8 **been five.**

9 Q. And how many now?

10 A. **One failed as inoperable, the other Mr. Blevins**
11 **sold, so it would currently be three.**

12 Q. And Rolling Hills?

13 A. **One.**

14 Q. Now, you indicated that Rolling Hills had too
15 many connections. How many connections are attached to
16 the Rolling Hills well?

17 A. **I believe it's somewhere between 16 and 19, but**
18 **I am not positive.**

19 Q. What's an appropriate number of connections?

20 A. **I cannot be certain, but this is likely a**
21 **residentially constructed well which means it would not**
22 **be adequate to feed that many connections. It would need**
23 **to be less than that.**

24 Q. What's the danger then?

25 A. **Lack of water, specifically very low pressure**

1 **which we've received complaints about.**

2 Q. How many connections -- Are you aware of how
3 many connections there are on the Charity system?

4 **A. An exact number, no, sir.**

5 Q. What about the Misty Mountain system?

6 **A. Both of those are probably around between 20**
7 **and 30.**

8 Q. How many connections are not, to the best of
9 your knowledge, part of those three systems or, in other
10 words, how many connections are not currently regulated
11 by DNR?

12 **A. Probably around 20 to 25.**

13 Q. When you went over Mr. Blevins' records, was
14 that at his office or was that here at the PSC or
15 somewhere else?

16 **A. Mostly here at the PSC, but we did go over some**
17 **things at his office.**

18 Q. How would you describe how his records were
19 kept?

20 **A. Difficult to understand.**

21 Q. Can you elaborate on that for me? I mean, why
22 were they difficult to understand? You said handwritten
23 on some of them. I mean, were they organized? Were they
24 in the file cabinet? Were they?

25 **A. I would say unorganized, not legible.**

1 Q. Did you ask -- When you visited Mr. Blevins'
2 office, did you ask him for information while you were
3 there?

4 A. Yes.

5 Q. Did Mr. Blevins have difficulty finding the
6 information?

7 A. No.

8 JUDGE CLARK: Those are all the questions I
9 have right now. Are there any questions from either of
10 the parties based upon bench questions? In other words,
11 based upon my questions, Mr. Blevins, do you have any
12 questions?

13 MR. BLEVINS: No questions, Judge.

14 JUDGE CLARK: Any redirect from Staff?

15 MS. ASLIN: Yes, thank you.

16 REDIRECT EXAMINATION

17 BY MS. ASLIN:

18 Q. I'm going to go back to our exhibits that
19 Mr. Blevins asked you about. He asked you about
20 documentation regarding billing practices and actual
21 bills. Would you say the fact that we don't have much of
22 that, is that part of the problem in this case and why we
23 are requesting a receiver?

24 A. Yes.

25 Q. Also, have you heard from customers who have

1 received, I would guess I would call them verbal bills or
2 verbal threats of disconnect?

3 **A. Yes.**

4 Q. So we would not have paper records of those,
5 correct?

6 **A. Correct.**

7 Q. Are the complaints in Exhibit 1 notes from
8 calls that Staff received or Staff made?

9 **A. Calls that came into Staff's call center, yes.**

10 Q. And were those complaints in Exhibit 1, were
11 those part of the catalyst to investigate Mr. Blevins'
12 utility operation as a whole?

13 **A. That's correct.**

14 Q. As opposed to investigate a specific customer's
15 concern?

16 **A. Yes.**

17 Q. Do you recall Mr. Blevins asking you about well
18 ownership?

19 **A. No.**

20 Q. Moving on to Exhibit 2, which is public
21 comments, does Staff perform a full investigation in
22 response to all public comments, a full investigation
23 that perhaps you might do in a complaint case or would
24 it?

25 **A. Staff follows up with every complaint that**

1 comes through the PSC.

2 Q. But a specific public comment or call, would
3 that follow-up process be different than if an informal
4 or formal complaint came into the PSC?

5 A. Yes.

6 Q. Even if you're not conducting a full
7 investigation, would a group of concerning comments or
8 calls lead to an investigation of a utility?

9 A. Yes.

10 Q. And I think we already addressed this, but this
11 would be different than in a consumer complaint where we
12 would attempt to investigate and verify information about
13 a particular customer's problem with a utility, correct?

14 A. Yes.

15 Q. Moving on. Exhibit 5, I believe you and
16 Mr. Blevins were discussing what you called a payment
17 agreement. And Mr. Blevins had asked if you had seen
18 anything like this before. Would you say that a tariff
19 is essentially a payment agreement?

20 A. Yes.

21 Q. And for regulated utilities, those are filed
22 with and approved by the Commission, correct?

23 A. That's correct.

24 Q. There's also been a lot of discussion about and
25 a lot of questions about the word threat as used by

1 Staff. Would you say that the phrase threat of
2 disconnect is a commonly used phrase here at the PSC?

3 **A. Yes.**

4 Q. And in this case, threat, that is not meant as
5 a derogatory or malicious word; it's just a statement of
6 fact that a customer may be disconnected?

7 **A. Correct.**

8 Q. Do you recall Judge Clark asking you how many
9 times you met with Mr. Blevins?

10 **A. Yes.**

11 Q. You said once, correct?

12 **A. It would be more than that if you count
13 hearings, public hearings, but yes, personally one time.**

14 Q. Did you speak with Mr. Blevins on the phone?

15 **A. Yes.**

16 Q. Do you know how many times you would have
17 spoken with him approximately?

18 **A. Three times.**

19 Q. Would you say that safe and adequate service
20 involves more than just a well maintained well and
21 wellhouse?

22 **A. Absolutely.**

23 Q. Has Staff been able to determine any reason for
24 the billing inconsistencies that we have seen within
25 single systems that is related to usage?

1 **A. No.**

2 Q. Are you aware of Mr. Blevins' customers having
3 any other options for water service?

4 **A. Only to drill their own wells.**

5 Q. Have you heard from any customers who believed
6 that they owned wells?

7 **A. Yes.**

8 Q. And was there any reason that that opinion or
9 that belief may have changed that you know of?

10 **A. Customers have stated that upon buying a
11 property and moving into a house they believe that they
12 own the well on that property only to have Mr. Blevins or
13 someone representing Mr. Blevins show up and tell them
14 otherwise.**

15 Q. And the well that is the subject of the 8-month
16 boil water order, could Mr. Blevins have started
17 purchasing water from I believe it's Pulaski County Water
18 before that well failed?

19 **A. Yes.**

20 Q. Would that have been an easy process in your
21 opinion?

22 **A. Yes.**

23 MS. ASLIN: No further questions.

24 JUDGE CLARK: Mr. Stamp, you can step down.

25 (Witness excused.)