

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

FILED  
March 4, 2025  
Data Center  
Missouri Public  
Service Commission

Jim Moriarty,  
Complainant,

v.

**File No. WC-2025-0204**

Missouri-America Water Company,  
Respondent.

**REPLY TO RESPONDENT'S ANSWER TO COMPLAINT AND REQUEST FOR MEDIATION**

**COMES NOW** Complainant Jim Moriarty, in response to ANSWER TO COMPLAINT filed by Respondent, respectfully rejects Respondent's Request for Mediation for the following reasons:

1. Respondent has not filed a serious Answer to Complainant's Formal Complaint.
2. Company has admitted nothing regarding the deficiencies of its MyWater app, not even its improper use of Greenwich Mean Time which is five or six hour earlier than Central Time depending on daylight savings, in reporting water usage for customers who live in the Central Time Zone. The Respondent has also not acknowledged that the MyWater app, from a customer's perspective, is not a real time app as advertised.
3. The Respondent's actions to correct the many problems listed in the Formal Complaint is not satisfactory in that Respondent has not even begun to date and time stamp screen displays (reports) produced by the MyWater app.
4. Complainant has experienced recent, unexplained increases in water usage as reported by the MyWater app which raises new questions about the accuracy of reported water usage on the MyWater app, which, when combined by the Respondent's failure to address, in its ANSWER, the Complainant's concerns about the slow reporting and questionable accuracy of the data reported on the MyWater app, reinforces Complainant's belief that a smart, remote device is immediately required in the customer's home to enable the customer to verify the accuracy of the data reported on both the MyWater app and the customer's monthly billing statement, especially if the customer's meter is located in an outside meter pit. Respondent has not even responded to this important request for relief in its cavalier ANSWER.
5. On January 8, 2025, MyWater reported 1260.7 gallons of water usage on my account. This is more than twelve times my normal daily usage so I have tried several times, unsuccessfully, to

file a formal Leak Adjustment Request through the MyWater app. I even asked one of the Respondent's representatives that has contacted me in response to my Formal Complaint, in an email, to confirm receipt of my Request but had not yet received any confirmation to my first request. When I asked a second time, she pointed out to me that I was in the wrong place in MyWater to request a leak adjustment. I then tried her suggested path and was denied the leak adjustment, but no explanation was given. I suspect that the reason is that the algorithm is based on the full billing period regardless of the significance in a shorter time frame. With information subsequently provided by the Respondent, I was able to narrow this 1000+ gallon excess to a five hour period from 12 AM to 5 AM. Even with the unexplained recent increase in my water usage, my average consumption during this five hour period is less than thirty-four gallons. I requested an explanation for the alternative, dead end path, and pointed out how unfair the current leak adjustment rules are to the customer when a 1000+ gallon excess (1124-34) in five hour period does not meet the Respondent's 50% increase threshold. This is especially concerning because this high reading will be reported to the Metropolitan Sewer District (MSD) as a "Winter Month" usage that will result in higher sewer bills for a full year. A thousand gallons is very significant, however, especially in a five hour period suggesting that the Respondent needs to immediately modify its leak adjustment rules and reporting to MSD, especially as it now, in the middle of winter, will inflate the current "normal usage" reported to MSD.

#### **REQUEST THAT MEDIATION BE DENIED**

Rules of Department of Commerce and Insurance Division 4240—Public Service Commission Chapter 2—Practice and Procedure include **20 CSR 4240-2.070 Complaints PURPOSE: This rule establishes the procedures for filing formal and informal complaints with the commission. (1) Any person or public utility who feels aggrieved by an alleged violation of any tariff, statute, rule, order, or decision within the 6 CODE OF STATE REGULATIONS (9/30/19) JOHN R. ASHCROFT Secretary of State Chapter 2—Practice and Procedure 20 CSR 4240-2 commission's jurisdiction may file a complaint. . . . (9) The respondent shall file an answer to the complaint within the time provided. All grounds of defense, both of law and of fact, shall be raised in the answer. If the respondent has no information or belief upon the subject sufficient to enable the respondent to answer an allegation of the complaint, the respondent may so state in the answer and assert a denial upon that ground. The Respondent has never responded to Complainant's informal complaint(s) and has only attempted to present grounds of defense "of law" in response to the Formal Complaint and has failed to present a grounds of defense "of fact" despite the numerous exhibits presented by the Complainant in his Formal Complaint.**

Complainant hereby requests that the Commission order that the Respondent produce a serious ANSWER to Complainant's Formal Complaint that includes a plain talk discussion of each of the issues identified in the Complainant's Formal Complaint and include all "grounds of defense" based "on fact" that may apply.

**WHEREFORE**, having fully reviewed the Respondent's ANSWER, Jim Moriarty requests the Commission deny the Respondent's request for mediation until it provides a comprehensive "grounds for defense"

based "on fact" and grant such further relief as the Commission deems just and reasonable, including, but not limited to, a decision regarding the Complainant's request for a smart, remote device required in the Complainant's home, to effectively monitor and manage his water usage and to enable the Complainant to verify both water usage as reported in the MyWater app and on Complainant's monthly billing statement.

Respectively submitted,

By: Jim Moriarty  
Jim Moriarty  
Complainant



**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was sent by to the Respondent party of record, this 26 day of February 2025.

Jim Moriarty

Jim Moriarty

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