

FILED

JUL 10 2025

FORMAL COMPLAINT FORM

Attach extra pages as necessary.

Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Edwin Mahr
(Your name here)

Complainant,

v.

Missouri-American Water

Company

(Utility's name here)

Respondent,

File No.

(PSC fills this in)

FORMAL COMPLAINT

1. Complainant resides at:

(Address of complainant)

(City)

(State)

(Zip Code)

2. The utility service complained of was received at:

a. Complainant's address listed in paragraph 1.

b. A different address:

(Address where service is provided, if different from Complainant's address)

(City)

(State)

(Zip Code)

Public

3. Respondent's address is:

727 Craig Rd.

(Address of complainant)

Saint Louis

MO

63141

(City)

(State)

(Zip Code)

4. Respondent is a public utility under the jurisdiction of the Missouri Public Service Commission.

5. The amount at issue is: \$

(If your complaint is about money state how much is in dispute here.)

6. Complainant now requests the following relief:

(Explain what you want the Commission to do: the specific results you are seeking in this complaint.)

See attachment. # 1

7. The relief requested is appropriate because Respondent has violated a statute, tariff, or Commission regulation or order, as follows:

(Explain why the Commission should grant the relief you seek: the facts that constitute a violation of a statute, tariff, or Commission regulation or order.)

See attachment. # 2

Public

#1

I would like the commission to help me with the damage I encountered on 05/21/2024 to my home @ [REDACTED] For the most of May 2024, there were numerous water main breaks in our area due to construction work being done by MSD. MSD was replacing sewer lines at the intersection of [REDACTED] on 05/20/2024 when one happened. MOAW sent out crews to make the repairs only to have it happen again on 05/21/2024

05/21/2024, after visiting my wife in intensive care I came home @ 10:00 PM to find repair trucks at many of my neighbor's homes and guessed that something bad had happened! I figured I'd better check my basement which I did, only to find out that my basement had been flooded to all 4 corners with a mixture of concrete silt and several inches of water causing lots of damage to my home and to my neighbors' homes as well!

Public

#2

MOAW did not maintain and / or service the water main in a way that was safe and adequate, as required by RSMO. 393.130

MOAW has had many breaks in their water lines in this area over the years from “natural” causes. On 05/20/2024 they came here to repair the water main from a “construction error”. While they were making the repairs on 05/20/2025 they should have seen that the pipes were a problem and could be easily broken. They also should have alerted MSD to the issue avoiding further breaks like the one that happened the next day on 05/21/2025 from digging!

Public

#3

Ok, so on 05/21/2024 I immediately called MSD that night to report this issue and I was instructed by their representative that this was a MOAW problem since it was water that flooded my basement! So, I then contacted MOAW at 10:45PM that night and filed claim # [REDACTED] with MOAW.

The next day (05/22/2024) I called MOAW back to try and get some help with drying out my basement (dehumidifier's / fan's, etc.), NO answer, I left my information, and no one called back! Same thing on 05/22/2024, 05/23/2024 and 05/24/2024. Called back again on 05/28/2024 and did talk to "Gloria", gave her my information and she assured me someone would call me back the next day, no one ever did! Finally, I did receive an email (enclosed), which instructed me to call the McGee Ins. Group, and I did so on 05/30/2024, got an answering machine, left a message, and no one called back! (called again on 06/04/2024 and 06/10/2024, same thing).

Frustrated, I then called MSD customer care on 06/10/2024 got a representee and she said she would email the McGee ins. Group telling them to contact me. I did get a response that instructed me to contact JH Berra, the company that was doing the digging, so I did so but to no surprise no one returned my calls. after talking to some neighbors I got a name, #, and email of an insurance adjuster for JH Berra, (Engle Martin) I then contacted a Ms. Sophia Hussein requesting help and she did get back to me and started a claim # [REDACTED], they then sent out an insurance adjuster to my home!

I hope you can see that all through this process I have got nothing but finger pointing by MSD, MOAW, and JH Berra, everyone claim's the other is at fault, and no one had ever offered me any remediation crews, no drying equipment or help! This caused further damage to my home. I had to do the work myself, (I'm 70 years old) to make it more "habitable "for my wife's return from the hospital. Folks that had ins. Had no problem getting help and reimbursements but I didn't have ins. Or \$[REDACTED] for a remediation company!

I now have a claim with one company, (Engle Martian # [REDACTED]) but they state that they are only going to reimburse me for ½ of the damages because they feel that MOAW should pay the other half because their pipes were soft!

I do not feel that I have been unreasonable for requesting that one or both companies step up and reimburse me in full for the damages I've incurred. I did not ask to have my basement flooded and this is why I'm contacting the Public Service Commission!

PS; I've yet to receive any form of reimbursements from anyone and they have a list of all damages!

Thanks for your consideration,

Edwin F. Mahr

Public

June 11, 2024

Edwin Mahr
[REDACTED]

RE: Claim Number: [REDACTED]
Address: [REDACTED]
Date of Loss: 5/21/2024

Dear Edwin

Thomas McGee is the third-party administrator handling claims on behalf of the Metropolitan St. Louis Sewer District (MSD). The MSD Overcharge Main program is intended to cover damage from water backing up through floor drains – not water main breaks. After further review, it appears that your loss was caused by a watermain break. Since your loss was not a sewer backup caused by MSD, MSD has advised Thomas McGee that your loss cannot be covered as part of the Overcharge Main program.

Should you wish to appeal this finding, you may dispute the claim through MSD's Dispute Resolution process. Please provide your documentation to the address below, so that MSD's experts can review the information:

Metropolitan St. Louis Sewer District
Attention: Dispute Resolution Committee
2350 Market Street
St. Louis MO 63103

Sincerely,

Thomas McGee Group

MISSOURI AMERICAN WATER RESPONSE!

1.) SENT 6-14-24

2.) TALKED "LIVE" TO PETER SAME DAY!
HE MADE THEIR POSITION REGARDING THIS
MATTER CLEAR!

Constitution State Services
P O Box 650293
Dallas, TX 75265-0293
Telephone: (314) 579-8892
Fax: (877) 786-5571

June 14, 2024

Mr. & Mrs. Edwin Mahr



RE:	Client Name:	American Water Works Company
	Claim Number:	[REDACTED]
	Claimant:	Edwin Mahr
	Date of Loss:	05/21/2024

Dear Mr. & Mrs. Edwin Mahr:

We have completed our investigation into the above referenced incident. Based upon our investigation, we have found American Water Works did not cause or create the water main break resulting in your property damage. For these reasons, we must respectfully deny liability for this incident at this time.

In addition, we have found the following Missouri Public Service Commission - Rules and Regulations Governing the Rendering of Water Service applies to this loss:

Rule 3: Liability of the company

E. The company shall not be liable for damages resulting to customer or to third persons, unless due to contributory negligence on the part of the company, and without any contributory negligence on the part of the customer or such third party.

We are very sorry this unfortunate incident occurred. We regret any inconvenience you may have sustained.

If you have any additional information that we have not considered in our review, or have any questions, please feel free to contact me.

Best regards,

Peter Muzik
Liability Claim Representative
pmuzik@travelers.com

P.2

Email RESPONSE

claim [REDACTED] sewer flood on 05-21-2024

From: Davis, Valerie [REDACTED]

To: [REDACTED]

Date: Thursday, July 25, 2024 at 04:26 PM CDT

File no: [REDACTED]

Hello,

Our investigation into this matter is ongoing. I hope to have everything finalized by the end of next week. You have a duty to mitigate your damages, as a general liability policy would only respond to the direct damages vs damages for failing to prevent further damages.

As soon as we have finalized our investigation I will update you with our final determination.

Thank you,

Valerie Davis, AIC | Claims Specialist



26777 Halsted Road
Farmington Hills, MI 48331 | amerisure.com
214.583.4436 (office) | 248.615.8602 (fax)

I operate in the Central Time Zone

Pt. 1

Provider/Vendor Mailing Address: PO Box 1515 | Canonsburg, PA 15317

Amerisure Insurance has been named one of the **Best Places to Work in Insurance** every year since 2012.

From: Edwin Mahr [REDACTED]

Sent: Thursday, July 25, 2024 4:14 PM

To: Davis, Valerie [REDACTED]

Subject: [EXTERNAL]sewer flood on 05-21-2024

CAUTION: This email came from an external source. Do not open attachments or click links unless you know the sender and are expecting this email. The original sender of this email is [REDACTED]

Hello, just wanted to find out any "new" information you might have regarding my claim status for [REDACTED]

your file # [REDACTED]

Public

Client file [REDACTED]

I have completed a list of personal items that were damaged.

However my basement still needs lots of attention regarding mold, water damage to walls and floors, appliances etc.! It has been a month since i have received any correspondence regarding this matter!

please keep me informed, Edwin Mahr

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Public

August 7, 2024

Edwin Mahr
[REDACTED]

Attention: Edwin Mahr

Sent via Electronic Mail: [REDACTED]

Re: Insured: J H Berra Construction Co Inc
Claimant: Multiple
Location of Loss: [REDACTED]
Nature of Loss: Contractor Liability Property Damage
Date of Loss: May 21, 2024
Our File Number: [REDACTED]
Client File Number: [REDACTED]

Dear Edwin Mahr:

As you know, Engle Martin, a third-party administrator has been retained by the insurance carrier, Amerisure, to conduct a thorough investigation and inspection into the above-captioned matter.

To date, we have completed all of the inspections at each party's residence. Previously we sent a blank inventory sheet to all parties and requested that each party complete the sheet and provide it to us if any personal property damages were being claimed.

For those who have sent the completed sheet with the invoices, we thank you in advance. Please be advised we will review all of the information provided by each of you once we have been advised to proceed further.

Currently, we have been advised that Amerisure is still in the process of completing its coverage and liability investigation. Once they have completed their coverage and liability investigation, they will be in contact with us and advise how to proceed further.

Please be advised that as a third-party administrator, we do not determine coverage or liability on the claim. We do not issue payments nor determine how the carrier should proceed. We are directly retained for only the purpose of the investigation and inspection of the loss.

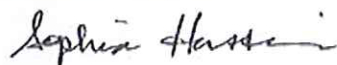
For those who have gone through your homeowner's insurance company, they will be sending us the subrogation demand packet. Since your company has made you whole, we will not need anything else from you as we will deal directly with your carrier. However, if in the case you still have any outstanding damages that your carrier did not cover then please advise us and we will proceed accordingly.

We know that this process is frustrating and can take a long time. Please know that we appreciate your patience.

Sincerely,

Sincerely,

ENGLE MARTIN



Sophia Hussein
Casualty General/GLPD Adjuster
San Francisco, California Office
[REDACTED]

M: 510.849.7732

CC: Ms. Valerie Davis
Sent via Electronic Mail: [REDACTED]

Currently, we have been advised that Amerisure is still in the process of completing its coverage and liability investigation. Once they have completed their coverage and liability investigation, they will be in contact with us and advise how to proceed further.

Edwin F Mahr



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308

SAINT LOUIS MO 630

25 JUN 2025 PM 8



RECEIVED

JUL 10 2025

MO PUBLIC SERVICE COMMISSION
MAIL ROOM

Secretary
Missouri Public Service Commission
PO Box 360
Jefferson City, Missouri 65102-0360

65102-0360

