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BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

PREHEARING CONFERENCE

Keith Edwards,)	
Complainant)	
vs.)	File No. WC-2025-0058
Missouri-American Water Company,)	
Respondent.)	

FRIDAY, NOVEMBER 8, 2024

10:00 a.m.

Jefferson City, MO 65101

via WebEx

VOLUME 1

RILEY FEWELL, Presiding
REGULATORY LAW JUDGE

Reported by: Melissa Eicken

1 LAW JUDGE FEWELL: On the record. Okay.
2 Today is November 8th. It is approximately
3 10:00 o'clock a.m. And the commission has set this
4 time for a prehearing conference in the case captioned
5 as Keith Edwards, complainant, versus
6 Missouri-American Water Company, respondent. And that
7 is file number WC-2025-0058.

8 My name is Riley Fewell, and I'm the
9 regulatory law judge in this matter. I -- if a
10 hearing is held, I will conduct the hearing. However,
11 it is the five commissioners who will decide whether
12 Missouri-American has violated any statutes,
13 commission rules or tariffs.

14 We can begin with the attorneys and parties
15 making their entries of appearance. And I want to
16 remind everyone there's not a trans -- court reporter
17 with us this morning, but the conference will be
18 recorded to be transcribed later.

19 If we can begin with Mr. Edwards.

20 KEITH EDWARDS: Yes.

21 LAW JUDGE FEWELL: Okay. You're here.
22 Missouri-American.

23 MS. NIEMEIER: Good morning. Rachel
24 Niemeier, N as in Nancy, I-E-M as in Mary, E-I-E-R, on
25 behalf of Missouri-American Water Company this

1 morning.

2 LAW JUDGE FEWELL: Thank you. For the
3 commission staff.

4 MS. JOHNSON: Good morning, Judge. This is
5 Tracy Johnson from staff counsel's office.

6 LAW JUDGE FEWELL: And is the Office of
7 Public Counsel present? I'm guessing no. So
8 Mr. Edwards, I just want to kind of give an
9 explanation of how the process works and kind of where
10 we are in the case. We're past the pleading stage, so
11 you filed your petition and the company,
12 Missouri-American, has filed their answer to that and
13 staff has filed their report, so we'll need to
14 schedule an evidentiary hearing assuming that this
15 case will not be settled. With that, it will be a
16 formal hearing, like a trial, and each party will
17 present evidence whether that's witness testimony,
18 documents, and other things, and there will be cross
19 examination or questions by the other parties to each
20 other, and there may also be questions from me or the
21 commissioners, and I just wanted to -- to make sure
22 that you understand all of that. Does that make
23 sense?

24 KEITH EDWARDS: Yes.

25 LAW JUDGE FEWELL: Okay. Ms. Johnson, how

1 long do you think you'll need to get a procedural
2 schedule on file?

3 MS. JOHNSON: At this time with the other
4 cases that we're working through in our office, I
5 think that getting the schedule together can happen in
6 a couple of weeks, but the actual availability for a
7 hearing is going to be past the first of the year.

8 LAW JUDGE FEWELL: Sure.

9 MS. NIEMEIER: I would agree with that,
10 Judge.

11 LAW JUDGE FEWELL: Sorry, what was that? I
12 apologize.

13 MS. NIEMEIER: I would agree with that,
14 Judge.

15 LAW JUDGE FEWELL: Okay. You agree. Would
16 the 22nd be a doable time? About two weeks?

17 MS. JOHNSON: That works for staff.

18 LAW JUDGE FEWELL: Okay. And Mr. Edwards,
19 what that means is, you will all kind of discuss a
20 schedule of how this case is going to proceed. There
21 may be some filings necessary with that, and then
22 scheduling that evidentiary hearing. As Ms. Johnson
23 stated, there's a lot of hearings and things coming up
24 for the commission. So we may have to -- to push it
25 until the -- the -- the new year comes. It won't

1 likely be right away. And also, in that, you'll
2 determine if, you know, the hearing's going to be in
3 person or if it's going to be by Webex as we are
4 today. And where the location would be, if it is in
5 person, and things of that nature. I also want to --
6 to kind of re-emphasize that you're the complainant,
7 so. The burden is on you -- the burden of proof is on
8 you to present enough evidence to convince the
9 commissioners that Missouri-American has violated a
10 statute or commission rule or some provision of their
11 tariff, and those are all the rules that they have to
12 follow when dealing with their customers. I just want
13 to make sure that it's -- that you understand it's not
14 simply a matter of saying that, here's your complaint,
15 and here's your allegations. You'll also need to
16 present evidence that convinces the commissioners that
17 these things have happened, and the commission does
18 not have the authority to grant monetary damages in
19 the amount of actual money, so. We can still hear and
20 rule on the issues of your complaint to the extent
21 that they would be a violation of the commission rules
22 or an order or statute or the tariff. We can hear it,
23 but we would not be able to order Missouri-American to
24 give you monetary damages; does that make sense as
25 well?

1 KEITH EDWARDS: Yes.

2 LAW JUDGE FEWELL: Okay. Are there any
3 other issues or matters that need to be addressed at
4 this time?

5 MS. NIEMEIER: Not from the company's
6 perspective.

7 MS. JOHNSON: Not from staff, Judge.

8 KEITH EDWARDS: No, not from me.

9 LAW JUDGE FEWELL: Okay. If you guys have
10 time, and can I suggest if you can discuss today, you
11 know, if I hop off, you guys have -- have some time to
12 maybe discuss and work on the procedural schedule, and
13 you have two weeks, but I'm going to let you guys go
14 then. I appreciate your time.

15 MS. NIEMEIER: Thank you, Judge.

16 KEITH EDWARDS: Okay.

17 MS. JOHNSON: Thank you, Judge.

18 LAW JUDGE FEWELL: Thank you. Have a good
19 day.

20 MS. NIEMEIER: You, too.

21 (Audio ended.)

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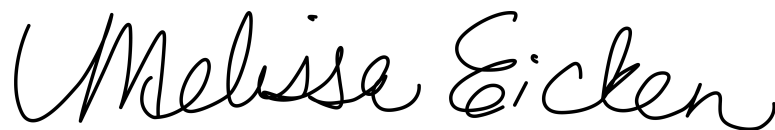
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1 CERTIFICATE OF REPORTER

2
3 I, Melissa J. Eicken, Certified Court
4 Reporter of Missouri, Certified Shorthand Reporter of
5 Illinois and Registered Professional Reporter, do
6 hereby certify that I was asked to prepare a
7 transcript of proceedings had in the above-mentioned
8 case, which proceedings were held with no court
9 reporter present utilizing an open microphone system
10 of preserving the record.

11 I further certify that the foregoing pages
12 constitute a true and accurate reproduction of the
13 proceedings as transcribed by me to the best of my
14 ability and may include inaudible sections or
15 misidentified speakers of said open microphone
16 recording.

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19 Melissa J. Eicken, CCR, CSR, RPR
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24 Date:
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