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BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS
LOCAL PUBLIC HEARING

In the Matter of the Request)
of Liberty Utilities, LLC,)
d/b/a Liberty for Authority)
to Implement a General Rate) File No WR-2024-0104
Increase for Water and)
Wastewater Service Provided)
In its Missouri Service Areas)

Wednesday, SEPTEMBER 16, 2024
6:32 P.M.

City Hall of Pacific MO
300 Hoven Drive
Pacific, MO 63069

RILEY FEWELL
REGULATORY LAW JUDGE

KAYLA HAHN, CHAIR
MAIDA J. COLEMAN
JASON R. HOLSMAN
GLEN KOLKMEYER
JOHN P. MITCHELL

Reported by:

COLIN WALLIS
LEXITAS LEGAL

* * * * *

(The hearing began at 6:32 p.m. p.m.)

JUDGE FEWELL: We're going to go ahead and get on the record. Good evening, everyone. It is September 16th, and the current time is 6:32 p.m.

The Missouri Public Service Commission has set this time for a local public hearing to give members of the public time to comment about the application and file number WR-2024-0104, which is captioned in the matter of the request of Liberty Utilities Missouri Water, LLC, doing business as Liberty to -- for authority to implement a general rate increase for water and wastewater service provided in its Missouri service area.

Missouri Public Service Commission regulates investor-owned utility companies in Missouri and ensures that rates are just and reasonable. The Commission also regulates the quality of service and safety of the operations of investor-owned utilities. The Commission is made up of five commissioners, Chair Kayla Hahn and commissioners Maida Coleman, Jason Holsman, Glen Kolkmeyer and John Mitchell.

1 The Commissioners are appointed by the
2 governor to fix terms and confirmed by the
3 Senate. The commissioners employ a staff of
4 engineers, accountants, attorneys, financial
5 analysts and other specialists in the field of
6 utility regulation.

7 With me today, are Commissioners Coleman,
8 in person, as well as Chair Hahn, Commissioner
9 Holsman and Commissioner Kolkmeyer online.
10 Commissioners, if you have any questions at any
11 time, feel free to interrupt me and ask them.

12 My name is Riley Fewell, and I'm the
13 regulatory law judge presiding over this
14 hearing. This is an official hearing of the
15 Missouri Public Service Commission and the
16 statements and testimony of witnesses will be
17 recorded by the court reporter. It must be
18 given under oath or affirmation. The
19 Commission has not made any decisions in this
20 case and neither the commissioners nor myself
21 can answer any questions about the issues of
22 the case today because the Commission must
23 remain impartial until all the evidence is
24 presented at the evidentiary hearing in the
25 matter scheduled to take place in November.

1 Liberty Utilities provides water, sewer
2 electric and gas services. However, this case
3 only concerns the water and wastewater rates.
4 This is not the appropriate local public
5 hearing to comment on gas or electric service
6 or rates because those are at not issue in this
7 case.

8 As we want to provide all attendees an
9 adequate opportunity to speak tonight, we limit
10 the time for testimony to only five minutes.
11 The court reporter is transcribing the hearing
12 so the Commission may review and read the
13 comments. Commissioners, would you like to
14 make any opening remarks?

15 COMMISSIONER COLEMAN: Thank you, Judge.
16 Good evening, everyone. Thank you so much for
17 being here. I do understand that we have some
18 customers that have signed up to speak tonight,
19 so I want to say thank you so much on behalf of
20 our Chairwoman Kayla Hahn and the other
21 commissioners. As the Judge mentioned, we are
22 not able to answer questions; but, certainly,
23 we may have questions of you. We may be
24 interested in getting more details, so I'd like
25 to thank you for taking the time to come here

1 this evening. Thank you to all those who
2 traveled here to participate. Thank you to the
3 Staff and to all who are representing the
4 consumers and the company and all of the
5 entities that are involved here tonight. We
6 appreciate your attention to this matter
7 tonight. Thank you. Thank you, Judge.

8 JUDGE FEWELL: If the parties can make
9 their entries of appearance beginning with
10 Liberty.

11 MS. CARTER: Diana Carter for Liberty
12 Utilities Missouri Water, LLC.

13 JUDGE FEWELL: The Commission Staff?

14 MS. ASLIN: Casi Aslin for Commission
15 Staff.

16 JUDGE FEWELL: The Office of Public
17 Counsel?

18 MR. POSTON: Mark Poston for the Office of
19 Public Counsel.

20 JUDGE FEWELL: Any intervenors present who
21 would like to make an entry of appearance?
22 Hearing none, for those who would like to make
23 comments today, I'm going to call the names
24 listed on the sign-up sheet in the order that
25 they appear. When I call your name, please

1 come down to the microphone. I will place you
2 under oath and ask you to state and spell your
3 name, and then you can offer your comments to
4 the Commission.

5 As I previously stated, we are limiting
6 comments to five minutes today so that everyone
7 present has an adequate chance to be heard.
8 Also, please remain at the podium after your
9 remarks until you have been excused because the
10 Commission may have some questions for you. If
11 the attorneys have any questions, they can let
12 me know at that time as well. Will Mr.
13 Thresher come up to the microphone?

14 (Jeffrey Thresher sworn.)

15 JUDGE FEWELL: Please state your name and
16 spell your name.

17 MR. THRESHER: Jeffrey Thresher,
18 J-e-f-f-r-e-y, T-h-r-e-s-h-e-r.

19 JUDGE FEWELL: What would you like to tell
20 the Commission?

21 MR. THRESHER: I live in a mobile home
22 community in Cedar Hill, Missouri, and back in
23 2018, I was standing here asking the Commission
24 not to give a huge increase to my water bill.
25 My water bill, after that raise, went from \$10

1 to \$12 a month to \$36 to \$44 a month. Yes, it
2 tripled. I'm being told that that's not the
3 case this time. I saw a \$130 increase on that
4 paper. That's not -- they were saying that's
5 something else. They're saying my bill might
6 go up about \$10.

7 Well, I can tell you right now, I'm on a
8 fixed income. When I get a 2.5 increase and
9 then everybody wants a 5 to 10 increase for
10 every other bill out there, it's hard for me to
11 make ends meet; and there's a lot of people in
12 my neighborhood that are in the same boat that
13 I'm in. I know families of five that are
14 paying 150 to \$200 for water right now and
15 they're struggling.

16 So, I'm asking you all to learn the word
17 no or not so much. Find another way. That's
18 what I'm asking you to do now, to really look
19 this over and make sure they don't get a penny
20 more than they need to get; because that's what
21 we're having to do right now is create pennies
22 out of the couch so we can pay for the next
23 bill that comes in, you know. And that's all I
24 have.

25 JUDGE FEWELL: Thank you for your

1 comments. Do the commissioners have any
2 questions? Okay, hearing none, you may be
3 excused.

4 COMMISSIONER COLEMAN: Thank you,
5 Mr. Thresher.

6 JUDGE FEWELL: Ms. Bristle, I apologize if
7 I mispronounced that.

8 MS. BRISTLE: It's Carol Bristle,
9 C-a-r-o-l, B-r-i-s-t-l-e.

10 JUDGE FEWELL: Okay, please raise your
11 right hand.

12 (Carol Bristle sworn.)

13 JUDGE FEWELL: You may proceed.

14 MS. BRISTLE: Okay, what happened to me is
15 I live in Lakewood Hills Subdivision, and at
16 the end of January, I received a bill; I don't
17 have all my notes here; I didn't realize this
18 was going to happen. But I received a bill for
19 approximately \$330, \$340. I was a little
20 freaked out.

21 My average bill at that time was
22 fluctuating between 55 and 75. So, I called.
23 The person I spoke with immediately, after
24 taking a look and talking to me, said it
25 definitely looked like there's an issue. It's

1 not making sense at all compared to what your
2 normal bill has ever been. Something doesn't
3 look right, so let's look into it.

4 I talked to her probably -- I think three
5 times. After which time, she was working with
6 me. I had sent her an e-mail of information,
7 which she said she never received; and that was
8 a video that the plumber took showing that my
9 meter did not move the entire time he was at
10 the house. Also, a photo, and he said that was
11 important for the fact that if there was a
12 leak, as per what they were telling me, that
13 mine was leaking, there's absolutely no way
14 that thing would not be spinning like crazy,
15 and it did not move.

16 He checked the property and house for
17 leaks, and then I sent over his bill, the
18 information that he found and the photo and the
19 video. Then after that, I could no longer talk
20 to her. Every time I called, they told me I
21 could not request a certain party. That they
22 would only be able to give me to the person
23 that answered the phone. I was told that two
24 or three times every time I tried to ask for
25 her.

1 Every time after that, they wanted me to
2 go through everything -- every single phone
3 call before they could do anything, instead of
4 reading the notes. So, this went on and on.
5 Each phone call was approximately 15 to 35
6 minutes long every time I called, and up until
7 the first time that I actually got my first
8 result, which was about six months, I had -- I
9 had e-mails; I went on the website; and I
10 e-mailed. I went through phone calls, and
11 there was one other site to do with Liberty
12 that I went on trying to -- reaching out to
13 people and got nothing at all.

14 At one point, twice, I was told that they
15 suggested I consider getting a plumber, so when
16 I asked for my plumber to be refunded because
17 she had said once we found the leaks were not
18 on my side, they should be refunded, I was told
19 they don't refund plumbers; that it was up to
20 me to get a plumber. But I also let them know
21 that I was also told unless I proved the leak
22 wasn't on my end, that they would not do any
23 refunding. The only way I can prove that is
24 with a plumber.

25 So, I'm paying 200 to get back 400, so

1 that was kind of a not-make-sense thing. So,
2 it -- it took me many, many phone calls. Then,
3 I was given notation by somebody in our
4 subdivision they suggested I call the PSC,
5 which I did and made a formal -- and made a
6 complaint. And, then from there, I reached out
7 to another person, which at that point, I
8 didn't realize was still with PSC; but that
9 particular one, not the first one, is where I
10 had results.

11 I have a high regard for them now, because
12 I got my first call back, unlike Liberty, I got
13 my first call back within 30 minutes. And from
14 there, the ball was rolling between e-mails and
15 phone calls, they were notifying me constantly
16 of what the position was and what they were
17 doing for me.

18 I finally got, at the end of August 1st
19 through September, I finally got what they had
20 told me that they were going to refund me. I
21 finally got that put into my account.

22 Now, the last issue that I had was the
23 plumber bill; and then also during this time,
24 the original person with the Public Service
25 Commission had called me during this time; and

1 he didn't really give me too much information,
2 but there's where I found about the formal
3 complaints. So, I filed a formal complaint.
4 It took me seven months to get refunded what I
5 should have been refunded. I never found out
6 exactly what happened.

7 I -- like I said, the calls -- the phone
8 calls alone, 17. When I counted back, it was
9 between 17 phone calls and e-mails, total.
10 Most of them being phone calls is what it took
11 me for to resolve that. At this point, I've
12 been promised for a refund for the plumber. I
13 have not called them to see if it's on my
14 account yet. That's just been a few days ago;
15 it was the end of last week. But he said to
16 allow 30 days. So, that's what I'm waiting for
17 now.

18 I do know at one point, one supervisor
19 told me that they would not, no matter what,
20 they weren't going to refund the plumber. So,
21 I fought for that. But, I mean, I just think
22 one of the top things that bothers me is not
23 only is the quality of the water, that I always
24 loved, no longer there anymore, but the service
25 that you have to go through to get anything

1 resolved with them is a nightmare. I only wish
2 more people from our subdivision would have
3 come and spoke tonight, because it's definitely
4 a problem there. There's too many people
5 complaining that they've got high water bills;
6 their water bills are doubling and tripling.
7 There's no reason for it. It's -- a lot of
8 times, it's after the water breakage. So, that
9 should be able to track something, and we just
10 don't -- we don't get any -- there's no way to
11 get there. If you can't get there by making a
12 phone call, I'm not sure what else you are
13 supposed to do. So, that's it for me.

14 JUDGE FEWELL: Thank you for your
15 comments, ma'am.

16 MS. BRISTLE: You're welcome.

17 JUDGE FEWELL: I'm sorry for the
18 frustrations that you've had. Do the
19 Commissioners have any comments they'd like to
20 make?

21 COMMISSIONER COLEMAN: Thank you --

22 COMMISSIONER KOLKSMEYER: This is
23 Commissioner Kolksmeyer -- I would like to
24 comment.

25 JUDGE FEWELL: Go ahead, Commissioner.

1 COMMISSIONER KOLKSMEYER: Judge, can you
2 hear me?

3 JUDGE FEWELL: Yes, sorry. Go ahead.

4 COMMISSIONER KOLKSMEYER: Yes, ma'am, I'm
5 sorry that you've had this trouble. And I feel
6 sorry for you that you had to go through all
7 this. Thank you for your comments and thank
8 you for letting us know that the PSC Customer
9 Services is working.

10 MS. BRISTLE: Oh, it is.

11 COMMISSIONER KOLKSMEYER: That makes us
12 feel good that you got some results once you
13 got ahold of the PSC, so thanks again for your
14 comments.

15 MS. BRISTLE: You're welcome. I
16 appreciate them.

17 COMMISSIONER COLEMAN: Ms. Bristle, so at
18 this point, it sounds like your issues have
19 been mainly resolved, although we're waiting,
20 you were told, about 30 days before you'll get
21 the refund for the plumber. Are you feeling
22 that your case, your situation, has been
23 resolved once you receive that?

24 MS. BRISTLE: To the best I can see it
25 being resolved, yes. I mean, I feel like I

1 wasted a lot of my life and my time; but
2 there's not really much you can do about that
3 when you're fighting for something, so. But,
4 yeah, I mean, I just -- I wanted what was
5 rightfully due back to me. That's all I ever
6 wanted to begin with. I just didn't expect it
7 to take seven or eight months to get there.

8 COMMISSIONER COLEMAN: Would you expand on
9 your comments regarding the quality of the
10 water? You said the water quality is low.
11 What's going on with the water?

12 MS. BRISTLE: I really don't understand,
13 because we've lived there approximately 17
14 years; and I have always bragged on our water.
15 I don't drink bottled water. I carry my water
16 everywhere. I drink the water at home. I
17 never had an issue. But over the last three
18 months, everybody in my house is now drinking
19 bottled water or out the refrigerator, because
20 our water doesn't taste right anymore when we
21 use the tap water.

22 It tastes like there's chemicals or
23 chlorine in it. I can't put it to paper
24 exactly what it is, but it's not the same water
25 anymore. And, on the toilet, I never, until

1 recently, had that problem. And it's like even
2 with the clean -- when your toilet is clean,
3 it's all the sudden, you're seeing a ring in
4 the toilet that's never been there before.

5 Now, I know our upstairs water, they're
6 having problems with it as far as being white,
7 and they said even they sit the glass out
8 overnight, it stays that way. I've never
9 personally checked it out on my own; and
10 somebody told me that was the air in the water,
11 so I don't know.

12 COMMISSIONER COLEMAN: How about the
13 coloration of the water? Is it still the same?

14 MS. BRISTLE: It looks like the same in
15 the glass, yes.

16 COMMISSIONER COLEMAN: All right, thank
17 you. And thank you again for being here
18 tonight.

19 MS. BRISTLE: You're welcome, thank you.

20 JUDGE FEWELL: Is there anyone else that
21 would like to offer their comments today?

22 (Judy Meixmer sworn.)

23 JUDGE FEWELL: Please state your name and
24 spell it.

25 MS. MEIXMER: Judy Meixmer, J-u-d-y,

1 M-e-i-x-m-e-r.

2 JUDGE FEWELL: You may proceed.

3 MS. MEIXMER: Thank you. I, too, live in
4 the Lakewood Hills Subdivision. I've been
5 there 34, 35 years. The subdivision is 60
6 years old. We have a very, very old water
7 system. Pipes do break. We understand that.
8 We understand that Liberty bought a very, very
9 old system. How much they knew about what they
10 were getting themselves into, I couldn't tell
11 you. But we also have extremely poor water
12 pressure. I am three houses down from the pump
13 house, and I, and my neighbors on both sides of
14 me, have to have pressurizer pumps to be able
15 to run a sprinkler in the yard or take a shower
16 with more than a dribble, and you certainly
17 can't -- my pump is out right now; I can't run
18 two faucets at the same time and get enough
19 water out to do anything.

20 So, that's been an issue. But I just
21 accepted it until today when I knew I would
22 tell you about it. We have had numerous
23 outages in the past year, year and a half.
24 Seemingly more outages than I remember living
25 there. Most of the time, I'm walking my dogs,

1 and I see water on the road and we call
2 Liberty, initially, and then we directly call
3 Franklin Labs (sic) who responds as quickly as
4 they possibly they can. The gentlemen from
5 Franklin Labs have been amazing.

6 They come out and do the best they can.
7 Often, they have to dig up large areas.
8 Apparently, there's no map of our water system
9 for them to know where the pipes are. So, they
10 have to dig up large sections. Sometimes,
11 those large sections stay open for extended
12 periods of time. There's one-by-one pump
13 houses right now, that's been a hole with a
14 shovel and a little bit of tape that's fallen
15 down for about a year.

16 There's no communication when the water
17 goes out except for myself and others sending
18 it out on social media. There's no way to
19 communicate that except to send text messages
20 to people. Because of the low water pressure
21 where I am, I notice it quicker than others.
22 My parents have a house at the other end of the
23 subdivision. Their pressure is so great that
24 we had to put a pressure regulator on the
25 outside of their house because we kept blowing

1 their hoses when I was setting up their
2 automatic sprinkler system.

3 So, it varies throughout the subdivision.
4 When water is -- has a breakage some place,
5 typically the whole system, the whole 152
6 properties go out completely because it drains
7 out. I'm one of the first ones to lose the
8 water, so you fill a bunch of water jugs and do
9 what you can.

10 Sometimes, there's boil order signs
11 placed. We have five physical entrances into
12 the subdivision. I don't know how many signs
13 they have. I know that the last time there was
14 a break, I had one of the signs in the storage
15 area, and I told them about it and I put up
16 them up, but I don't know if they put them at
17 the other four entrances. Usually people do
18 not know about the boil orders. I understand
19 how they have an automated system.

20 Possibly, we'll get notification of that
21 in the future, but we have no central
22 notification of boil orders, and most people
23 don't even know what it means so we send out
24 notices. I'm the newsletter editor. I send
25 out notices explaining to people what they need

1 to do if there's a boil order.

2 We would really like to know what the
3 plans are for the infrastructure in our
4 subdivision. What do they plan to do, or do
5 they plan to do anything? We have, as this
6 gentleman earlier mentioned, we have very, very
7 old roads. We are looking at spending
8 thousands of dollars to repair our roads, and
9 we certainly don't want to do that on top of a
10 waterline that's going to break and have to be
11 dug again. That's just a waste of everybody's
12 time and effort. It would be very helpful for
13 us to know if there are plans for
14 infrastructure repairs in our neighborhood so
15 that we can coordinate that with what we're
16 planning on doing with our roads. That's about
17 it.

18 JUDGE FEWELL: Have these issues -- did
19 they begin when Liberty bought the -- or moved
20 into the area or have they increased during
21 that time, would you say?

22 MS. MEIXMER: They have increased for
23 sure. Like I said, the roads are getting
24 really bad, too. It could be part of that. I
25 don't know why they've increased in the last

1 couple of years. I do remember outages in the
2 past. I remember a lot of power outages, too.
3 Things just happen in rural areas. I don't
4 remember the frequently that we're having now.
5 And certainly not the big holes that get dug to
6 try and find where these pipes are and repair
7 them.

8 JUDGE FEWELL: That was the only question
9 I had. Do any of the Commissioners have any
10 questions? Okay, you may be excused.

11 COMMISSIONER COLEMAN: Thank you.

12 JUDGE FEWELL: Is there anyone else that
13 would like offer their comments today? Okay.
14 If you or someone you know would like to make
15 additional comments, there is a consumer's
16 comments tab that can be reached via the
17 Commission's website. That is psc.mo.gov. On
18 the right side of the home page there's a link
19 titled Submit Comments. You would click on
20 that link to submit your comments and make sure
21 you reference this case number WR-2024-0104.

22 There will also be several additional
23 local public hearings over the next few weeks.
24 There will be two local public hearings on
25 Thursday, September 19th, at the American

1 Legion Hall located in the City of Bolivar at
2 noon and 6:00 p.m. One on Tuesday,
3 September 24th, at the Washington County
4 Library located in the City of Potosi at noon.
5 One at the Branson City Hall on Wednesday,
6 September 25th at 6:00 p.m. and one on
7 Thursday, September 26th, at the Osage Center
8 located in Cape Girardeau at 6:00. There will
9 also be two virtual local public hearings that
10 may be easier to attend.

11 The first is tomorrow, September 17th, at
12 6:00 p.m. and the other is on Friday,
13 September 27th, at noon. Would any of the
14 Commissioners like to make a closing remark?

15 COMMISSIONER COLEMAN: Again, thank you so
16 much for coming. Thank you for your comments.
17 We appreciate it.

18 JUDGE FEWELL: I also want to thank
19 everyone for their comments today, and this
20 hearing is now adjourned. We'll go off the
21 record.

22 (Ending time of the hearing: 6:55 p.m.)
23
24
25

1 I, Colin Wallis, in and for the State of
2 Missouri do hereby certify that the witness
3 whose testimony appears in the foregoing
4 Examination Under Oath was duly sworn by me;
5 that the testimony of the said witness was
6 taken by me to the best of my ability and
7 thereafter reduced to typewriting under my
8 direction; that I am neither counsel for,
9 related to, nor employed by any of the parties
10 to the action in which this examination was
11 taken, and further that I am not relative or
12 employee of any attorney or counsel employed by
13 the parties thereto, nor financially or
14 otherwise interested in the outcome of the
15 action.

Colin Wallis

17 within and for the State of Missouri
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