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STATE OF MISSOURI

PUBLIC SERVICE COMMISSION

In the Matter of)
Missouri-American Water)
Company's Request for) Case No. WR-2024-0320
Authority to Implement a)
General Rate Increase for)
Water and Sewer Service in)
Missouri Service Areas)

TRANSCRIPT OF PROCEEDINGS

Public Hearing

November 6, 2024

Jefferson City, Missouri
Via WebEx

VOLUME III

KEN SEYER, Presiding,
REGULATORY LAW JUDGE.

KAYLA HAHN, Chair,
MAIDA J. COLEMAN,
JASON R. HOLSMAN,
GLEN KOLKMEYER,
JOHN MITCHELL,
COMMISSIONERS.

REPORTED BY:

KELLENE K. FEDDERSEN, CSR, RPR, CCR NO. 838
LEXITAS LEGAL

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

2 (WHEREUPON, the hearing began at
3 12:56 p.m.)

4 JUDGE SEYER: Today is November 6,
5 2024. The time is 12:56 p.m. Thank everyone for
6 your patience today. And this is -- this hearing
7 is being conducted via Cisco WebEx online. Before
8 we go any further, I'd ask that everyone make sure
9 that their device is on mute until I call on you to
10 speak. If you're using a landline phone or an
11 older cell phone without a mute button, *6 will
12 mute and unmute your phone.

13 My name is Ken Seyer. I'm a
14 Regulatory Law Judge with the Missouri Public
15 Service Commission, and I will preside over this
16 hearing.

17 The Commission has set this time for
18 a local public hearing to give members of the
19 public a chance to comment about Missouri-American
20 Water Company's application for a general rate
21 increase for water and sewer service, which is
22 Commission File No. WR-2024-0320.

23 The Commission regulates the rates
24 charged by public utility companies in Missouri to
25 ensure that those rates are just and reasonable.

1 The Commission also regulates the quality and
2 service -- of service and safety of the operations
3 of public utilities.

4 The Commission is composed of five
5 commissioners. They are appointed by the Governor
6 and confirmed by the Senate. The Commission
7 employs a staff of engineers, accountants,
8 attorneys, financial analysts and other specialists
9 in the field of utility regulation.

10 Joining us online today is the Chair
11 of the Commission, Kayla Hahn, and Commissioners
12 Maida Coleman, Jason Holsman, Glen Kolkmeyer and
13 John Mitchell.

14 The Commissioners have not made any
15 decisions in this case and cannot answer any
16 questions today because they have to remain
17 impartial until after all the evidence is presented
18 at the evidentiary hearing in this matter, which is
19 scheduled to begin on February 27th.

20 Chair Hahn, at this time would you
21 like to make any opening remarks?

22 CHAIR HAHN: Thank you, Judge Seyer.
23 Appreciate the time today. On behalf of myself and
24 on behalf of the entire Commission, I just want to
25 take the time to thank those who are planning to

1 testify today. We look forward to hearing your
2 comments about this particular case and learning
3 from you about your experiences. So with that, I
4 again thank you and look forward to hearing your
5 comments.

6 Thanks, Judge.

7 JUDGE SEYER: Thank you, Chair Hahn.

8 There are attorneys here today
9 representing the parties in this matter. For the
10 record, would each of you identify yourselves and
11 state which party you're representing, beginning
12 with Missouri-American Water Company.

13 MR. COOPER: Thank you, Judge. Dean
14 Cooper from the law firm of Brydon, Swearingen &
15 England, P.O. Box 456, Jefferson City, Missouri
16 65102, appearing on behalf of Missouri-American
17 Water Company.

18 JUDGE SEYER: Okay. On behalf of the
19 Commission Staff.

20 MR. IRVING: Yes. Ron Irving for the
21 Commission Staff. I believe the recorder has my
22 information. Thank you.

23 JUDGE SEYER: And for the Office of
24 the Public Counsel.

25 MR. CLIZER: Thank you, your Honor.

1 John Clizer on behalf of the Missouri Office of
2 Public Counsel. My contact information is in the
3 record.

4 JUDGE SEYER: All right. Are there
5 any additional attorneys representing parties
6 today? All right. Hearing none.

7 The way we'll proceed this afternoon
8 will be to call the names of the people that have
9 signed up to testify. When I call your name,
10 please unmute your device and I will place you
11 under oath and ask you to state and spell your
12 name, and then you can offer your comments to the
13 Commission.

14 We will try to limit comments to five
15 minutes per person. And then once you're finished
16 with your comments, please remain online or on the
17 phone for the possibility of questions from the
18 Commissioners or the attorneys for the parties.

19 So on the list that I have, the first
20 name is Curtis Brennecke. Is there a --

21 MR. BRENNECKE: I'm here, sir.

22 JUDGE SEYER: Thank you.

23 Mr. Brennecke, before you testify today, I'd like
24 to place you under oath.

25 (CURTIS BRENNECKE was sworn.)

1 JUDGE SEYER: All right. Could you
2 go ahead and state and spell your name.

3 MR. BRENNECKE: Yes, sir. Curtis
4 Brennecke, C-u-r-t-i-s, Brennecke,
5 B-r-e-n-n-e-c-k-e.

6 JUDGE SEYER: Okay. Thank you. Go
7 ahead with your testimony.

8 MR. BRENNECKE: My testimony is
9 probably going to be a little shorter than what I
10 anticipated. I just believe that Missouri-American
11 Water should not be allowed to have this rate
12 increase due to the amount of money that has
13 already been gathered by them specifically for the
14 Eureka, Missouri locations regards to water that we
15 have not had even made by or treated by Missouri-
16 American Water.

17 They've collected a lot of revenue at
18 that end, as well as regards -- and no
19 infrastructure yet, as well as the top executives
20 for Missouri-American Water making quite a lot of
21 money on top of this, and not much money would be
22 used for this rate increase for infrastructure. A
23 lot of that money I believe would be used for
24 executives and not for infrastructure like we would
25 hope it would be, sir.

1 JUDGE SEYER: Okay. Thank you. Are
2 there any questions for Mr. Brennecke from the
3 Commissioners?

4 Any questions from the attorneys for
5 the parties?

6 All right. Thank you, Mr. Brennecke,
7 for your testimony. You can remain on if you'd
8 like or you're free to leave the meeting.

9 MR. BRENNECKE: Thank you, sir.

10 JUDGE SEYER: And the next name on
11 the list is Abby Jennings. Ms. Jennings, are you
12 participating in the meeting this afternoon? All
13 right.

14 MR. COOPER: Judge, you went mute
15 again.

16 JUDGE SEYER: I'm sorry. The next
17 name on the list is Yvette Levy or Levy.

18 MS. LEVY: Yes. That's me. Are you
19 able to hear me?

20 JUDGE SEYER: I can hear you. And
21 which pronunciation is correct, if either? Is it
22 Levy or Levy or --

23 MS. LEVY: It's Levy. Levy.

24 JUDGE SEYER: Thank you. All right.
25 Ms. Levy, before you testify today, I'd like to

1 place you under oath if that's all right.

2 MS. LEVY: Yes.

3 (YVETTE LEVY was sworn.)

4 JUDGE SEYER: Okay. Thank you.

5 Ms. Levy, would you state and spell your name for
6 the court reporter, please.

7 MS. LEVY: It's Y-v-e-t-t-e, last
8 name L-e-v-y.

9 JUDGE SEYER: All right. Go ahead
10 with your comments.

11 MS. LEVY: Okay. I want to say that
12 it's well documented that the many, very many,
13 numerous water main breaks throughout St. Louis are
14 due to poorly maintained, aging infrastructure.
15 And until Missouri-American Water Company can show
16 that current revenue is not wasted and is properly
17 spent on preventive replacement and maintenance of
18 the infrastructure and quality assurance of the
19 water, I don't think that a rate increase is fair
20 to the consumer.

21 Our property was directly affected by
22 a water main break due to a poorly maintained -- to
23 the poorly maintained infrastructure in U City, and
24 our repairs cost upward of \$60,000 to repair, and
25 Missouri-American Water Company did not take

1 responsibility for repairing the damage or paying
2 to repair this damage.

3 And U City Public Library was also
4 affected by water main break as well as many others
5 all throughout the St. Louis area, which just goes
6 to show that over the years Missouri-American Water
7 Company has neglected to make proper repairs and
8 maintain the infrastructure.

9 So I believe the water company needs
10 to take responsibility and be held accountable, and
11 the public deserves appropriate oversight and
12 transparency as to when, where and how the current
13 revenue is spent, and this needs to happen before
14 consumers should be faced with another rate
15 increase.

16 And that was really basically all I
17 wanted to say.

18 JUDGE SEYER: All right. Thank you,
19 Ms. Levy. Can I ask you this just for the sake of
20 the record? You mentioned U City Public Library.
21 That's University City?

22 MS. LEVY: Yes, U City. Within the
23 last two, three years if you look up online, all
24 the water main breaks through the city and, you
25 know, long-term neglect and not repairing and not

1 doing the job with the current revenue that they
2 are receiving, you know, just wondering, would like
3 transparency to see where the money has gone over
4 the years before giving -- before just giving more
5 money and having it not go to where it's got to go.

6 JUDGE SEYER: All right. Thank you.
7 Do any of the Commissioners have any questions for
8 Ms. Levy?

9 CHAIR HAHN: Ms. Levy, Chair Hahn has
10 a question. You mentioned that you experienced a
11 leak that cost \$60,000. Was it determined that the
12 leak was on your property or was it the
13 responsibility of Missouri-American? Can you tell
14 me more about that particular claim?

15 MS. LEVY: Yes. This was a -- this
16 was a -- this was a very large water main break,
17 not on our property at all. Our property's on
18 Gannon Avenue, and this water main break occurred
19 by north and south and Gannon Road up the block,
20 and the tremendous amount of water due to this
21 water main break that completely flooded the
22 basement up until the landing of the stairs of the
23 building. And so everything that was in the
24 basement, utilities, water, water heater, furnace,
25 washing machines, et cetera, et cetera were

1 completely damaged.

2 There was another property also
3 damaged like that as well. Our repairs cost
4 upwards of \$60,000, which, you know, our insurance
5 did cover, but Missouri-American Water, and I
6 believe they have Travelers Insurance as the
7 insurance company, refused to acknowledge
8 responsibility or pay for any of the repairs.

9 CHAIR HAHN: Thank you. Appreciate
10 that.

11 MS. LEVY: This was a very large --
12 it was a very large water main break.

13 JUDGE SEYER: Ms. Levy, just so I
14 understand you correctly, you mentioned Gannon
15 Road; is that correct?

16 MS. LEVY: Yes, Gannon Avenue.

17 JUDGE SEYER: Gannon Avenue. Is that
18 G-a-n-n-o-n?

19 MS. LEVY: Correct. Yes.

20 JUDGE SEYER: All right. Thank you.

21 MS. LEVY: Yes. Ours is also
22 ongoing. It's been over a year now already and
23 inspections, et cetera, et cetera, et cetera, so
24 yes.

25 JUDGE SEYER: Okay. Are there any

1 questions, any additional questions from the
2 Commissioners or from the attorneys for the
3 parties? All right. Thank you. Thank you for
4 your testimony, Ms. Levy.

5 MS. LEVY: You're welcome. Thank you
6 very much.

7 JUDGE SEYER: Ms. Levy's is the last
8 name that I have on the list. Is there anyone who
9 did not sign up ahead of time who would like to
10 testify today?

11 MS. CALDWELL: Yeah, I would.
12 Makesha Caldwell.

13 JUDGE SEYER: All right.
14 Ms. Caldwell, I may have to have -- I'm not sure
15 why there's a little bit of feedback on my end.

16 MS. CALDWELL: Can you hear me?

17 JUDGE SEYER: I can hear you, but I
18 could also hear me, which was a little bit of a
19 problem. But we'll plod through that if you don't
20 mind.

21 MS. CALDWELL: Okay.

22 JUDGE SEYER: So before you testify
23 today, I'd like to swear you in.

24 MAKESHA CALDWELL was sworn.)

25 JUDGE SEYER: Okay. I'm racking my

1 brain as to how we can possibly cure this.

2 Actually, I don't hear myself
3 anymore, so something got -- now I do.

4 MS. CALDWELL: It's me. I muted and
5 then it was good and then I unmuted. So I'm the
6 problem.

7 JUDGE SEYER: All right. But you are
8 under oath, correct? I did place you under oath?

9 MS. CALDWELL: Yes.

10 JUDGE SEYER: All right. Then go
11 ahead and state and spell your name for the record.

12 MS. CALDWELL: Yes. My name is
13 Makesha Caldwell, M-a-k-e-s-h-a, Caldwell,
14 C-a-l-d-w-e-l-l.

15 JUDGE SEYER: All right. And you are
16 a Missouri-American customer, I assume?

17 MS. CALDWELL: Yes.

18 JUDGE SEYER: And what part of the
19 base are you a customer?

20 MS. CALDWELL: St. Louis, Missouri.

21 JUDGE SEYER: Okay. Go ahead with
22 your testimony.

23 MS. CALDWELL: Yeah. I'm just a
24 regular customer, but 34 percent increase of a bill
25 is excessive. I mean, I don't know anybody on the

1 Commission that would be happy with a 34 percent
2 increase in anything. I mean, it can be a box of
3 cereal. If it cost 34 percent more, you're going
4 to have an attitude.

5 Now, I don't exactly know what you
6 guys do with the whole water business. All right.
7 I get water in my house, it's clean, it's fine.
8 Okay. But I just don't want to pay 34 percent
9 extra, you know. I understand there should be an
10 increase, but 34 percent is just excessive.

11 I mean, you're going to spend the
12 money on whatever you spend the money on, executive
13 compensation. I mean, there's a whole bunch of
14 different areas to make a business go round. But
15 with me, just -- just make it less than 34 percent.
16 I mean, probably 10 percent would be okay, but that
17 34 percent is excessive. That's all I've got to
18 say.

19 JUDGE SEYER: All right. Thank you,
20 Ms. Caldwell.

21 Do any of the Commissioners or the
22 attorneys for the parties have questions for
23 Ms. Caldwell? All right. I hear none. So,
24 Ms. Caldwell, thank you for your testimony.

25 MS. CALDWELL: Thank you.

1 JUDGE SEYER: Is there anyone else
2 who is online right now who would like to offer
3 their testimony today? All right. I'm going to
4 assume by the silence that there is not any
5 additional people who would like to testify today.

6 For those of you online -- excuse me.
7 For those of you online, if you would like to make
8 comments on the Commission's website, the
9 Commission's website is psc.mo.gov. And if you go
10 to the home page, on the right side of the home
11 page is a submit comments link. If you click on
12 that link, there will be an area where you can add
13 your comments about this case, and please reference
14 this case number: WR-2024-0320.

15 Before we conclude the hearing this
16 afternoon, Chair Hahn, would you like to make any
17 closing remarks?

18 CHAIR HAHN: Happy to. Thanks, Judge
19 Seyer.

20 Just wanted to take the time to thank
21 Mr. Brennecke, Ms. Levy and Ms. Caldwell for their
22 comments in this case. I know undoubtedly they
23 will help us make better decisions moving forward.
24 So I know it's a beautiful day outside. Thank you
25 for spending your time with us from noon to one.

1 Really appreciate it. Thank you.

2 JUDGE SEYER: All right. Thank you
3 to all who participated or listened in this
4 afternoon.

5 UNIDENTIFIED SPEAKER: Excuse me.
6 Can you repeat -- can you repeat the case number
7 once more?

8 JUDGE SEYER: Sure. Not a problem.
9 It is WR-2024-0320.

10 UNIDENTIFIED SPEAKER: Thank you.

11 JUDGE SEYER: All right. If there's
12 nothing further --

13 UNIDENTIFIED SPEAKER: Thank you very
14 much.

15 JUDGE SEYER: You're welcome. If
16 there's nothing further, I'll adjourn the hearing.
17 We'll go off the record.

18 (WHEREUPON, the hearing concluded at
19 1:17 p.m.)

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C E R T I F I C A T E

STATE OF MISSOURI)

) ss.

COUNTY OF COLE)

I, Kellene K. Feddersen, Certified Shorthand Reporter with the firm of Alaris Litigation Services, do hereby certify that I was personally present at the proceedings had in the above-entitled cause at the time and place set forth in the caption sheet thereof; that I then and there took down in Stenotype the proceedings had; and that the foregoing is a full, true and correct transcript of such Stenotype notes so made at such time and place.

Given at my office in the City of Jefferson, County of Cole, State of Missouri.



Kellene K. Feddersen, RPR, CSR, CCR

<p>\$</p> <hr/> <p>\$60,000 8:24 10:11</p> <hr/> <p>1</p> <hr/> <p>12:56 2:3,5</p> <hr/> <p>2</p> <hr/> <p>2024 2:5 27th 3:19</p> <hr/> <p>4</p> <hr/> <p>456 4:15</p> <hr/> <p>6</p> <hr/> <p>6 2:4,11 65102 4:16</p> <hr/> <p>A</p> <hr/> <p>Abby 7:11 accountable 9:10 accountants 3:7 additional 5:5 affected 8:21 9:4 afternoon 5:7 7:12 aging 8:14 ahead 6:2,7 8:9 allowed 6:11 American 6:16 amount 6:12 10:20 analysts 3:8 anticipated 6:10</p>	<p>appearing 4:16 application 2:20 appointed 3:5 area 9:5 assurance 8:18 attorneys 3:8 4:8 5:5,18 7:4 Avenue 10:18</p> <hr/> <p>B</p> <hr/> <p>B-R-E-N-N-E-C-K-E 6:5 basement 10:22, 24 basically 9:16 began 2:2 begin 3:19 beginning 4:11 behalf 3:23,24 4:16,18 5:1 block 10:19 Box 4:15 break 8:22 9:4 10:16,18,21 breaks 8:13 9:24 Brennecke 5:20, 21,23,25 6:3,4,8 7:2,6,9 Brydon 4:14 building 10:23 button 2:11</p> <hr/> <p>C</p> <hr/> <p>C-U-R-T-I-S 6:4 call 2:9 5:8,9</p>	<p>case 3:15 4:2 cell 2:11 cetera 10:25 Chair 3:10,20,22 4:7 10:9 chance 2:19 charged 2:24 Cisco 2:7 city 4:15 8:23 9:3, 20,21,22,24 claim 10:14 Clizer 4:25 5:1 Coleman 3:12 collected 6:17 comment 2:19 comments 4:2,5 5:12,14,16 8:10 Commission 2:15, 17,22,23 3:1,4,6, 11,24 4:19,21 5:13 commissioners 3:5,11,14 5:18 7:3 10:7 companies 2:24 company 4:12,17 8:15,25 9:7,9 Company's 2:20 completely 10:21 composed 3:4 conducted 2:7 confirmed 3:6 consumer 8:20 consumers 9:14 contact 5:2 Cooper 4:13,14</p>	<p>7:14 correct 7:21 cost 8:24 10:11 Counsel 4:24 5:2 court 8:6 current 8:16 9:12 10:1 curtis 5:20,25 6:3</p> <hr/> <p>D</p> <hr/> <p>damage 9:1,2 Dean 4:13 decisions 3:15 deserves 9:11 determined 10:11 device 2:9 5:10 directly 8:21 documented 8:12 due 6:12 8:14,22 10:20</p> <hr/> <p>E</p> <hr/> <p>employs 3:7 end 6:18 engineers 3:7 England 4:15 ensure 2:25 entire 3:24 Eureka 6:14 evidence 3:17 evidentiary 3:18 executives 6:19, 24 experienced 10:10</p>
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