1   BEFORE THE PUBLIC SERVICE COMMISSION

2   STATE OF MISSOURI

3   TRANSCRIPT OF PROCEEDINGS

4   EVIDENTIARY HEARING

5

6   In the Matter of   )
     Jim Moriarty,   )
7   Complainant,   )
     v.   ) File No. WC-2025-0204
8   Missouri-American   )
     Water Company,   )
9   Respondent   )

10

11   AUGUST 28, 2025

12   9:00 a.m. - 2:30 p.m.

13

14   Governor Office Building

15   200 Madison Street

16   Jefferson City, Missouri 65101

17   VOLUME II

18

19   KAROLIN WALKER,
                  Presiding
20   REGULATORY LAW JUDGE

21   KAYLA HAHN, Chair
                  GLEN KOLKMEYER,
22   JOHN MITCHELL,
                     Commissioners

23
     Reported By:
24   Shelley L. Bartels, RPR, CCR
     Job No.: 193467

25

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21

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1   Proceedings began at 9:00 a.m.:

2   JUDGE WALKER: Okay. It's August 28th,

3   2025. This is a hearing in the Missouri Public

4   Service Commission Case WC-2025-0204, Jim Moriarty,

5   complainant versus Missouri-American Water Company as

6   the respondent. It's 9:00 a.m.

7   I'm Karolin Walker, the regulatory law

8   judge assigned to the case before the commission.

9   The court reporter, Sherry [sic] Bartels, is here and

10   she will be recording the case.

11   So as I start, I would like to record

12   entry of appearances for the record. The

13   complainant, Mr. Moriarty, can you please state your

14   name for the record. You don't have to give your

15   address or any other information because that

16   information is not public unless you choose to make

17   it so.

18   MR. MORIARTY: Fred James Moriarty. I

19   live in suburbs of St. Louis. I'm the complainant.

20   JUDGE WALKER: Thank you. Staff counsel.

21   MS. KERR: Carolyn Kerr, Staff counsel

22   here for the Public Service Commission.

23   JUDGE WALKER: Missouri-American Water

24   Company.

25   MR. COOPER: Yes, your Honor. Dean

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1 Cooper from the law firm Brydon Swearengen & England,

2 PC as well as Jennifer Coleman from Missouri-American

3 Water Company appearing on behalf of the Company.

4   JUDGE WALKER: Okay. Welcome, everyone.

5 We're going to start with opening statements.

6 Mr. Moriarty, as the complainant you get to go first,

7 and this is your opportunity to tell the Commission

8 what your case is about, not to testify; you'll have

9 to an opportunity to do that in a few minutes. I

10 understand that you want to stay at your desk to

11 speak, and that is perfectly acceptable.

12   MR. MORIARTY: If I may.

13   JUDGE WALKER: Absolutely.

14   MR. MORIARTY: Thank you.

15   JUDGE WALKER: So go ahead and make your

16 opening statement to lay out your case.

17   MS. MARTIN: Judge Walker, Anna Martin

18 from the Office of Public Counsel is also here.

19   JUDGE WALKER: I am so sorry.

20   MS. MARTIN: It's okay. I just wanted to

21 make sure that that was on the record.

22   JUDGE WALKER: I do too. Mr. Moriarty,

23 go ahead.

24   MR. MORIARTY: I learned more about the

25 MyWater application from the company witness in the

1   rate case than I have through my calls to customer

2   service or the answer to the complaint or the Staff

3   report, even though the witness in the rate case said

4   the Company felt it not the appropriate venue to hear

5   the pleadings in my complaint.

6   The Company explanation of always

7   negative adjustments in the 30-days report is still

8   my primary goal here. And if that's not provided, I

9   still feel they should refund all customers that

10   experienced those negative adjustments on the 30-day

11   report.

12   I don't think the MyWater application is

13   a good tool from the customer's point of view to

14   manage water usage or to verify billing accuracy.

15   It's not independent of the My -- of the billing

16   system, so we need an alternative and we need an

17   alternative to the meter pit. I haven't been able to

18   read my pit in over a week -- my meter in the pit for

19   over a week because of my recent accident.

20   I have one request that I hope the

21   Company and Staff will agree to and that is that the

22   Company witnesses go before the Staff witness because

23   it could minimize the number of questions I have to

24   ask today. In fact, I -- in my opinion the Staff

25   report may have been unnecessary if the answer to the

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 1 complaint would have addressed the issues in the

 2 complaint and I might have agreed to mediation and

 3 avoid this hearing today. Thank you.

 4   JUDGE WALKER: Okay. Staff counsel,

 5 opening statements. Oh, are there any questions from

 6 the bench? Commissioner Hahn is joining us.

 7 Commissioner Mitchell is on line.

 8   COMMISSIONER KOLKMEYER: Judge, this is

 9 Commissioner Kolkmeyer, I am online too as well.

10   JUDGE WALKER: All right. Thank you.

11   MS. KERR: Thank you. Good morning. May

12 it please the Commission. My name is Carolyn Kerr.

13 I'm an attorney with the Staff counsel's office with

14 the Missouri Public Service Commission.

15   This case boils down to Mr. Moriarty's

16 troubles using and interacting with Missouri-American

17 Water Company or MAWC's customer interface portal,

18 MyWater, and whether MAWC has made changes or

19 modifications to the portal which would allow him

20 access to the information he seeks about his water

21 usage at his home. He also has concerns regarding

22 his meter readings, leak adjustment request, his

23 meter reading moved, and the Company's customer

24 service's ability to respond to his questions

25 regarding the MyWater portal.

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1   Mr. Moriarty alleges violations of

2   several sections of 20 CSR 4240-13 related to MAWC's

3   service and billing practices for residential

4   customers. Upon receiving his complaint, Staff spoke

5   to Mr. Moriarty and issued several data requests to

6   the Company. There were communications between Staff

7   and the Company as well. Mr. Moriarty and MAWC have

8   been dealing with this issues -- these issues for at

9   least two years and both sides would like some

10   resolution of the issues.

11   Mr. Moriarty alleges violations

12   of five regulations by MAWC, specifically

13   20 CSR 4240-13.025(1)(a) dealing with billing

14   adjustments and 13.0401.0402(a), .0403(g), and .0405

15   dealing with inquiries. Staff included in its report

16   that MAWC has not violated any of the regulations

17   cited or alleged by Mr. Moriarty. Staff does note,

18   however, that MAWC has made quite a few internal

19   changes to correct usage display errors on MyWater

20   identified by Mr. Moriarty. It is Staff's

21   understanding that MAWC intends to implement further

22   modifications to the portal to benefit its customers.

23   A thorough explanation of the

24   investigation and reasoning behind the Staff's

25   conclusion is found in the staff report which has

1 been marked as an exhibit and will be -- was prepared

2 by Lisa Stockman. She's here to testify on behalf of

3 Staff and can answers questions regarding her

4 investigation and subsequent report as necessary.

5 Thank you.

6   JUDGE WALKER: Thank you. Missouri-

7 American Water? Do we have any questions from the

8 bench first?

9   MR. COOPER: I take it OPC has no opening

10 statement?

11   MS. MARTIN: The OPC does not have an

12 opening statement at this time. Thank you.

13   MR. COOPER: We do have some slides that

14 Ms. Coleman's going to pass out.

15   Good morning. Dean Cooper appearing for

16 Missouri-American Water Company. As Staff referenced

17 a complaint case is really a statutory-driven

18 process. It's for the purpose of determining whether

19 there's been a violation of statute, rule, order, or

20 tariff. Mr. Moriarty's complaint specifies five

21 commission rules or portions of rules he alleges MAWC

22 has violated. As I'll address specifically later,

23 MAWC takes the position that there has been no such

24 violation in this case.

25   Having said this, much of the discussion

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 1   and the testimony and indeed Mr. Moriarty's opening

 2   is about the MyWater application. The slide on the

 3   board right now provides a snapshot of what customers

 4   see when they log into MyWater.

 5   MyWater's an internet application that

 6   allows the customer to make a payment, view current

 7   and past bills, and enroll in or stop autopay and

 8   paperless billing. They can also submit service

 9   requests including move-ins, move-outs, and

10   establishing new service. MyWater allows customers

11   to report water quality concerns, damage, or

12   emergencies and to create a service order. Customers

13   can also manage their accounts by resetting

14   passwords, updating phone numbers and email

15   addresses, and setting alert notification

16   preferences. Further, they can add authorized users,

17   enroll in payment assistance programs, installment

18   plans, or budget billing through MyWater.

19   As alluded to again previously, the

20   MyWater discussion here primarily revolves around the

21   usage charts that were first implemented in December

22   of 2023 for those customers that had AMI meters then

23   and of course for those that later received AMI

24   meters. And there are many customers in Missouri

25   that still do not have AMI meters, so for those

1   customers that -- that obtain AMI meters in the

2   future.

3   The usage display feature of the MyWater

4   system continues to be refined and improved.

5   Missouri-American Witness Tarcza discusses in his

6   testimony and will discuss in his rebuttal changes

7   that have been made over the last year and will be

8   made soon to attempt to provide customers with the

9   best information the Company can within technological

10   limitations. That process is expected to continue

11   going forward, and a list of many of those recent

12   improvements can be found on this slide.

13   As mentioned by Witness Tarcza some of

14   these changes have been a direct result of comments

15   made by Mr. Moriarty and communications and

16   discussions that have been had with him. While I'd

17   certainly rather not be trying a complaint case

18   today, the Company's conversations and interactions

19   with Mr. Moriarty have resulted in enhancements that

20   should benefit all customers. Mr. Moriarty has been

21   particularly consistent with his review of the data

22   in MyWater as it relates to his usage display and has

23   provided some observations the company has not

24   received from any other customers.

25   Now, Mr. Moriarty also mentioned the rate

1   case that was completed recently, WR-2024-0320. And

2   he's correct that the MyWater application and sort of

3   in a -- in a related way his later-to-be-filed

4   complaint was a subject in that rate case. You may

5   remember that as a part of one of the stipulations

6   and agreements in that case, Missouri-American agreed

7   to provide a presentation to the Staff and OPC

8   regarding the MyWater status and improvements. And

9   that meeting took place on August 11th. It also

10   agreed to provide a report to the Commission as a

11   follow up within the rate case within 30 days after

12   that meeting, so that will be done by September 10th.

13   And the Company further agreed to discuss the MyWater

14   status and improvements on an ongoing basis in its

15   quarterly meetings with Staff and OPC. So that

16   regardless of what we do today, regardless of what

17   happens in that case, that will continue.

18   While MyWater is useful for many

19   purposes, it is important to note that it is not a

20   billing system. AMI information is sent to the

21   billing application separately from the MyWater

22   application. Thus, while the MyWater application

23   display can and at least hopefully be useful to the

24   customer, it does not impact bills that are sent to

25   the customer. Monthly bills are developed based on

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1   only two meter readings, the ending read from the

2   prior month and the ending read from the current

3   month. The earlier read is subtracted from the more

4   recent read to determine volumes to be billed. There

5   is some rounding that exists in that process.

6   We think it can be helpful to think about

7   the meter reading as similar, for purposes of

8   billing, as similar to the odometer on a car. It's

9   never reset to zero and continues to record the

10   volume of water flowing through it as an ever-growing

11   number. So, for example, if I'm curious as to the

12   amount of miles I drive in my car on a monthly basis,

13   as long as I check the odometer at the beginning of

14   the month and check the odometer at the end of the

15   month, I can determine that number of miles for that

16   months. Now, I may be curious, I may want to know

17   how much I drive in between so I can check the

18   odometer each day and compute the mileage for that

19   day. However, again, at the end of the month, even

20   if I didn't record the daily mileage for one day, I

21   still know how many total miles I drove that month by

22   subtracting the beginning odometer reading from the

23   ending odometer reading.

24   The Company's data transfer process is

25   demonstrated on the slide you see on the screen. It

1   starts at the meter and continues to the red square.

2   And let me say during that portion of the data

3   transfer process, it is a cellular transmission, so

4   it's dependent upon the cellular network and -- and

5   that transmission being completed. At the red

6   square, that represents the data the company receives

7   from each manufacturer's head-end system at the

8   Company's data collection point. The data is then

9   distributed to the MyWater application, the billing

10 system, and for other uses such as the

11 statutorily-required sharing of data that Missouri-

12 American must do with MSD.

13   I mentioned earlier there are five

14 commission rule violations alleged in the complaint.

15 The first of those is, and all these are in

16 chapter 13 of the commission rules, but 13.0251(a)

17 addresses billing errors and what is to be done in

18 the event of an overcharge. We certainly believe

19 there are no billing errors shown in this case.

20 Billing is separate from the MyWater display. The

21 meter readings for Mr. Moriarty's account match the

22 amounts he has been billed after truncation to the

23 nearest hundred gallons of usage.

24   The second alleged rule violation

25 is 13.04 -- 0401 which provides, The utility shall

1 adopt procedures which shall ensure the prompt

2 receipt through investigation and, where possible,

3 mutually acceptable resolution of customer inquiries.

4   The company has a call center that is

5 available to its customers. Those inquiries are

6 typically handled by customer care agents. If that

7 CCA is unable to resolve or address the inquiry to

8 the customer's satisfaction, MAWC has a call

9 escalation process that allows the CCA to follow the

10 process, which includes directing the company [sic]

11 to a supervisor. The company also has an account

12 resolution team that handles complaints and inquiries

13 that are not resolved by the CCA. I would say

14 further in April of 2025, the CCAs and supervisors

15 received additional guidance on appropriate

16 escalation of complaints related specifically to

17 MyWater, including access to individuals with IT

18 background to assist in resolving any issues. So,

19 does that work? It doesn't. I mean, we're standing

20 here today. It doesn't work in every instance, but

21 it works in many instances and there is a process for

22 dealing with those sorts of inquiry.

23   The third alleged rule violation which

24 is 13.0402(a) provides, That a utility shall

25 establish personnel procedures which ensure that at

 1   all times during normal business hours, qualified

 2   personnel shall be available and prepared to receive

 3   and respond to all customer inquires, service

 4   requests, safety concerns, and complaints.

 5   The Company's call center is staffed

 6   Monday through Friday, 7:00 a.m. to 7:00 p.m. for

 7   customer concerns. Customers can call 24 hours a day

 8   for emergencies such as where the water is off or

 9   water is leaking.

10   The fourth alleged violation is

11   13.0403(g) which provides, That a utility shall

12   prepare in written form information in plain language

13   summarizing rights and responsibilities and an

14   explanation of the meter reading procedures.

15   The company has a written customer rights

16   and responsibilities document it shares with new

17   customers. This document is also available on the

18   Company's website. The company has a document titled

19   How to Read Your Water Meter. It provides a written

20   description of the process for different water meters

21   the company utilizes, of which there are three I

22   believe, Aclara, Neptune, and Badger. This can also

23   be found on the website.

24   The final rule violation alleged

25   is 13.0405 which provides, The utility must maintain

1 certain records for at least two years.

2   Those specified records are payment

3 performance of each of its customers for each billing

4 period, number of general description of complaints

5 registered with the utility, number of settlement

6 agreements made by the utility, the actual number of

7 discontinuances of service due to four listed

8 categories, actual number of reconnections, and

9 actual number of -- and amounts of refunds of

10 deposits. MAWC does maintain such records for at

11 least two years.

12   This slide provides a high-level timeline

13 of MAWC's interactions with Mr. Moriarty starting

14 with the November of 2023 contacts through the filing

15 of formal complaint and a few subsequent actions this

16 year.

17   Now, as you probably heard in the

18 statement of appearances for us, our appearance of

19 counsel, also appearing on behalf of Missouri-

20 American today will be Ms. Jennifer Coleman.

21 Ms. Coleman is an in-house counsel for Missouri-

22 American's offices here in Jefferson City. She

23 started with the company in January of 2025. She has

24 been licensed to practice by North Carolina and as of

25 July of 2025, she has completed the process to also

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1 be licensed in Missouri. She has previous

2 utility-related experience in her employment with

3 Tucson Electric Power Company and Pro-Energy

4 Services, LLC. And as you would guess, this will be

5 her first appearance before the Missouri Public

6 Service Commission.

7   Missouri-American will present two

8 witnesses today: Mr. Paul Ebbeler and Derek Tarcza

9 who I mentioned previously. Mr. Ebbeler is senior

10 manager operations services which includes

11 responsibility for a variety of functions to include

12 meter operations and customer experience. Paul is

13 with us in the hearing room today.

14   Mr. Tarcza is senior manager of customer

15 digital products and innovation which, among other

16 things, means he is intimately familiar with the

17 MyWater application. As you -- as you probably are

18 aware, Mr. Tarcza is on a family trip to Spain for a

19 relative's graduation and is currently located

20 about 20 minutes south of Barcelona. We've tested

21 his connection yesterday and this morning. He is

22 online, and we believe he'll be able to appear nicely

23 by Webex for his testimony. However, if something

24 should go wrong with that connection, we have in the

25 hearing room Mr. Matthew Prine who is vice president

1   and chief customer officer for American Water, and

2   Mr. Prine would, in that situation, adopt

3   Mr. Tarcza's testimony and take the stand.

4   I'd just mention that both Mr. Tarcza and

5   Mr. Ebbeler have interacted with Mr. Moriarty in the

6   past and provide testimony regarding the issues

7   described.

8   And that's all that I have. If there are

9   any questions, we can answer.

10   JUDGE WALKER: Are there any commission

11   questions?

12   MR. COOPER: Thank you.

13   JUDGE WALKER: Hearing none, we will

14   proceed to testimony. Mr. Moriarty, let me swear you

15   in.

16   (Witness sworn.)

17   JIM MORIARTY,

18   the witness, having been first duly sworn,

19   testified as follows:

20   JUDGE WALKER: Go ahead.

21   MS. KERR: Sorry. Before we start, could

22   we decide how we're going to do exhibits?

23   JUDGE WALKER: Well, I was just going to

24   mark them as you -- as you enter them.

25   MS. KERR: As we enter them. Okay.

```
 1   Thank you.
 2              JUDGE WALKER:  Did you have a different
 3   procedure you would like?
 4              MS. KERR:  No.  No.  I just wanted to
 5   make sure.
 6              JUDGE WALKER:  Okay.
 7              MS. KERR:  Okay.  Thank you.
 8              JUDGE WALKER:  Mr. Moriarty, go ahead.
 9              MR. MORIARTY:  I prefiled my testimony,
10   so I'm open to questions.
11              JUDGE WALKER:  Okay.  Mr. Moriarty, I'm
12   going to ask you a couple questions to make sure that
13   your testimony is properly admitted.
14              MR. MORIARTY:  Okay.
15                    QUESTIONS
16   BY JUDGE WALKER:
17      Q.     Okay.  Did you file or cause to file your
18   prefiled testimony?
19      A.     I did.
20      Q.     Were the answers true and accurate at the
21   time you filed the testimony?
22      A.     They were.
23      Q.     If I were to ask you the same questions
24   today, would your answers be the same or
25   substantially similar?
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 1   A.   Yes.

 2   Q.   Okay. Would you like this testimony

 3   admitted into the record?

 4   A.   I would.

 5   JUDGE WALKER: All right. We're going to

 6   file that as Exhibit No. 1 offered by Mr. Moriarty.

 7   Are there any objections? It will be received and

 8   admitted.

 9   (Complainant Exhibit was 1 admitted and

10   made a part of the record.)

11   JUDGE WALKER: Mr. Moriarty, do you have

12   anything to add to your testimony?

13   MR. MORIARTY: Only that I continue to

14   see problems with the MyWater application, and I

15   would probably cover those during cross-examination

16   of the Company witnesses.

17   JUDGE WALKER: Is there any

18   cross-examination? Staff?

19   MS. KERR: No questions at this time.

20   JUDGE WALKER: Office of Public Counsel?

21   MS. MARTIN: No questions.

22   JUDGE WALKER: Missouri-American Water

23   Company?

24   MR. COOPER: No question.

25   JUDGE WALKER: Questions from the

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 1   Commission? Okay. Hearing none, we will continue.

 2   I'm going to let the parties decide. Mr. Moriarty

 3   has asked that you go out of order. I'm going to let

 4   you all decide if that's okay with you or not.

 5   MS. KERR: That's fine.

 6   MR. COOPER: We're okay with that then.

 7   MS. KERR: Yeah, that's fine.

 8   JUDGE WALKER: Okay. The parties all

 9   acceding to that order, let's proceed.

10   MR. COOPER: Okay. Missouri-American

11   would call Mr. Paul Ebbeler to the stand.

12   JUDGE WALKER: Mr. Ebbeler, can you raise

13   right hand.

14   (Witness sworn.)

15   PAUL EBBELER,

16   the witness, having been first duly sworn,

17   testified as follows:

18   JUDGE WALKER: Okay. You may proceed.

19   MR. MORIARTY: Am I up first?

20   MR. COOPER: No, I -- I'm sorry,

21   Mr. Moriarty. I was delayed in doing what I need to

22   do here, so.

23   DIRECT EXAMINATION

24   BY MR. COOPER:

25   Q.   Mr. Ebbeler, would you state your name and

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1   spell it for the court reporter.

2   A.   Paul Ebbeler, E-b-b-e-l-e-r.

3   Q.   And by whom are you employed and in what

4   capacity?

5   A.   Missouri-American Water. I'm senior

6   manager for operational services.

7   Q.   Have you caused to be prepared for

8   purposes of this case certain direct testimony in

9   question-and-answer form?

10   A.   Yes, I have.

11   MR. COOPER: Your Honor, we would, I

12 assume, mark that as Exhibit 2 for identification.

13   JUDGE WALKER: So marked.

14 BY MR. COOPER:

15   Q.   Okay. Mr. Ebbeler, if I were to ask you

16 the questions contained in Exhibit 2 today, would

17 your answers be the same?

18   A.   Yes.

19   Q.   Are they true and correct to the best of

20 your information, knowledge, and belief?

21   A.   Yes.

22   MR. COOPER: At this time, your Honor, I

23 would offer Exhibit 2 into evidence.

24   JUDGE WALKER: Any objections? Hearing

25 none, it will be received.

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 1   (Company Exhibit 2 was admitted and made

 2   a part of the record.)

 3   MR. COOPER: Pursuant to the Commission's

 4   order, we have some rebuttal from Mr. Ebbeler that I

 5   would go through next if that's acceptable.

 6   JUDGE WALKER: That is acceptable.

 7   BY MR. COOPER:

 8   Q.   Mr. Ebbeler, in Mr. Moriarty's direct

 9   testimony he suggests that there is a potential for

10   refunds that could result from the MyWater

11   application lowering gallons on the 29th day. It was

12   referenced in his complaint; it was also referenced

13   today for that matter. Is that MyWater usage display

14   connected to customer bills sent by the company?

15   A.   No, it is not.

16   Q.   What is the source of reads for the bills

17   sent by the company?

18   A.   It is our meter data management system

19   which may be referred to as C4E.

20   Q.   And for the purpose of billing, what reads

21   are significant?

22   A.   There's a read that's obtained at the time

23   or the meter read date for a particular month. That

24   read is compared to the read that we obtained the

25   prior month. Calculating the difference between

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1 those two is the usage, similar to the odometer

2 example you mentioned read to read.

3   Q.   And those reads are not pulled from the

4 MyWater application, are they?

5   A.   That is correct, they are not.

6   MR. COOPER: Your Honor, I want to mark an

7 exhibit. This will be Exhibit 3 I guess, and it was

8 on our list of exhibits described as customer bill

9 reads compared to AMI meter reads. These are

10 Mr. Moriarty's -- or is Mr. Moriarty's data, so the

11 exhibit has been marked as confidential.

12 BY MR. COOPER:

13   Q.   Mr. Ebbeler, do you have before you what's

14 been marked as Exhibit 2 for identification?

15   A.   Yes, I do.

16   JUDGE WALKER: I think you mean 3.

17   MR. COOPER: Oh, I'm sorry. Thank you,

18 your Honor.

19 BY MR. COOPER:

20   Q.   Mr. Ebbeler, do you have before you what's

21 been marked as Exhibit 3 for identification?

22   A.   Yes, I do.

23   Q.   Do you recognize this document?

24   A.   Yes, I do.

25   Q.   What is it?

1   A.   This is a comparison of the meter readings

2   used for billing and the meter reads obtained from

3   our AMI head-end system.

4   Q.   Is it your head-end system, or is it that

5   of the meter manufacturer?

6   A.   From the meter manufacturer's head-end

7   system.

8   Q.   Okay. Was this document prepared by you?

9   A.   Yes, it was.

10   Q.   To the left there is a series of columns

11   under the title Billing Meter Reading Data. Tell me

12   what that is.

13   A.   Each line shows the meter read date that

14   was used for billing. So, for example, the top

15   line, 8/5, that was the meter reading date we used

16   for billing in August. And the meter read was 1513

17   which is what is on his bill.

18   Q.   Okay. Let's kind of stay away from the

19   particular numbers I guess for the time being here.

20   In that same set of columns there are some

21   horizontal lines that are marked in or shaded in

22   gray. What's represented by those lines?

23   A.   Those are meter readings that we obtained

24   between bill cycles. So they weren't used for

25   billing because they were obtained between or during

1 his meter read period.

2   Q.   And would they have represented at least

3 in some cases actual viewing of the meter itself?

4   A.   Yes.

5   Q.   And is that the reason for the, under

6 Meter Reading Reason, most of these are 01 and those

7 are 10 or 10. Is that what's represented by that

8 meter reading reason?

9   A.   Yes. In our -- in our system that's

10 represented as a service order read.

11   Q.   To the right side of the document it says,

12 AMI Reading Data over a series of columns. What's

13 represented on that side of the sheet?

14   A.   That is the first read we obtained on each

15 of those days and the last read we obtained on each

16 of those days.

17   Q.   Now, on the following pages there's some

18 other information represented. What are on those

19 following pages?

20   A.   This is the August bill that we sent to

21 Mr. Moriarty.

22   Q.   What, if anything, after you completed

23 this exercise, did you conclude from your review?

24   A.   On the third page of the bill shows the

25 meter read dates and the meter reads, so I concluded

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1   that they matched the meter reads that we had

2   obtained on those days.

3   Q.   Did -- was that true of the other bills

4   that you reviewed as a part of this process?

5   A.   Yes, it was.

6   MR. COOPER: Your Honor, at this time I'd

7   like to offer Exhibit 3 into evidence.

8   JUDGE WALKER: Any objections? Hearing

9   none, it will be admitted.

10   (Company Exhibit 3 was admitted and made

11   a part of the record.)

12   BY MR. COOPER:

13   Q.   Now, Mr. Moriarty suggested that water

14   quantities in MyWater or shown in MyWater are

15   downstream of the billing system. Do you agree with

16   this characterization?

17   A.   No, I do not.

18   Q.   How would you describe it?

19   A.   We get the reads from the manufacturer's

20   head-end systems into our American Water meter data

21   management system. And from our meter data

22   management system, various systems consume that data.

23   So we calculate bills directly by pulling data from

24   the MDMS. MyWater is populated from the data in the

25   MDMS.

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1   Q.   Now, is there a difference in the amount

2 of data needed for the billing system as opposed to

3 the amount of data needed for the MyWater usage

4 display?

5   A.   Yes.

6   Q.   What data is needed -- and you probably --

7 and you have touched on this before, but what data is

8 needed for the billing system?

9   A.   Just a meter read and a meter read date

10 along with what we used the prior month for the meter

11 read and meter read date.

12   Q.   So essentially two reads?

13   A.   Correct.

14   Q.   In comparison, how much data or how many

15 reads are needed for the MyWater system, for example,

16 for a 24-hour usage report?

17   A.   You would need 24 reads, one for each

18 hour.

19   Q.   In his -- well, let me ask you this:

20 Mr. Moriarty asked that all customer service be

21 provided in the customer's own state or an adjoining

22 state. How does the Company currently address

23 customer service?

24   A.   We have a centralized customer service

25 department so that our customer care agents can be

1   specialized. Some of the advantages to that allow us

2   a larger pool of professionals to hire. It allows a

3   more efficient means to implement changes or conduct

4   training. And the larger number of employees for our

5   larger footprint allows us to better handle customer

6   inquires when there may be an unexpected call volume

7   spike.

8   Q.   Now, also in his testimony Mr. Moriarty

9   suggests that the day and time of meter reading

10 should be shown on a customer's bill. What does

11 Missouri-American's bill currently show?

12   A.   Just the meter read and the meter read

13 date along with the consumption calculated from the

14 meter read and dates.

15   Q.   To your knowledge is Missouri-American

16 currently capable of showing a meter read time on a

17 bill?

18   A.   Not currently, no.

19   Q.   Mr. Moriarty suggests that during 2024

20 Missouri-American hung up on him on many occasions.

21 Now, have you reviewed the recordings of calls

22 between the call center and Mr. Moriarty?

23   A.   I have reviewed the available calls.

24   Q.   Do you acknowledge that some calls were

25 disconnected or dropped unexpectedly?

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1   A.   Yes.

2   Q.   Can you tell what happened in those

3 instances?

4   A.   I -- I could not tell what happened,

5 correct.

6   Q.   If the Company did determine that a CCA

7 hung up on a customer, what would be the consequence

8 of that?

9   A.   The situation would be reviewed for

10 discipline for that CCA.

11   Q.   As to the customer service center or

12 contact center, have there been changes implemented

13 recently?

14   A.   Yes. We've recently moved the -- some of

15 the call handling supporting software to the cloud, a

16 cloud-based system. And along with that we have a

17 virtual assistant to help our CCAs provide better

18 customer service by directing them based on keywords

19 said to places on the account to help answer

20 questions better. It also -- another benefit is that

21 it has some artificial intelligence built in to help

22 summarize the discussion between the customer and our

23 customer care agents. Those are some of the

24 advantages.

25   Q.   And when we say it was recently

1 implemented, was the implementation what, just

2 started at the end of 2024. Is that correct?

3   A.   That sounds right.

4   Q.   November or December, late 2024 anyway?

5   A.   I would agree with that.

6   MR. COOPER: Yeah. That's all the

7 questions I have at this time, your Honor.

8   JUDGE WALKER: Before we go any further,

9 Mr. Moriarty, this exhibit is listed as confidential.

10 And I would like to know if you would allow your

11 information to be public.

12   MR. MORIARTY: Yes.

13   JUDGE WALKER: Yes? All right. It will

14 be admitted as-is. And in terms of cross-

15 examination, I think we're going to use the same

16 procedure that the parties have agreed to, and that's

17 the complainant will go first, then staff, then OPC

18 unless someone has an objection. Mr. Moriarty?

19   MR. MORIARTY: I would prefer to get the

20 Company's witnesses before the Staff.

21   JUDGE WALKER: We're going to do that,

22 but you have the right to ask Mr. Ebbeler

23 cross-examination questions at this point.

24   MR. MORIARTY: Just on this document?

25   JUDGE WALKER: Anything -- yeah.

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 1   Anything that --

 2   MR. MORIARTY: Oh, anything?

 3   JUDGE WALKER: -- he's testified to as

 4   well as the document.

 5   CROSS-EXAMINATION

 6   BY MR. MORIARTY:

 7   Q.   Well, let's talk about this document

 8   first. These are the readings from the manufacturer?

 9   A.   These --

10   Q.   Who's the manufacturer?

11   A.   Your meter in point is a Badger. Badger

12   is the manufacturer.

13   Q.   If the customer receives two different

14   numbers gallons reported for the same day from the --

15   from the Company, is it legitimate for the customer

16   to question why -- which one is correct?

17   A.   I could understand why you would question

18   that from the MyWater app.

19   Q.   And should that customer -- does that

20   customer deserve an explanation?

21   A.   Yes.

22   Q.   Paul -- may I call you Paul?

23   A.   Sure.

24   Q.   Paul, what role did you have in the

25   preparation of the Company's answer to my complaint?

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 1   A.   I mean, I --

 2   MR. COOPER: Objection. The answer is a

 3   document that was filed by counsel on behalf of the

 4   Company, and any interaction between counsel and

 5   employees of the Company in preparation of that

 6   document would be privileged.

 7   JUDGE WALKER: Overruled.

 8   BY MR. MORIARTY:

 9   Q.   On page 3 of your testimony, you describe

10   your responsibilities as senior manager operations,

11   and one of those responsibilities is employee

12   training. Operations does not include customer

13   service. Is that correct?

14   A.   Customer service --

15   Q.   The call center specifically.

16   A.   Correct.

17   Q.   Okay. So employee training, your employee

18   training then does not include any training of the

19   CCAs. Is that correct?

20   A.   Not directly from myself. We -- we work

21   with our customer service organization in a

22   partnership, so I have influence and ability to help

23   with that.

24   Q.   Does your office receive copies of your

25   customers who contact the call center of the contact

1 notes?

2   A.   It is in our system, so any employee would

3 be able to view those comments.

4   Q.   So it's not a normal part of your

5 department's or your organization's duties to review

6 the contact notes that are coming in for customers

7 that you serve?

8   A.   For escalated issues or inquiries, we

9 would -- it would perhaps come to our office for

10 review.

11   Q.   Can you expand on expedited issues? What

12 does that encompass?

13   A.   Sure. That would include if -- if there's

14 a public service complaint for one. There are

15 occasion -- sometimes very unique situations that

16 come up where again we are in partnership with our

17 customer service organization and if things come up

18 that we need to -- to help answer questions, that's

19 where we would get involved.

20   Q.   Paul, please explain your responsibilities

21 regarding data management and data integrity which

22 you included in your responsibilities.

23   A.   Well, we --

24   Q.   In fact, let me be more specific. Let's

25 limit that question to the MyWater application.

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1   A.   So I think we have another -- you know, my

2 counterpart Derek was going to be getting into more

3 of the details surrounding the MyWater application

4 and how it uses our data from our systems.

5   Q.   Okay. What department or group in the

6 company was responsible for the development of

7 MyWater?

8   A.   That would be addressed in Derek's --

9   Q.   Derek.

10   A.   -- testimony and questions.

11   Q.   Were you involved in the testing at all?

12   A.   There were a lot of employees involved in

13 testing, and yes, I -- I was a small part of a very

14 large effort to test various functions.

15   Q.   On page 5 of your testimony and

16 specifically on line, about line 4, you discuss data

17 transfer. What -- who or what other systems in the

18 company have access to the transmitter head-end

19 system?

20   A.   The manufacturer's head-end system is

21 something available to a relatively smaller group of

22 employees. I am one of those employees who have

23 access to the manufacturer's head-end system.

24   Q.   Does that include field reps that come out

25 to the home?

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1   A.   They -- some do, although it's not

2   generally their -- their primary source that they

3   would use, but.

4   Q.   Because the reps that came to my home had

5   a laptop computer, and they showed me my current

6   consumption on the laptop computer. And that's

7   actually what I thought I was going to be getting

8   access to when they moved my meter outside. They

9   said you'd continue to have access to your current

10   meter data. I don't see that same information in

11   MyWater, do I?

12   A.   Correct. You're seeing, you know, the --

13   we have multiple types of head-end systems which I

14   think was mentioned. Badger is the meter that you

15   have, and they have a head-end system. We also have

16   Neptune meters and end points that have a head-end

17   system and Aclara that has a head-end system. So,

18   no. You're seeing -- all the data from those head-

19   end systems go to our meter data management system

20   and from the meter data management system, we're

21   presenting the data to you through MyWater.

22   Q.   But not the field reps that come to my

23   home. They have what, direct access to the -- is it

24   correct to talk about the cloud and the head-end

25   system as one and the same?

1   A.   Well, there's kind of two clouds. You

2 could call the manufacturer's head-end systems a

3 cloud themselves individually, but then we also have

4 our meter data management system which is our cloud.

5 So we get --

6   Q.   But the manufacturer's cloud feeds your --

7   A.   That is correct.

8   Q.   So the manufacturer cloud is -- gets the

9 data first?

10   A.   That is correct.

11   Q.   How often?

12   A.   It depends on the particular end point,

13 but in general, like four times a day there's a call

14 out to bring data from the meters into the

15 manufacturer's head-end system. So in theory it

16 would update three to four times a day.

17   Q.   Who's the manufacturer of the cloud then?

18 That's not Badger?

19   A.   Yeah, it is Badger.

20   Q.   That is Badger. Okay. Okay. Turning to

21 page 6 of your testimony, I'm going to say about

22 line 22, you start a discussion of AMI enabling the

23 company to read data every 15 minutes or every hour.

24   What functions have access every 15

25 minutes?

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1   A.   I don't believe that we have that

2 anywhere, not in the manufacturer's head-end systems.

3   Q.   So not even the cloud?

4   A.   Correct.

5   Q.   So -- so everything would be every hour

6 then is what --

7   A.   No.

8   Q.   -- in actuality is happening?

9   A.   No. It would be four to six -- or excuse

10 me, three or four times a day. In order to conserve

11 battery the meter transmitters can't continuously

12 feed data into the cloud, the head-end cloud.

13 That's -- it's called upon three to four times a day.

14   Q.   That's the cloud. And everything

15 downstream of that would probably be less often?

16   A.   Correct.

17   Q.   Do you have the formal complaint with you,

18 specifically the exhibits?

19   A.   Yes, I do.

20   Q.   Can you look at Exhibit A. That's the

21 email from MyWater to, I assume, all customers?

22   A.   Yes.

23   Q.   Heading, Hourly Water Usage Data?

24   A.   Yes.

25   Q.   Okay. Read the sentence immediately below

1 the big graph at the top of the page. It starts out,

2 At American Water?

3   A.   At American Water many of our customers

4 enjoy the benefits of advanced metering

5 infrastructure, AMI. AMI meters are high-tech water

6 meters that allow customers to track their up-to-the-

7 hour water through MyWater.

8   Q.   What does the up to the hour mean?

9   A.   I would say you would probably read that

10 to say up to the most recent hour, last hour.

11   Q.   On page 2 please read the sentence

12 immediately below the title AMI Meter Benefits at the

13 bottom of the page. It starts out, In addition.

14   A.   In addition to providing customers with

15 access to real-time data, AMI meters provide the

16 following benefits.

17   Q.   So what does real-time mean?

18   A.   That would imply up to the hour, like in

19 the previous section that it said.

20   Q.   I have one more question on that exhibit.

21 At the top of page 2 there's three bullet points.

22   A.   Better understand your water usage? That?

23   Q.   Yeah. I want you to read -- read the

24 third bullet point, Get improved customer service.

25   A.   Okay. Get improved customer service with

 1   AMI. American Water can access your water meter data

 2   immediately without having to send out a field

 3   service representative. You can access the same data

 4   we have to work with our customer service teams to

 5   determine if there is an issue that requires a field

 6   service representative visit.

 7   Q.   What does immediately mean?

 8   A.   It would imply at least up to the hour,

 9   like --

10   Q.   So the field rep has access up to the

11   hour?

12   A.   Well, let me -- let me say that I -- this

13   has since been clarified. You did bring this to our

14   attention about using the term "real-time." And

15   based on that feedback, we recognized that that was

16   not accurate to say that it's up to date, up -- you

17   know, real-time. So that's been modified to clarify.

18   We can provide hourly data, but it's not necessarily

19   up to the most recent hour or immediate.

20   Q.   And where is it you present that

21   information?

22   A.   We did update it on MyWater specifically.

23   It does now have a notice at the bottom that says,

24   This is not real-time data.

25   But it does -- it does label as this chart

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1 does the date and the hour, so it -- it tells you

2 what hour and days we have, and it also says we don't

3 have up-to-the-hour data.

4   Q.   Are you aware that that information is

5 not being presented on the reports, the 24 hour and

6 the 30-day reports?

7   A.   You mean the -- the clause reminding --

8   Q.   Yeah.

9   A.   I'm not aware of that, but it does have a

10 date and time stamp to which that usage is being

11 calculated on the -- on the download. But it doesn't

12 specifically say that this is not up to date.

13   Q.   I've looked a long time to find that

14 information. And I found it on the screen. When

15 it -- when the report's presented on the screen, it

16 reads that across. In fact, I had a problem with the

17 wording. But it's not being printed on the printed

18 report. That's why it took me so long to find it.

19 Because I print the reports and then I look at them.

20 And then that information -- sorry -- is not getting

21 to the reports. It's showing on the screen before

22 you print the report. When you print it, that does

23 not show up. You weren't aware of that?

24   A.   I was not aware that it didn't print on

25 the report, but I might not expect it to because the

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1 report states the hours and dates for each of the

2 usage. So when you print the report, it specifies

3 what days and hours it's presenting.

4   Q.   But as we agreed in the -- when we

5 reviewed Exhibit A, it's not real-time and it's not

6 up to the hour?

7   A.   Correct. And we have since updated

8 that -- that image. That presentation that we have

9 in MyWater that shows this chart has now been updated

10 to specify that it's not necessarily up to the hour.

11   Q.   But it's not getting to the printed

12 report.

13   A.   It's not showing that on the printed,

14 correct.

15   Q.   All right. On page 8 of your direct

16 testimony starting on about line 3 you indicate, A

17 customer's bill is determined by subtracting the

18 previous meter reading from the first day of the

19 billing cycle of the current meter reading on the

20 last day of the billing cycle. Is that correct?

21   A.   That is correct.

22   Q.   So the To date -- I'm sorry. The From

23 date is the one that's displayed first on the

24 customer's bill. Is that a full 24 hours for that

25 day?

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1   A.   Well, we --

2   Q.   What time -- what time is the meter read

3   normally?

4   A.   We've never, you know, been particular

5   about the time of day even when we -- meters used to

6   be read manually, you know. Many years ago somebody

7   would walk the route and read the meters. We

8   don't -- we don't typically associate time as

9   important to make sure that the read is obtained on

10 that day.

11   Q.   Does that hold true of the To date also?

12   A.   That is correct.

13   Q.   So it could be one hour from the From date

14 and one hour from the To date?

15   A.   It could be 1:00 a.m. on one of the days

16 and it could be 3:00 p.m. on the other.

17   Q.   So this could be up to 48 hours short if

18 both days are only a fraction of an hour?

19   A.   Potentially. In general our systems do

20 pull in the first read of the day, but if there's

21 some type of delay, you know, we've always been, you

22 know, made sure that we have a read on the particular

23 day of the read. And the hours have not been, you

24 know, of huge -- of huge concerns. But in general it

25 does -- we do use the first available read for that

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1 day.

2   Q.   That's what I would expect. And that

3 would be true of the To date also?

4   A.   Yes. And back to the --

5   Q.   So it's not true that -- it's not through

6 the To date. It's only the beginning of the To date?

7   A.   That is correct. That's -- it's -- the

8 meter reads are obtained at some time during the day,

9 midnight to midnight on the meter read date.

10   Q.   I don't know if you've read my direct

11 testimony, but I -- I was exploring some areas in

12 there about how possibly a footnote on this bill

13 could clear up a lot of things for the customer. If

14 you said something to the effect that it's early in

15 the day on the From day and early in the day on the

16 To date, which means it's really through the day

17 before the To date. I'm just looking for solutions

18 here.

19   A.   Sure.

20   Q.   And if there's any way to clean this up

21 with a footnote, it would -- I think it would be very

22 helpful to the customer.

23   A.   That's a suggestion we can take back

24 and --

25   Q.   Yeah.

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1   A.   -- consider.

2   Q.   Well, it's in my direct testimony, so.

3   A.   Yeah.

4   Q.   Further on down in that same page,

5 line 21, you mention -- you start a -- you start a

6 sentence that says, The Company worked closely with

7 Mr. Moriarty after he filed his complaint.

8   Why does it take a formal complaint to get

9 the local office to work closely with a customer?

10   A.   It -- it doesn't. In this case with

11 the -- I mean, you had very good, detailed questions

12 in regards to the MyWater app and the presentment of

13 the data, but it -- it was relatively newly deployed,

14 so there were some technical opportunities to clarify

15 some of the presentation that we had which you made

16 some suggestions. There were also -- and it was

17 also, we were at the beginning stages of training all

18 of our employees to view it. So with the -- the

19 technical questions, you know, it didn't -- didn't

20 seem to get to the level that you were looking for,

21 and that's why it was then brought to our attention

22 through your complaint.

23   Q.   I think on page 16 of your testimony,

24 lines 11 -- starting on about line 11 or 12. Yeah,

25 line 11, you say CCAs received additional guidance

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 1 and -- CCAs and supervisors received additional

 2 guidance. Who gave that guidance?

 3   A.   We have a training department within our

 4 customer service organization and, like I mentioned,

 5 you know, this -- this was a newer technology that we

 6 were trying to get across, so it was a continual

 7 effort to get everybody fully trained and with the

 8 ability to, you know, properly understand and

 9 troubleshoot with customers, so.

10   Q.   Do you -- do you understand -- do you know

11 what topics that guidance covered?

12   A.   It would -- I don't know specifics.

13   Q.   Did it cover MyWater?

14   A.   Yes.

15   Q.   Do you know if any changes were made in

16 regards to how CCAs and the supervisors handled

17 questions about MyWater?

18   A.   The continual training that would have

19 been provided would be to enhance their knowledge and

20 skills to answer customer questions for the MyWater

21 app, including the usage display portion.

22   Q.   Do CCAs even have access to MyWater?

23   A.   Yes.

24   Q.   As of when?

25   A.   When, you know, there was that process of

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1 rolling out. I don't have the specific date, but --

2   Q.   Because I had at least two CCAs tell me

3 they don't -- they don't have access to MyWater

4 usage.

5   A.   That was early in our deployment of the

6 new functionality in MyWater.

7   Q.   So that could have been changed recently?

8   A.   Yes.

9   Q.   Do you have the data request, the Staff

10 data request with you? If not, I've got a copy of

11 the one I want to question you on.

12   A.   I do not.

13   Q.   All right.

14   MR. COOPER: Mr. Moriarty, what number DR

15 are you referring to?

16   MR. MORIARTY: I think it's 0006,

17 specifically page 1 of 7.

18   MR. COOPER: Thank you.

19   THE WITNESS: I think I do have that.

20 BY MR. MORIARTY:

21   Q.   Oh, you do have it?

22   A.   Yeah, 0006. And what page?

23   Q.   Page 1, page 1 of 7. Could you read the

24 second-to-the-last sentence at the bottom of the

25 page? It starts out, We request.

1   A.   We request that a supervisor or IT

2 associate with more knowledge on how the system works

3 and handles Mr. Jim to enlighten him on how the

4 system works. We informed him that we will pull this

5 request in for him and document it.

6   Q.   That was a field -- from a field rep, Jose

7 Carter, whom I assume works for you, for --

8   A.   He works in our operations.

9   Q.   In your operations. I'm also going to

10 give you Exhibit I from the -- this is from the

11 formal complaint. And page 1 is what Jose sent to me

12 to review. I pointed one -- out one minor error that

13 didn't get corrected, but that's another -- that's

14 not important.

15   Turn to page 2. This is a letter I

16 received from Camden, New Jersey May 30th, about two

17 weeks after Jose and Paul, different Paul, were at my

18 home. And I -- during that visit I shared with them

19 the 30-day reports and the 24-hour reports which at

20 the time there was a discrepancy of hundreds of

21 gallons. In one day it was 100 gallons I think, and

22 the other day was 200-gallon discrepancy between if

23 you added up the 24 hours and what it was reporting

24 for the day. And I assume this is -- this letter is

25 in response to that visit. It doesn't say so. It

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 1   says, Investigate your higher-than-expected water

 2   bill.

 3   And I never made a complain about the

 4   water bill.

 5   A.   Yeah. I can explain, elaborate on that.

 6   So when we sent the field visit, it was sent under

 7   the potential high bill concern complaint. That was

 8   the service order that was initiated in our system to

 9   send out Paul and Jose I believe. So upon completion

10   of that service order generally what we do is

11   validate that the meter read is in line with what

12   your last billed read was. So this is -- this is

13   basically clarifying that based on that visit, your

14   billing is accurate. But I understand you were more

15   interested in the MyWater usage presentation and that

16   doesn't really address --

17   Q.   That and the fact that --

18   MR. COOPER: Objection.

19   JUDGE WALKER: Excuse me. Mr. Moriarty,

20   you need to let Mr. Ebbeler finish and then talk.

21   Because it's really difficult for the court reporter

22   to --

23   MR. MORIARTY: Sorry.

24   JUDGE WALKER: -- type two people.

25   I know. It's really hard. But if you

1   could go ahead and finish your answer and then,

2   Mr. Ebbeler [sic], go ahead and ask your question.

3   MR. MORIARTY: Sorry.

4   THE WITNESS: No problem. So our letter

5   after a service visit generally addresses, you know,

6   what a customer would have been concerned with in

7   regards to their billing. So this letter went out to

8   just say basically your bill is accurate. But I

9   understand your main concern was the presentation of

10   the usage we're presenting on MyWater. So, you know,

11   I -- the letter's not really addressing what your

12   real issue was which was how -- what you were seeing

13   in MyWater.

14   BY MR. MORIARTY:

15   Q.   That plus my -- the lid on my meter pit

16   was bolted shut. And so one of the things I had them

17   do was change the cover so that I could get into the

18   pit. I did not even know about -- oh, that was a

19   different visit.

20   Why is this letter from Camden not signed?

21   A.   This is a letter from our customer service

22   department or our -- probably our disputes

23   department. These aren't generally signed letters.

24   Q.   There's no greater frustration to a

25   customer than to receive a letter that's unsigned and

1   you don't know who you're dealing with. I -- if I

2   called that number, I wouldn't even know who to ask

3   for.

4   Turn to page 3. This was the letter that

5   I sent back to Camden the day after I think I

6   received this letter. I don't remember when I

7   received this. May 30th, whatever, but I thought it

8   was like the day after. So I may have received it on

9   June 6th. On June 7th I wrote this letter which is

10 page 3.

11   A.   Uh-huh.

12   Q.   And I went into the explanation of 272

13 gallons, hundred gallons more than reported for the

14 day and the 200-gallon variance on the following day.

15 I never received a response from this letter. Never

16 got an answer.

17   MR. COOPER: Is there a question?

18   MR. MORIARTY: Yeah.

19 BY MR. MORIARTY:

20   Q.   Why?

21   A.   I -- without going in and looking, I can't

22 answer that. I -- I know there were several

23 conversations that had taken place that may have been

24 on or around this period that -- but I can't speak to

25 that specifically.

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1   Q.   Did your office receive either of these

2 letters, the one sent to me or the one I sent back?

3   A.   We would have a copy of the one that was

4 sent to you.

5   Q.   In the -- in the computer somewhere?

6   A.   Right.

7   Q.   So that doesn't ensure that anybody ever

8 looked at it from your office?

9   A.   From the letter we sent you?

10   Q.   Either one. You said you'd have both of

11 them in the -- in the system, but that doesn't mean

12 anybody from your office ever looked at either

13 letter.

14   A.   Somebody from our office would have likely

15 generated the letter to go out, the one that said

16 your --

17   Q.   Even though it's from Camden? Says it's

18 from Camden. That may be -- yeah. At the very top.

19 P.O. box, Camden, New Jersey.

20   A.   This letter came from our customer service

21 organization, and that is our corporate address.

22   Q.   So it could have come locally? It could

23 have been generated logically?

24   A.   It -- we have a print vendor, so it's a

25 little more complicated than that, but yes. I mean,

1   it was generated through our standard process of how

2   we send all customer correspondence.

3   Q.   Okay. I was just curious why it didn't

4   generate more interest within the company.

5   JUDGE WALKER: Before we continue I'm

6   going to take judicial notice of the formal complaint

7   and make it part of the record. Are there any

8   objections?

9   MR. COOPER: I think it's even a part of

10   Mr. Moriarty's testimony that was --

11   MR. MORIARTY: I made an attachment.

12   MR. COOPER -- admitted earlier, so.

13   JUDGE WALKER: Well, he's not testifying

14   now, so. Thank you very much. Hearing no other

15   objection I'm going to go ahead and admit it and mark

16   it Exhibit 4. That way we'll all know what we're

17   looking at and talking about.

18   (Complainant Exhibit 4 was admitted and

19   made a part of the record.)

20   BY MR. MORIARTY:

21   Q.   Let's turn to the data request 0012.

22   A.   I'm not sure if --

23   Q.   You got that?

24   A.   -- I have that.

25   Q.   I've got a copy for you. The message that

1 appears sometimes in MyWater when you try to access

2 the reports, you -- all you get back is no date -- no

3 data to display. What causes this message to appear?

4   A.   I believe Derek has that to address in his

5 testimony.

6   Q.   Do you know if it's been fixed?

7   A.   I think Derek has that in his testimony --

8   Q.   Okay.

9   A.   -- to address.

10   Q.   If I may have that back then, I'll save

11 that for Derek.

12   A.   Okay.

13   Q.   Thank you, Paul. This is the 30-day

14 report and the 24-hours report for the 24th August.

15 This was just last week, last few days. If you could

16 turn to the, I think it's the second-to-last page

17 which is the PF -- PDF of the 30-day -- I'm sorry,

18 the 24 hour. Is that correct?

19   MR. COOPER: Mr. Moriarty, do you have

20 copies for others to look at, what you've handed out?

21   MR. MORIARTY: No. I apologize for that.

22 BY MR. MORIARTY:

23   Q.   Specifically do you see one -- one hourly

24 report on that 24 hours that doesn't have any

25 numbers, doesn't have any data?

1   A.   In the chart or in the graph up, the graph

2   or the --

3   Q.   Actually it's in both.

4   JUDGE WALKER: Okay. Mr. Moriarty, I'm

5   going to get copies of that for you for all --

6   everyone. We're going to take a little break now.

7   This is a good time, it's almost 10:30. And,

8   Mr. Moriarty, in the future if you have exhibits that

9   you plan to admit and question a witness about, you

10   need to provide copies to all of the parties which

11   would be Staff counsel, Missouri-American Water, the

12   Office of Public Counsel, the Commission and me. So

13   let's --

14   MR. MORIARTY: I'm sorry, your Honor.

15   I'll -- I'll do that. And I've got a couple others

16   that we can do at the same time.

17   JUDGE WALKER: Okay. Well, we're going

18   to take a break --

19   MR. MORIARTY: And then I'll --

20   JUDGE WALKER: -- right now and I'm going

21   to get those upstairs and get them copied. Let's go

22   off the record.

23   (Off the record.)

24   JUDGE WALKER: Okay. We're going to go

25   back on the record. Mr. Ebbeler, would you please

1 take the stand and you are still under oath.

2 BY MR. MORIARTY:

3   Q.   I had a few questions about documents,

4 recent documents that, like in the last week. And I

5 think they're better directed to the next -- your

6 other Company witness, so I'm going to hold off on

7 those questions, but I do have a couple of others

8 that I wanted to follow up on.

9   On page 11, 12 of your direct testimony,

10 you talk about -- you discuss Mr. Moriarty's leak

11 adjustment request in billing, but do not mention the

12 concept of unexplained usage adjustment, which your

13 office gave me during our discussions about the

14 formal complaint. Can you explain what the meaning

15 of that term is and how often it is used by the

16 Company?

17   A.   So our leak adjustments are provided based

18 on specific guidelines that, you know, criteria that

19 are either met or not. The unexplained high usage

20 adjustment is a discretionary adjustment that is

21 provided in, you know, kind of on a one-off basis,

22 you know, based on the discretion of the situation.

23 So it's a nonstandard adjustment that we provide.

24   Q.   Because the one you provided to me I was

25 able to use with MSD to normalize my water usage for

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1   the winter months, which avoided me paying an extra

2   CCF or two throughout the year of sewer -- my sewer

3   bill. I think it may be the answer to this MSD

4   question, but I want to explore that with the Staff a

5   little bit later.

6   Who in the company is authorized to give

7   an unexplained usage adjustment?

8   A.   That would be our, typically our disputes

9   department or individuals on my team.

10   Q.   Have you explored with MSD alternatives to

11 normalizing water usage in the winter months, winter

12 months that MSD has defined?

13   A.   We simply provide the data to MSD based on

14 the meter reads that are used for your bill. So I'm

15 aware that they -- they bill based on a pocket based

16 on our consumption, but I -- I don't collaborate with

17 MSD on how they produce their bills. We just simply

18 provide them the data that we bill you for, for

19 water.

20   Q.   Is water usage considered customer private

21 data?

22   A.   We share water consumption with MSD

23 because there's a State statute that requires a water

24 company to provide that data for sewer billing. I

25 don't know the specifics of that statute, but we --

1   Q.   Is that something --

2   A.   We wouldn't provide it to just anyone, but

3 for the sewer provider, we're obligated to provide

4 that data to them.

5   MR. MORIARTY: Is that something staff

6 would be able to provide?

7   MS. KERR: The statute?

8   MR. MORIARTY: The statute. Or at least

9 identify the statute.

10   MR. COOPER: If not, I can.

11   MS. KERR: I can provide it. I can find

12 it.

13   MR. MORIARTY: Yeah. That's all I'm

14 looking for is --

15   JUDGE WALKER: If you can give those,

16 Ms. Kerr, the statute number?

17   MS. KERR: Sure. I can find it and

18 provide it.

19   MR. MORIARTY: Thank you.

20   MR. COOPER: 249.645 would be --

21   JUDGE WALKER: Thank you, Mr. Cooper.

22   MR. MORIARTY: 249.645?

23   MR. COOPER: Yes.

24   MS. KERR: That makes my life easier.

25   MR. COOPER: And while we're exploring

1   this, there's also a tariff. Missouri-American has a

2   tariff about that, that same subject, so.

3   BY MR. MORIARTY:

4   Q.   How do you make customers aware of this

5   unexplained -- or have you made customers aware of

6   this? Because I never knew about it.

7   A.   We let customers know proactively if they

8   have a -- if they indicate that they had a leak, then

9   we do as a courtesy offer a one-time leak adjustment

10 if they meet that certain criteria.

11   Q.   If I had known that when I requested my

12 read, I probably wouldn't have requested it. I did

13 not know at the time it was a once in a lifetime.

14   A.   I believe that's on our website.

15   Q.   It is, and I found it later, but at the

16 time I did not know or I would not have even -- even

17 have requested it. But I'm more interested in the

18 unexplained leak adjustment because I think it may be

19 the answer to this question with MSD, how to

20 normalize water usage so they get the billing, the

21 sewer billing right.

22   A.   Well, the unexplained high usage

23 adjustments are basically like a reserve situation

24 that's looked on very uniquely based on, you know,

25 the situation. It's not our standard practice.

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 1   Q.   Would CCAs know about this?

 2   A.   Our CCAs typically would -- would indicate

 3 to a customer that they're not -- they don't meet the

 4 eligibility for a leak adjustment and they would, if

 5 needed, they would pass that on through an escalation

 6 process for further review. And if -- in some

 7 situations, our escalation team may, based on the

 8 situation, apply that.

 9   Q.   Because when I originally made my leak

10 adjustment not knowing it was a once-in-a-lifetime

11 event, all I received was a letter that addressed

12 dates different than the ones that I had questioned.

13 And they never told me about an acceleration process

14 or how to get -- in fact, I tried to get the local

15 office number and they wouldn't give it to me. CCAs

16 don't give you much information. That's the bottom

17 line.

18   JUDGE WALKER: Mr. Moriarty, do you have

19 a question for this witness?

20 BY MR. MORIARTY:

21   Q.   Should they be giving more information?

22   A.   If you're speaking with a CCA regarding

23 a leak adjustment, it's pretty standard practice

24 that we've had for a long time that it's -- it's one

25 per -- per account.

1   Q.   Okay.

2   A.   That should be communicated if you were

3 inquiring about a leak adjustment with one of our

4 CCAs.

5   Q.   I guess I'm more interested in the

6 acceleration process. How do you get to the local

7 office? Because I had to file a formal complaint to

8 get to the local office?

9   A.   Well, the escalation process doesn't

10 generally include the local office. We have an

11 escalation team within our customer service

12 organization to handle escalations. I -- you know,

13 from -- I mean, we don't -- like our -- generally our

14 local offices aren't -- aren't handling customer

15 billing, you know, type inquiries. That's something

16 our customer service organization is specialized to

17 handle for customers.

18   Q.   At the top of page 15 in your direct

19 testimony, lines 2 and 4 -- 2 to 4, you mention, None

20 of the MyWater issues have had an impact on

21 Mr. Moriarty's bill or any other customer's bill.

22   Wouldn't other customers feel the same

23 frustrations I feel dealing with MyWater?

24   A.   I -- I understand some of the -- the way

25 in which the data was being presented in MyWater, and

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1 there were -- there were opportunities that Derek

2 will discuss to improve that. So I understand why

3 that would cause some frustration or confusion which

4 is why we're, you know, making the changes to that --

5 to that presentation.

6   Q.   One of the changes I asked for was simply

7 to put a date and time on the reports, and that

8 hasn't happened. And I don't think you foresee that

9 happening in the future. Why is the Company so

10 reluctant to put date and time on the reports?

11   A.   I'll let Derek, my counterpart, speak to

12 that.

13   MR. MORIARTY: Okay. No more questions.

14 Thanks, Paul.

15   THE WITNESS: You're welcome.

16   JUDGE WALKER: Any cross-examination?

17 Staff? I guess I should let Missouri-American Water

18 go first.

19   MR. COOPER: This is our witness. We're

20 going to wait back till the end for our redirect I

21 think, so.

22   JUDGE WALKER: Okay. That's fine.

23   MS. KERR: No questions.

24   JUDGE WALKER: All right. Office of

25 Public Counsel?

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1   MS. MARTIN: I have a few questions.

2   CROSS-EXAMINATION

3   BY MS. MARTIN:

4   Q.   So I know that you said with MyWater what

5   customers see in the application is it -- you know,

6   during the middle of the billing period wouldn't

7   affect how much they end up being billed. Is that

8   correct?

9   A.   Well, MyWater, you know, the billing

10   period is based on two reads.

11   Q.   Right.

12   A.   Start to end. And MyWater takes the

13   interim data from each day and each hour to present

14   that into the charts that you see in MyWater. So,

15   yeah, there's no -- there's no impact on how that

16   affects billing.

17   Q.   Okay. So I'm going to throw a

18   hypothetical at you if that's okay.

19   A.   Okay.

20   Q.   So Mary Shaw in the middle of the billing

21   period looks at her bill. She is trying to stay

22   under a limit. And she's like, Okay, this is what I

23   need to do. I'm going to still be using water for

24   these things. And that's how she kinds of determines

25   what -- how much she's going to be spending at the

1   end of the month. If -- it would be a problem then

2   if it turns out she had actually spent a hundred or

3   used a hundred more gallons or whatever, it would

4   mess up that budget. Is that correct? And it didn't

5   say that on the application?

6   A.   Yeah. I suppose that would give her the

7   wrong expectation if the data didn't match.

8   Q.   So does -- it sounds as though from

9   Mr. Moriarty that happened maybe a few times. Have

10 they -- has MAWC done anything to fix that issue with

11 having incorrect data in the middle of the month for

12 people who need to budget?

13   A.   I'll let Derek take that, but that -- that

14 is part of our continuing improvement. I mean,

15 again, this is the -- the newer deployment didn't

16 present as perfectly as what we would like to, and

17 Derek will talk about those improvements that have

18 been made thus far.

19   Q.   And so did you have anything to do with

20 how the improvement and roll out of the MyWater

21 application occurred, or is that also Derek?

22   A.   It's a collaboration, you know, with that.

23 Derek is the lead with regards to, you know, the

24 final way in which that MyWater works and functions.

25 So he certainly takes feedback from folks like myself

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1 and others.

2   Q.   Okay. And for CCAs, since I do think that

3 is your area. Is that -- is that right?

4   A.   CCAs are -- are centralized customer

5 service organization.

6   Q.   But you would have more information about

7 how that would work than perhaps talking to Derek or

8 no?

9   A.   We're all in a big -- a partnership, so, I

10 mean, I -- specifically, I mean, it would depend on

11 the question. So I work very closely with all

12 aspects of our customer service organization, but.

13   Q.   Okay. So with the roll out of the

14 application, who would have implemented the

15 integration of the CCA process?

16   A.   I'll let Derek speak to that.

17   Q.   Okay. Because I'm -- you talked about how

18 like CCAs are more specialized in their location and

19 things like that. So, but is that just -- can I ask

20 you more generally about CCAs? Would you be able to

21 help with that or no?

22   A.   Yes.

23   Q.   Okay. Sorry. I am trying to figure where

24 the -- where to draw the line --

25   A.   Sure.

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1   Q.   -- as attorneys like to say.

2   So regarding -- you talked about having

3   CCAs in a centralized location and so they are able

4   to more specialized rather than having them spread

5   throughout in perhaps the building that you work in

6   in St. Louis.

7   A.   Just to clarify, they're centralized, not

8   necessarily physically in a centralized location.

9   Q.   So what is -- when you talk about them

10   being centralized, can you provide a definition?

11   What does that mean?

12   A.   That means they're -- they're all part of

13   what we call our customer service organization from a

14   reporting structure, and we have -- they're dedicated

15   to handling customer service issues.

16   Q.   Do you --

17   A.   And only customer service. So that's how

18   they're specialized.

19   Q.   Okay.

20   A.   They're not, for example, out fixing, you

21   know, working on the pipes. That's a different --

22   Q.   Okay.

23   A.   -- group.

24   Q.   Okay. So it's more like a -- when I

25   thought centralized, I thought you were speaking

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1 location. So do you have customer service

2 representatives, even though they are centralized in

3 goal and purpose within your organization, do they --

4 are they in the individual states or in -- around the

5 individual service areas like in Hawaii and

6 California and Kentucky?

7   A.   We have customer service or customer care

8 agents throughout many of our American Water

9 footprint areas.

10   Q.   Okay. And are they -- are these customer

11 service agents, is their knowledge, are they

12 specialized in terms of -- do you have specific, like

13 a Missouri service area focused team and a Kentucky

14 focused team and a Pennsylvania focused team of

15 customer service agents so that if you have questions

16 by customers in Missouri, they'd be able to be more

17 specific?

18   A.   They're not focused on regional areas.

19   Q.   Okay. So if, you know, if a customer such

20 as Mr. Moriarty -- sorry, he's right in front of

21 me -- but if he had a specific question about his

22 bill and how regulations may affect it, he would not

23 be able to go to Missouri Water. He would have to go

24 to the Public Service Commission to get those

25 questions answered. The CCAs wouldn't be able to

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1 necessarily do that?

2   A.   No. Our CCAs have all the information

3 that they would need to handle, you know, speaking to

4 our, you know, the rules and policies.

5   Q.   Okay. Do they -- so is it just in a

6 database online? Is that how they do it?

7   A.   That's correct.

8   Q.   Okay. But if, you know, Mr. Moriarty and

9 my neighbor in Wildwood was talking about how the

10 specific environmental impacts that someone who's in

11 the Missouri service area would understand and know

12 about are affecting his bill, that might not

13 necessarily be known by the customer service?

14   A.   We have a pretty robust, as you called it,

15 online database to handle keeping, you know, all of

16 our specific guidelines for each area that may vary

17 as well as current events, current alerts, you know,

18 boil orders. That platform is available to any

19 employee, so that's where we -- we keep all of that

20 readily available for our customer care agents.

21   Q.   Okay. And I understand that you don't

22 necessarily have to be in the location to understand

23 everything, but as long as the information is

24 available for an individual like Mr. Moriarty to get

25 that access. I just wanted to make sure.

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1   A.   Certainly.

2   MS. MARTIN: Okay. Well, I do believe

3   that our other questions are for Mr. Tarcza as we

4   discussed, so.

5   THE WITNESS: Okay.

6   JUDGE WALKER: Redirect? Oh, let's have

7   commission questions first.

8   CHAIR HAHN: I -- thank you, Judge. I

9   only have one.

10   QUESTIONS

11   BY CHAIR HAHN:

12   Q.   Early -- hi, Mr. Ebbeler.

13   A.   Hi.

14   Q.   Early in your testimony Mr. Cooper asked

15   you a couple questions about Mr. Moriarty's calls to

16   the call center, and you said you couldn't determine

17   if they were -- if Mr. Moriarty was, in fact, hung up

18   on. And you were asked if there were -- if that were

19   the case, there would be disciplinary. And I wasn't

20   actually sure if in this case Mr. Moriarty may, in

21   fact, have been hung up on. I was curious if there

22   was, in fact, disciplinary actions taken after that.

23   A.   Sure. So I listened to the calls, and it

24   didn't appear to me that there was a malicious

25   intent. There wasn't -- it was I believe two of the

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1 calls that -- I'm not sure if -- it just kind of went

2 dead, so I don't know if it's possible that there was

3 a cell phone outage. I mean, I can't explain why the

4 call stopped.

5   Q.   But did you interview the customer service

6 representative to determine that given Mr. Moriarty's

7 account that he was hung up on?

8   A.   I did not.

9   Q.   So there was no action, in fact, taken to

10 determine if Mr. Moriarty's claims are, in fact,

11 correct?

12   A.   The action we took was to listen, you

13 know, to the calls, so I --

14   Q.   So no additional action on top of that?

15   A.   Correct.

16   CHAIR HAHN: I think moving forward I

17 might encourage you to investigate that further given

18 Mr. Moriarty's claims. Thank you for your response.

19   JUDGE WALKER: Any other Commission

20 questions? Okay. Hearing none, we'll proceed to

21 redirect.

22   MS. MARTIN: Quick question. Do we get

23 to have recross based on Commission questions or? I

24 don't -- sorry. I don't --

25   JUDGE WALKER: If you would like it.

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1   MS. MARTIN: I just have one quick

2   questions based on what Chair Hahn just said.

3   FURTHER CROSS-EXAMINATION

4   BY MS. MARTIN:

5   Q.   Is there any way for -- in an instance

6   like that, if a line goes dead, if you disconnect

7   with a customer, is there a way to call the customer

8   back or let them know, Hey, this is something that

9   happened, something that occurred?

10   A.   That would be the process. In the

11   instances that I heard with the call dropping when I

12   listened to them, this was, you know, at least a

13   year -- a year prior to when that had occurred. So

14   it would be more difficult to -- to investigate, you

15   know, the specific situation. But yes, that would be

16   the process would be if -- if it dropped, to call the

17   customer back.

18   Q.   Okay. And there's no -- you don't record

19   when people call out to customers, just when

20   customers call in?

21   A.   I'm not aware of the recordings of them

22   calling out.

23   MS. MARTIN: Okay. Thank you.

24   JUDGE WALKER: Now we'll go to redirect.

25   MR. COOPER: Thank you, your Honor.

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1   JUDGE WALKER: You're welcome.

2   REDIRECT EXAMINATION

3   BY MR. COOPER:

4   Q.   Early on there was some discussion about

5   the manufacturer's head-end. Do you remember that?

6   A.   Yes.

7   Q.   And if -- if you know or if you can answer

8   this, would the communication issues that are

9   sometimes discussed in regard to getting the data to

10 MyWater generally, that being the cellular connection

11 from the meter, would those issues with the cellular

12 connection also impact the data that could be seen in

13 the manufacturer's head-end?

14   A.   Yes. I mean, if the data doesn't get to

15 the manufacturer's head-end, it certainly couldn't

16 get to our systems.

17   Q.   And so there would be times when even if

18 you're looking at the head-end, again, if there are

19 data transfer issues on the cellular side, you

20 wouldn't have the data either for some period of

21 time. Is that correct?

22   A.   That is correct.

23   Q.   You were asked questions about this

24 Exhibit A which was an email that Mr. Moriarty had

25 you read some items from about the availability of

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1 data and that sort of thing in MyWater. And I think

2 in response to that you indicated that there was now

3 some additional verbiage in MyWater around that

4 issue. Is that correct?

5   A.   Correct.

6   Q.   How about the email itself that it looks

7 like it's from October 17, 2024. Was that Exhibit A?

8 Has that email also been changed?

9   A.   Yeah. I -- that's the email that goes out

10 to inform customers of the functionality. That has

11 been changed.

12   Q.   Okay. You were asked some questions about

13 Staff DR 0006 which had to do with a visit I think

14 ultimately to Mr. Moriarty's property. Correct?

15   A.   Correct.

16   Q.   And what was the date of that visit? Can

17 you tell from that DR?

18   A.   May 13th, 2024.

19   Q.   And just to -- just to kind of draw a

20 little bit of a line here, we had entered Exhibit 3

21 when you first took the stand which was that

22 comparison of the billing data and the AMI data.

23 Correct?

24   A.   Correct.

25   Q.   And on that document we talked about the

 1   horizontal lines to the left that have gray shading.

 2   Correct?

 3   A.   Correct.

 4   Q.   And is there one of those that corresponds

 5   to this May 13 visit that's represented here?

 6   MR. COOPER: Hold on just a second.

 7   (Unintelligible Webex participant

 8   conversation.)

 9   MR. COOPER: Whoever's on the line needs

10   to be muted. It's coming through.

11   (Unintelligible Webex participant

12   conversation.)

13   MR. COOPER: Thank you.

14   BY MR. COOPER:

15   Q.   We were talking about Exhibit 3 that was

16   entered into evidence earlier, and I had asked

17   whether there was one of those meter reads on that

18   exhibit that corresponded to the visit that's

19   represented in DR 0006 I believe. What would your

20   answer be to that?

21   A.   Yes. It's the meter read data 5/13/2024.

22   Q.   And does the reading that was derived on

23   that date, does it make sense in regard to the other

24   meter reads which are both before and after?

25   A.   It matches with the FSR set in his notes

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1 and it is between the read from May 8th, 2024 and

2 June 10th, 2024, which those are the -- the actual

3 bill reads. So it is between those as -- which is

4 what we would expect.

5   Q.   Ms. Martin asked you a question about, it

6 was a hypothetical about a customer utilizing MyWater

7 for their sort of water management. Correct?

8   A.   (Witness nodded head.)

9   Q.   Ultimately is the meter the final sort of

10 determiner of water usage?

11   A.   Yes.

12   Q.   And that's the meter that's located on the

13 customer's premises?

14   A.   Yes.

15   Q.   Lastly you were asked a question about

16 the, oh, the telephone calls that you had reviewed.

17 Correct?

18   A.   Yes.

19   Q.   Okay. And I think you indicated that

20 there was nothing from at least the recordings that

21 you listened to that would suggest someone hung up on

22 someone else. Is that correct?

23   A.   Correct.

24   Q.   And as a part of that analysis, were you

25 listening to tone of voice, subject of the

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 1 conversation, those sort of things?

 2   A.   Yes.

 3   Q.   Okay. And do those figure into the

 4 statement you made earlier that you couldn't tell if

 5 that was the case?

 6   A.   That is correct.

 7   MR. COOPER: Okay. That's all I have

 8 your Honor.

 9   JUDGE WALKER: Okay. Mr. Ebbeler, you

10 may be excused.

11   MS. COLEMAN: Your Honor, at this time we

12 would like to call Mr. Tarcza.

13   JUDGE WALKER: And is Mr. Tarcza here or

14 is he in Barcelona?

15   MS. COLEMAN: He is in Barcelona

16 appearing on our screen.

17   JUDGE WALKER: Okay. We will continue

18 with the international Public Service Commission

19 hearing.

20   MR. COOPER: There you go. Judge, I am

21 just now having received the email from Staff and

22 forwarded for Mr. Moriarty probably more importantly

23 and forwarding that to Mr. Tarcza, so I don't -- I

24 don't know that there will be any delay in

25 availability, but it is just now happening, that next

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 1   step.
 2            JUDGE WALKER:  Well, while we're waiting
 3   to do that, just as a matter of clean up, we're
 4   referring to data request 0006 and 0012.
 5   Mr. Moriarty, would you like those admitted into
 6   evidence?
 7            MR. MORIARTY:  Yes, please.
 8            JUDGE WALKER:  Does anyone have any
 9   objection?  Okay.  They will be marked -- 0006 will
10   be marked Exhibit 5, and 00012 will be marked
11   Exhibit 6.
12            (Complainant Exhibits 5 and 6 were
13   admitted and made a part of the record.)
14            MS. COLEMAN:  May I proceed, your Honor?
15            JUDGE WALKER:  Absolutely.
16                 DIRECT EXAMINATION
17   BY MS. COLEMAN:
18       Q.    Please state and spell name for the
19   record.
20       A.    Oh, sorry.  I was doubled muted on my
21   side.  Good morning, everyone.  My name's Derek
22   Tarcza, D-e-r-e-k T-a-r-c-z-a.
23            JUDGE WALKER:  Mr. Tarcza, can you raise
24   your right please so that I can swear you in.
25            (Witness sworn.)
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1   DEREK TARCZA,

2   the witness, having been first duly sworn,

3   testified as follows:

4   JUDGE WALKER: Okay. You may proceed.

5   BY MS. COLEMAN:

6   Q.   Please state and spell your name for the

7   record.

8   A.   My name is Derek Tarcza, that is D-e-r-e-k

9   T-a-r-c-z-a.

10   Q.   By whom are you employed and what is your

11 title?

12   A.   I am employed by American Water, and my

13 title is senior manager of customer digital products

14 and innovation.

15   Q.   Have you caused to be prepared direct

16 testimony for the purposes of this case?

17   A.   Yes.

18   Q.   Do you have any changes to that testimony

19 today?

20   A.   No, I do not.

21   Q.   If I asked you the same questions today,

22 would your answers be the same?

23   A.   Yes, they would.

24   Q.   Are those answers true and correct to the

25 best of your information, knowledge, and belief?

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1   A.   Yes, they are.

2   MS. COLEMAN: Your Honor, at this time I

3   would now like to offer Exhibit 7 into evidence.

4   JUDGE WALKER: Any objection? Hearing

5   none, it will be admitted and marked Exhibit 7.

6   (Company Exhibit 7 was admitted and made

7   a part of the record.)

8   MS. COLEMAN: Your Honor, at this time we

9   would like to present our rebuttal testimony.

10   JUDGE WALKER: Proceed.

11 BY MS. COLEMAN:

12   Q.   Have you read the testimony filed by

13 Mr. Moriarty?

14   A.   I have.

15   Q.   Mr. Moriarty indicates there is little, if

16 any, testing of changes to the MyWater app before the

17 changes are uploaded to the live version of the app.

18 If there were adequate testing as part of the system

19 management, these errors would stand out and be

20 corrected before incorporating any changes to the

21 live app.

22   Can you walk us through the process the

23 Company uses prior to implementing changes in

24 MyWater?

25   A.   Absolutely. So it's a multi-step process.

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 1   So in summary there's -- you know, whenever we have a

 2   new future, enhancement, or fix that we desire to go

 3   into MyWater, first of all it goes through a set of

 4   creation of business requirements. And in layman's

 5   terms really it's what does the business want this

 6   thing to do where we work with our business analysts,

 7   our customer service department, other teams that are

 8   requesting changes to my MyWater to really

 9   understand, you know, the full business need of that

10   feature, that fix, or that enhancement that's desired

11   to go into MyWater.

12   We also look at it next really from a

13   governance perspective, so really looking at the cost

14   value benefit of, you know, spending, you know,

15   capital dollars to deliver that feature to understand

16   it's going to bring a true return on investment and

17   be helpful for all of our customers.

18   Once we do that and that's approved really

19   through governance, we begin working with the IT

20   development team to create what we call as the

21   technical requirements document. It's really the

22   how-to translating that business need into technical

23   speak so our developers can then, and really the next

24   step, begin developing that said enhancement.

25   Once we believe that development is

1 complete, there's a couple of testing processes that

2 we go through. The first being QA testing; that's

3 quality assurance testing. It's more of an automated

4 process where, you know, we look at that new feature

5 and also all of the other features that are, you

6 know, presently available in MyWater to determine the

7 fit and if there's any, you know, major issues that

8 we see through the automated process. You know, if

9 it fails that, we definitely return it to development

10 and redevelop and then continue the QA process.

11   Once we're satisfied that a QA is

12 complete, there's another round of testing that it

13 goes through. And this is more of a human testing.

14 We call it UAT which means user acceptance testing.

15 Members of the call center group, my team, IT will

16 really, you know, for lack of better terms, try to

17 break that feature, that enhancement to see if it's

18 causing any other issues or we see any issues with

19 that particular enhancement.

20   Once we are satisfied that all the

21 features are working, you know, in accordance with

22 those business requirements we created at the

23 beginning of the process, we'll then, you know,

24 ultimately slate it for, you know, an upcoming

25 release of MyWater.

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1   Q.   And are there any situations where the

2 Company may not be able to replicate an error that

3 the Company -- or that a customer would see in

4 MyWater?

5   A.   Absolutely. And I think a couple of the

6 issues that Mr. Moriarty did bring up are great

7 examples where, you know, in some situations like

8 with bringing in data from live systems, that's not

9 always available in our testifying environments, you

10 know, where we won't see certain anomalies, you know,

11 present themselves during the testing process. So we

12 may not technically be aware or it might be more of a

13 corner-case issue that we did not have, you know,

14 cause to understand during the testing pieces.

15   We always try to go back and understand,

16 you know, we have a fix later on for something we

17 develop and try to, you know, make that testing

18 process ultimately more robust to catch those issues,

19 you know, going forward.

20   Q.   And can you provide us a specific example

21 that Mr. Moriarty brought to our attention?

22   A.   Yes. So Mr. Moriarty brought up a display

23 issue on the 24-hour report where certain hourly

24 reads were showing as 5E-324. It's a unique

25 situation where in the live environment, we did not

1 have that specific data yet in the layers beneath the

2 back-end systems to show into MyWater. So really

3 what that meant is that that meter read at the

4 present time was pending.

5   So what we did is we understood -- did

6 some cause analysis with our technical teams, went

7 through the full process of, you know, creating the

8 business requirement to fix it, understanding the

9 technical details, developing and going through

10 testing to make sure that that issue, that anomaly we

11 won't see going forward.

12   Q.   And when is the Company going to address

13 that issue?

14   A.   We're looking to deploy an enhancement

15 within the next two weeks to correct where, you know,

16 the customer may see that scientific notation being

17 displayed on the 24-hour report.

18   Q.   And just to summarize, that scientific

19 notation is occurring because the Company does not

20 have a read yet for that specific time period?

21   A.   That's correct.

22   Q.   Mr. Moriarty also indicates that 9 out of

23 the 31 days had missing data essentially in MyWater.

24 Can you explain why that occurred?

25   A.   Absolutely. So because we care for, you

1 know, the display of different meter data types

2 coming from the different head-ends that Mr. Ebbeler

3 explained before with Badger, with Neptune, Aclara

4 and a few others, they all come into basically one

5 spot where MyWater basically uses that data, takes

6 that, and that presents that to the customer.

7   We found in some cases, like where he went

8 in, out of, you know, 31 days of the month and 9 days

9 he wasn't able to see that, the data was being

10 overwritten which rendered, when he looked at that

11 report, it would say No Data Available. That's

12 something we've -- we've understood for some time.

13 We have been working with all of our IT departments,

14 the data department, and the back-end departments to

15 understand how to bring that data in, basically split

16 it out so there is no overwriting that would be

17 occurring in the future. We took a couple of steps

18 in March and April to correct that, but there's a few

19 more pieces that we have to deploy. And we're

20 looking to make those changes again within the next

21 couple weeks to correct the issues that Mr. Moriarty

22 did see when he looked at his report in the month of

23 July.

24   Q.   Mr. Moriarty also indicates that it

25 appears the daily negative adjustments were occurring

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1 on the 29th day of the 30-day reports. Could you

2 explain that in greater detail?

3   A.   Sure. So with the 29 days in the usage

4 appearing to be basically cut off, you know, it

5 looked to the customer when he looked at the usage,

6 that the data was being negatively adjusted. What

7 was really happening here was that that usage was

8 showing, instead of 30 days, it was actually a

9 rolling 29-day window. So in essence when you look

10 back at that 29 day, depending on what time the

11 customer looked at the data, it could appear to be

12 cut off and then it would show a negative from -- if

13 the customer looked at it like the day before. It's

14 connected to the, just the usage overview screen of

15 MyWater.

16   So what we did again, as I mentioned

17 before, the deployment process when we do a new

18 feature. We went through really understanding what

19 the issue is, creating the requirements, doing the

20 testing. And that's something we did correct back at

21 the end of January 2025.

22   Q.   Mr. Moriarty also indicates in his

23 testimony that the Company has yet to describe how

24 this program quirk affected the meter readings for

25 the 29th day or any day. Were meter readings

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1 impacted by this issue?

2   A.   No, they were not. And I believe as

3 Mr. Ebbeler described before, the meter reads still

4 work, you know, just like the odometer on a car based

5 off the beginning and end period of that billing --

6 billing cycle. So really that display usage being

7 cut off was only limited to the usage overview screen

8 within MyWater.

9   Q.   And it was not connected at all to

10 billing?

11   A.   It was not connected at all to billing

12 whatsoever.

13   Q.   Mr. Moriarty also indicates that he showed

14 zero usage on July 13th and 14th. Can you explain

15 why that occurred?

16   A.   Yes, absolutely. So if we did not obtain

17 meter reads for a certain time period, after three

18 days of basically trying to get that usage for those

19 specific days, MyWater is basically showing -- the

20 usage overview screen was showing zero for those days

21 where we did not have an exact read from the meter.

22 That went through the cellular network and down into

23 the system into the back end. So what the customer

24 was seeing was zero usage on the 13th and 14th of

25 July.

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1   So what we have been working on, and we've

2   known this for some time, we've also had this

3   feedback come in through our CCAs and a few of other

4   internal partners. We've identified what the issue

5   was. And again, we're looking to make a change

6   within the next two weeks to correct that. If we

7   don't have usage for a certain period, we will be

8   using an allocated read. So let's say on the 12th of

9   July we had a good read that came in through the

10   network and on the 15th, we have another read, but we

11   don't for the 13th and 14th. Because it still works

12   just like the odometer does on your car, we will

13   allocate the usage for that period where we don't

14   have exact read from the device itself coming through

15   the system.

16   Q.   Now, you mentioned that the Company also

17   became aware of this issue through the CCAs. Can you

18   walk us through the process the Company uses if a

19   question arises from a CCA about MyWater?

20   A.   Absolutely. So when our CCAs, you know,

21   have a question that they can't articulate or

22   understand or, you know, feel that there's something,

23   you know, else that they need to kind of escalate,

24   what they'll do is the CCAs will talk to their

25   supervisors to understand the issue, make them

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1   understand the issue. We have a chat set up with

2   some technical experts. So if the supervisors don't

3   have a solution for the CCA to offer while they're

4   talking to the customer on the phone, they'll

5   escalate it to the chat to get a little bit more

6   clarity from the folks on my team or some of the

7   project managers or even the IT team.

8   From there we can collect that feedback

9   and determine if, you know, there's something else

10 that we need to look at from more of an IT

11 perspective to fix the customer issue.

12   MS. COLEMAN: Thank you. At this time the

13 Company has no further rebuttal questions.

14   JUDGE WALKER: Staff, do you have any

15 cross-examination?

16   MS. KERR: I just had -- I just had a

17 couple questions.

18   CROSS-EXAMINATION

19 BY MS. KERR:

20   Q.   In your -- in your testimony you talk

21 about certain upgrades that are being made in August

22 of '25. Were those upgrades made, or have they --

23 are they being made?

24   A.   They are being made. So they're pending

25 right now. We're, you know, again like I talked

1   about, the -- the life cycle process of doing the

2   enhancements, we're still doing the universal

3   acceptance testing on that to make sure that the

4   data's right such as the usage overview screen; we're

5   correcting some of the anomalies that like

6   Mr. Moriarty did see in his 24-hour download. Those

7   changes will be made and deployed to production, you

8   know, hopefully by the end of this month if not

9   within two weeks.

10   MS. KERR: I don't have -- I don't have

11   any other questions.

12   JUDGE WALKER: Thank you. Office of

13   Public Counsel, cross-examination?

14   MS. MARTIN: Yeah, I have a couple of

15   clarifying questions.

16   CROSS-EXAMINATION

17   BY MS. MARTIN:

18   Q.   So -- pardon me. So it sounds as though

19   you're making improvements currently, there have been

20   a lot of improvements that the Company has made.

21   Does that -- so does that mean that everything that

22   has since been improved or addressed was not to

23   the -- was to Moriarty's -- Mr. Moriarty's complaint

24   was not to the standard that it is now or that it

25   will be?

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1   A.   I would say, you know, in that case

2 partially right. It's a continuous process and, you

3 know, we don't have the ability to fix everything at

4 once. So as we have the feedback, you know, such as

5 what Mr. Moriarty provided us, you know, we've been

6 working on those various improvements. Some have

7 been made, and some are still yet to be put into

8 production.

9   Q.   So for issues such as the 29-day meter

10 reading, things like that, do your CCAs have the --

11 have access to the technical information regarding

12 the -- those sorts of questions from customers?

13   A.   Can you -- can you restate that? I'm

14 sorry.

15   Q.   You spoke at one point about how there was

16 something that Mr. Moriarty was having an issue with,

17 and your explanation was there was a 29 -- the system

18 was doing a 29-day meter reading rather than a 30-day

19 meter reading. For the customer -- for the CCAs, do

20 they have access to those technical details about the

21 app that they can explain to customers?

22   A.   They -- they do. So anytime you make

23 changes to MyWater, all of our CCA groups are aware.

24 They -- they get release details that are

25 disseminated through, you know, news you need to know

1 and various channels that we communicate to our CCAs

2 about updates to MyWater.

3   The other piece too, it's -- you know, you

4 mentioned 29 day meter reads. It's really just the

5 usage chart. That had no effect on the actual meter

6 reads itself; it was just the actual display for the

7 customer when they were logging into MyWater to see

8 that usage.

9   Q.   Right. And I'm specific -- whenever I'm

10 referring to meter reads, I am specifically talking

11 about what is displaying for the customer since --

12   A.   Sure.

13   Q.   And do you know how -- how much money the

14 MyWater app costs?

15   A.   I do not have that detail, no.

16   Q.   Okay. But it was an expense that the

17 Company paid and possibly earned return on?

18   A.   I -- I can't answer that question. The

19 only thing I could really answer in terms of spend in

20 terms of MyWater is the new enhancements that we make

21 and the governance process that we have in place to

22 determine the cost/benefit analysis of that

23 secondhand spend.

24   Q.   Okay. And so it's been clarified that

25 the -- that the display on the MyWater app is not

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1   necessarily what a customer's being billed and for

2   various reasons could be incorrect. Is that -- or

3   need to be adjusted. Is that correct? And it has no

4   effect on the bill?

5   A.   It has no effect on the bill.

6   Q.   Okay.

7   A.   That's correct, yeah.

8   Q.   And so is -- so if you were a customer and

9   you wanted to be absolutely sure of your bill, what

10   would you do?

11   A.   So the improvements we're making to the

12   usage overview in MyWater, you know, we're confident

13   that once we're complete with the general group of

14   changes including the changes we're going to be

15   making this month, we'll provide the customer with

16   the best available view of their usage.

17   We are -- you know, we've gone through the

18   testing on this. It's been on, you know, really the

19   road map for some time since we've seen these issues

20   and we've had the feedback from customers like

21   Mr. Moriarty to make the improvement. So that when

22   they do look at that usage overview, it'll be the

23   best available for the customer to see and help make

24   decisions about their usage.

25   Q.   And, but those improvements were not in

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 1   existence at the time of Mr. Moriarty's complaint?

 2   A.   They were not, no.

 3   Q.   And, but if you -- since the bill and the

 4   display don't necessarily show the same thing, what

 5   is the best way for a customer to ensure that the

 6   amount that they are seeing in MyWater is going to be

 7   the amount that they are billed and/or how do they --

 8   let me put it another way.

 9   If a customer wanted to be absolutely

10   positive of their water bill, what would they do?

11   A.   They -- they have the ability to -- I

12   mean, the usage overview, to go in there, to look at

13   that. Again, that's -- you know, we're still making

14   the improvements, but, you know, the -- we will be

15   updating that again to show the customer the exact

16   usage details. If we don't have a read for a

17   particular period, we'll be showing the allocated

18   reads. So once -- once we're done with those

19   changes, the customer will have a better way to

20   self-serve and see that usage.

21   Q.   But would you advise a customer to check

22   their physical meter to make sure that the meter and

23   the bill -- that their expectations will meet the

24   reality?

25   A.   If the customer wishes to do that,

 1   absolutely.

 2   Q.   So it might be a problem if a bill [sic]

 3   is under a grate and the customer has a broken foot?

 4   A.   That -- that might be -- that might be an

 5   issue, yes.

 6   Q.   Okay. And there's nothing in the MyWater

 7   app that would fix the broken foot or the heavy grate

 8   that they have to lift. Is that --

 9   MS. COLEMAN: Objection, your Honor,

10   relevance.

11   JUDGE WALKER: Relevance to what?

12   MS. MARTIN: I was asking what -- what

13   would be -- what would the app do in such an

14   instance.

15   JUDGE WALKER: I'm going to sustain the

16   objection.

17   MS. MARTIN: That's fine. I think I am

18   finished with my questions.

19   JUDGE WALKER: Mr. Moriarty, do you have

20   questions for this witness?

21   CROSS-EXAMINATION

22   BY MR. MORIARTY:

23   Q.   May I call you Derek?

24   A.   Absolutely.

25   Q.   Derek, on page 8 of your direct

 1 testimony --

 2   A.   Mr. Moriarty, can you speak into the mic?

 3   Q.   On page 8 of your direct testimony, you've

 4 got a footnote 1. If you refer to your rebuttal

 5 testimony in Case WR-2024-0320, is that your

 6 testimony in the Company's recent rate case?

 7   A.   That would -- that is -- that is correct.

 8   Q.   Do you have that testimony with you today?

 9   A.   For the rate case, I do not.

10   Q.   I could read the -- I've got two copies,

11 your Honor, that I've made for this. I can give one

12 to the Staff and one to the Company. And I can share

13 the one I've got with the Office of Public Counsel.

14   JUDGE WALKER: I think that's acceptable.

15 I have a copy, and I will share it with the

16 Commissioner. If we're going to have exhibits for

17 this afternoon, I would encourage you to make copies

18 for -- so that they're available for the parties, the

19 Commission, and me.

20 BY MR. MORIARTY:

21   Q.   I'll read it to you, Derek. On page 6 of

22 your testimony under Call Center Findings, roman

23 numeral 3, you refer to an audit. I think it was --

24 you called it a call center audit. Do you recall

25 that?

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1   A.   I -- I do, yes.

2   Q.   Is the call center under the control of

3 your employer, American Water Works Service Company?

4   A.   The call center is part of our customer

5 service group which is under the service company,

6 yes.

7   Q.   So Missouri-American Water Company doesn't

8 have its own call center. Is that correct?

9   A.   That's correct.

10   Q.   Okay.

11   A.   It's a -- it's a group, as Mr. Ebbeler

12 described before, it's a group call center. That's

13 part of the larger organization that serves all of

14 our footprint.

15   Q.   Okay. Who performed that audit?

16   A.   I do not have the details of who performed

17 the audit.

18   Q.   Do you recall when it was performed?

19   A.   I do not have the dates in front of me.

20 Sorry. I can't answer that.

21   Q.   Do you know if that audit addressed what

22 the Staff refers to in its Staff report as

23 unexpectedly dropped calls?

24   A.   I believe the audit did speak to an issue

25 we were having with dropped calls, yes.

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1   Q.   The audit did?

2   A.   Yes.

3   Q.   Do you recall what those findings were?

4   A.   Off the top of my head, I cannot recall

5   exactly what the audit concluded in terms of that. I

6   can speak to the fact that, you know, with regard to

7   the call center and how we handle our calls, you

8   know, many improvements have been made in the call

9   center technology that we've employed that all of our

10   CCAs use to better service the customers. It's more

11   reliable technology. The agents have a lot more

12   control and access to information that's provided

13   through our newer call center technology that we've

14   implemented in late 2024.

15   Q.   Is that a term that was developed within

16   the Company, unexpectedly dropped calls?

17   A.   Not to my knowledge.

18   Q.   I think the Staff in its report referred

19   to four unexpectedly dropped calls with just me in a

20   period of probably not a year. Does that seem like

21   an unusually large number of unexpectedly dropped

22   calls?

23   A.   I -- I wouldn't be able to answer that one

24   either. I don't know what -- what an average, you

25   know, what an average dropped call was at that

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 1 particular time.

 2   Q.   Okay. On page 6 of your rebuttal

 3 testimony in the rate case, you discuss an

 4 enhancement that you call Intelligence Virtual

 5 Assistant, IVA. And on page 19 -- I'm sorry -- on

 6 line 19 of that page 6 you indicate that IVA -- this

 7 is a quote -- IVA can use customer data and past

 8 interactions to personalize and continue to improve

 9 experience, customer experience while the back-end

10 integrations provide a smoother path to resolution.

11   What is the back end?

12   A.   So the back end is that the call center

13 technology we've implemented. So the call center,

14 you know, system, that IVA is connected to our

15 customer system of record which is S&P. When a

16 caller calls in, we will verify the caller through

17 the automated technology. And if that caller does or

18 customer gets to an agent, the IVA technology will

19 pass that -- those details automatically to the agent

20 so the information would pop up to the agent and the

21 agent has a better experience and a better experience

22 for the customer when they call in because some of

23 that verification process has been predone. And it

24 gives the -- arms our agents with more information

25 about trends and better service that customer.

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1   Q.   Does that in -- does the customer data

2 include the current MyWater records for that specific

3 customer that the CCA is talking to?

4   A.   Mr. Moriarty, what do you mean the MyWater

5 records? What are you referring to specifically?

6   Q.   The water usage information that's

7 provided in MyWater that creates the 30-day report,

8 the 24-hours report, the 12 months and 36 months, I

9 think there's a 24 month. The data that's in

10 MyWater, is that provided in the customer data that

11 the IVA provides to the system?

12   A.   What the IVA will do is basically bring up

13 the customer record for the agent. The agents also

14 use MyWater as well when a, you know, a customer

15 calls in. So the IVA is basically integrated to

16 MyWater. It will bring up the customer's account.

17 And on the page that, you know, our agency, it's

18 almost akin to what you would see if you logged into

19 your account today. So they would be able to see

20 usage details as part of that.

21   Q.   So CCAs do have access to MyWater records

22 for that customer?

23   A.   Yes, they do.

24   Q.   When was that capability initiated?

25   A.   The IVA technology was implemented late

1 last year. I don't have an exact date.

2   Q.   And are you saying it included the MyWater

3 information from day -- from that day, from the

4 initial late 2024?

5   A.   The usage information, the agent would

6 normally be able to see, you know, even prior to the

7 implementation of IVA.

8   Q.   Do you have data -- Staff data

9 request 0001?

10   MS. COLEMAN: Your Honor, if I may, Derek,

11 you'll be able to find that information in our

12 internal files --

13   THE WITNESS: I do have it.

14   MS. COLEMAN: -- under -- okay.

15   THE WITNESS: Yeah. I was just getting

16 it up here, yep.

17 BY MR. MORIARTY:

18   Q.   And specifically the first question, we'll

19 go to page 3.

20   A.   When I look at 001, I only see -- it's

21 a -- this is a data request dated February 3rd, 2025.

22 And what I have her says, Please provide all notes

23 and accounts for Mr. Moriarty's account located at --

24 located at your address from 1/1/2023 to current.

25   MS. COLEMAN: Derek, you're going to need

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 1   to look at the attachment to that response.

 2   THE WITNESS: Got it.

 3   BY MR. MORIARTY:

 4   Q.   Page 3 of that attachment.

 5   A.   One second. Yes. I'm on page 3 of that

 6   attachment.

 7   Q.   All right. Would you read the very last

 8   line on that page?

 9   A.   I explained to the customer we cannot see

10   the daily usage and that the website is only info

11   that will show daily usage. Customer requested

12   supervisor.

13   Q.   So I assume the website she's referring to

14   there is MyWater?

15   A.   Correct.

16   Q.   But she says she can't see the data.

17   A.   That's correct. And I can't explain why

18   this customer service agent wasn't able to look at

19   the daily usage on that day and provide that to you

20   when you called in on June 19 of 2024.

21   Q.   Can you go back one page to page 2 of 16?

22   A.   Yes.

23   Q.   And read the second-to-last line on the

24   page.

25   A.   I advised BP we cannot see daily usage.

1   Would like to speak with someone else.

2   Q.   So that -- that person, that CCA is also

3   telling me that she can't see MyWater.

4   A.   Correct.

5   Q.   Is that correct?

6   A.   That's correct.

7   Q.   So that's --

8   A.   What --

9   Q.   Go ahead.

10   A.   I was going to say what I can tell you is

11 that what we've done with our call center group is

12 definitely reinforce the capabilities that customer

13 have access to through self-service just like the

14 daily and monthly usage charts available in MyWater.

15 We've done, you know, learnings and communications to

16 refresh all agents about those capabilities.

17   Q.   Okay. Back to your rebuttal testimony on

18 page 17, line 17 and 18, you have a section headed

19 Customer Complaint and MyWater, in which you state

20 starting on line 17, The Company does not believe the

21 rate case is the appropriate venue for discussion --

22 this discussion.

23   And following that starting on line 18,

24 you continue that, American -- Missouri-American

25 Water Company will specifically address the

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1   allegations within the complaint in the response to

2   the complaint.

3   When you refer to complaint, are you

4   talking about the formal complaint that is at issue

5   in this case?

6   A.   That would be correct, yes.

7   Q.   Had you reviewed my complaint prior to

8   filing that previous rebuttal testimony on or --

9   A.   Yes, I have.

10   Q.   On or about January 24th?

11   A.   I -- yes. Absolutely.

12   Q.   Would you consider the response to a

13 complaint you're referring to in the previous

14 rebuttal testimony to the answer to complaint filed

15 by the Company in this case?

16   A.   I -- I would -- I believe, yes. Yes, I

17 do.

18   Q.   So the answer to the complaint was the

19 Company's first opportunity to formally address the

20 issues raised in the formal complaint. Is that

21 correct?

22   A.   I'm trying to draw the timeline in my

23 head, but I -- I believe so.

24   Q.   It was my first opportunity. Why do you

25 think there's less information about the formal

1 complaint issues in the answer to the complaint than

2 in your rate case testimony for which you said the

3 Company does not believe the rate case is the

4 appropriate venue?

5   A.   At the time of when we were preparing our

6 responses for the rate case, I believe that was in

7 March of this year. I believe, you know, some of the

8 statements you provided in your formal complaint and

9 observations, some of them were new. And I believe

10 we wanted to, you know, take some more time just to

11 dive into it outside of the rate case. But we did --

12 we did address some of the issues that you did bring

13 up within the bounds of the rate case as well.

14   Q.   But not in the answer to the complaint.

15 Is that correct?

16   A.   Not in -- not in the answer to the

17 complaint.

18   Q.   On page 19 of your previous rebuttal

19 testimony on line 9 you state, Greenwich Mean Time

20 which has a six-hour difference from the Central Time

21 zone.

22   Is MyWater a purchased software package or

23 is it --

24   A.   It is not --

25   Q.   -- custom designed?

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 1   A.   It is a custom-designed application.

 2   Q.   By a consultant?

 3   A.   It would be -- it would have been a mix of

 4   consultants and internal resources.

 5   Q.   And what department or function within the

 6   Company was responsible for the original design

 7   specifications?

 8   A.   Customer service department.

 9   JUDGE WALKER: Mr. Moriarty, it's noon.

10   I would like to take a lunch break for everyone,

11   particularly for the court reporter. Do you have a

12   lot more questions, or can we go to lunch and come

13   back?

14   MR. MORIARTY: I have I think a lot more

15   for this witness.

16   JUDGE WALKER: Okay. So would this be a

17   good time to take a break?

18   MR. MORIARTY: Yeah, I think so.

19   JUDGE WALKER: Okay. Two housekeeping

20   things before we leave. Would you like to admit data

21   request 001?

22   MR. MORIARTY: Please.

23   JUDGE WALKER: Are there any objections?

24   Hearing none, that will be admitted.

25   (Complainant Exhibit 8 was admitted and

 1 made a part of the record.)

 2   JUDGE WALKER: And also may I see the

 3 rebuttal testimony that everyone is referring to.

 4   MR. MORIARTY: I can email you a copy to

 5 if you'd like.

 6   JUDGE WALKER: That would be marvelous.

 7 Mr. Moriarty, would you like to admit this testimony

 8 as evidence?

 9   MR. MORIARTY: I think so, yes.

10   JUDGE WALKER: Are there any objections

11 to Derek Tarcza's rebuttal, surrebuttal and

12 sur-surrebuttal testimony behalf of Missouri-American

13 Water Company being admitted? Hearing none, we will

14 admit it. Okay. And now we're going to break for

15 lunch and come back at 1:02. It will be No. 9.

16   (Company Exhibit 9 was admitted and made

17 a part of the record.)

18   (Off the record.)

19   JUDGE WALKER: Okay. We're going to go

20 back on the record. And we will continue with

21 Mr. Tarcza's testimony. Mr. Tarcza, you're still

22 under oath. And let's continue. Mr. Moriarty.

23   MR. MORIARTY: Yep.

24   JUDGE WALKER: Go ahead.

25 BY MR. MORIARTY:

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1   Q.   Derek, we were talking about the MyWater

2   application --

3   A.   Microphone.

4   Q.   How's the weather over there?

5   A.   It's great.

6   JUDGE WALKER: It's always great.

7   BY MR. MORIARTY:

8   Q.   Derek, we were talking about the MyWater

9   application, and I made the -- I think I made the

10 comment about I learned more in your rebuttal

11 testimony which you said was not the proper venue

12 than I have in -- in these proceedings so far. So

13 I'm appreciating your availability today.

14   A.   You got it.

15   Q.   I think the last question I asked was

16 something to do with IVA. No, I'm sorry. I asked

17 you why do you think there was less information in --

18 about the formal complaint and the issues to the

19 answer to the complaint than in your rate case

20 testimony in which you responded you need -- they

21 needed time to review. But you had less time to

22 review in the preparation of that testimony. Is that

23 not correct?

24   A.   I think in the preparation of my

25 testimony, you know, we continually have been

1   learning and working on, you know, the issues that

2   you've reported in MyWater. So at the time of the

3   rate case we only had a little bit of anecdotes

4   about, you know, some of the, you know, issues you

5   were observing and experienced through the usage

6   portal in MyWater. So I think with this testimony,

7   right, we -- we talk about, you know, the issues

8   ranging from the Greenwich Mean Time to other issues

9   you've seen in the anomalies with the usage data.

10   Q.   But that's my whole point, in that you had

11 less time to prepare for your rebuttal testimony, but

12 yet you provided more information than I've been able

13 to get about MyWater --

14   MS. COLEMAN: Objection, your Honor; asked

15 and answered.

16   JUDGE WALKER: Let's let him finish his

17 question before you object please.

18 BY MR. MORIARTY:

19   Q.   Up to today, so.

20   MS. COLEMAN: Objection, your Honor; asked

21 and answered.

22   JUDGE WALKER: I'm going to overrule it.

23   THE WITNESS: Well, I -- I disagree. I

24 think again, right, so even with the rebuttal

25 testimony, there were issues that we continued to

1 work on, you know, that ranged back to, you know, the

2 March, April time frame, you know, issues that we've

3 been planning to work on that we've developed that

4 we're actually, you know, learning and then trying to

5 get this -- these issues over to production, right.

6 So I think some of the things you addressed in, you

7 know, your testimony, we countered with, you know,

8 some of the answers that were in my rebuttal, which I

9 think were on point with a lot of the issues we've

10 been working on since we met together when you came

11 to the office in, I believe it was in March. Right?

12 BY MR. MORIARTY:

13   Q.   That sounds about right.

14   A.   Yep.

15   Q.   I think you said that customer serve -- or

16 responsibility for the design specifications for

17 MyWater were under the responsibility of customer

18 service. Is that correct?

19   A.   That's correct.

20   Q.   And customer service is not under your

21 control at American Water Works Service Company?

22   A.   I am not directly responsible for the

23 customer service team, no.

24   Q.   Thank you. What department -- or is

25 customer service still responsible for the ongoing

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1   changes to the design program?

2   A.   Customer service is still responsible for

3   the changes to -- changes and enhancements to

4   MyWater, yes.

5   Q.   And where does the primary responsibility

6   for testing those changes lie?

7   A.   It -- it's actually, you know, it's shared

8   responsibility. Some of the responsibility is with

9   our IT department, some of the responsibility is in

10 my department, and another piece of the

11 responsibility is within the actual customer service

12 group.

13   Q.   Why was Greenwich Mean Time used at all in

14 MyWater?

15   A.   Greenwich Mean Time was used and, you

16 know, really, you know, this goes back to when we

17 implemented the usage charts, you know, that go back

18 to -- you know, that display the AMI C4E, the

19 back-end data for your smart meter and MyWater. One

20 of the issues we didn't discover because of some of

21 the issues with -- with testing of data and when

22 we're loading into data into the system, we weren't

23 initially able to pick up that it was displaying in

24 the Greenwich Mean Time time zone.

25   Greenwich Mean Time is usually used for

 1   system time, and the default was set to Greenwich

 2   Mean Time. We learned about that issue of the

 3   Greenwich Mean Time in late October of 2024, and we

 4   began working on changes to correct that starting in

 5   November of 2024.

 6   Q.   Actually I'm on page 19 of your rebuttal

 7   testimony, line 10. I think you made a statement

 8   that really gets to the crux of this whole data

 9   inconsistency issue. Do you have that? Let me read

10   that. Let me read it to you.

11   A.   Okay. Yep.

12   MS. COLEMAN: Your Honor, if I may, Derek,

13   he's referring to your rebuttal testimony in the rate

14   case.

15   THE WITNESS: Okay.

16   MS. COLEMAN: On page 19 of that rebuttal

17   testimony.

18   THE WITNESS: Got it.

19   JUDGE WALKER: Mr. Moriarty, is that

20   correct that you --

21   MR. MORIARTY: That is correct.

22   JUDGE WALKER: -- want him to look

23   at 19?

24   MR. MORIARTY: Yes.

25   JUDGE WALKER: Okay.

1   THE WITNESS: Mr. Moriarty, do you want

2   to read that aloud for me if you don't mind?

3   BY MR. MORIARTY:

4   Q.   Yeah, I will. Line 10 you -- you say, As

5   a result of the time zone difference between the

6   meter data and the logic used in the rolling windows

7   to calculate usage, the oldest day is -- of usage is

8   calculated using only 18 hours of usage.

9   Can you expand on that, because that seems

10 to me to be the crux of the whole entire issue?

11   A.   So when we -- we when we talked about the,

12 you know, the -- the meter data and rolling window of

13 that 18 hours, right, I think when we created the

14 rebuttal testimony, that was accurate in the fact

15 that the Greenwich Mean Time, because it was off by I

16 guess it's approximately six hours, your data was

17 showing, you know, with only 18 hours of data for

18 that 24-hour period.

19   Once we corrected that in March of this

20 year, you know, it is displaying truly a 24-hour

21 period in accordance with your local time zone.

22   Q.   How many -- how many hours in a Greenwich

23 Mean Time day?

24   A.   It's -- it is 24 hours.

25   Q.   So are you saying the meter data was on

1   Greenwich Mean Time? That's the meter base. Is that

2   the -- is that the head-end cloud?

3   A.   The meter data is right. And the meter

4   data real technically was not in Greenwich Mean Time.

5   It was the display in my MyWater that was picking up

6   that data and interpreting it as Greenwich Mean Time.

7   Q.   So the meter data is transferred to the

8   head-end cloud. Is that correct?

9   A.   Correct.

10   Q.   And is the data on that cloud represented

11 in Greenwich Mean Time?

12   A.   That is not -- that is represented in the

13 local time zone. After it gets to that -- that, you

14 know, the meter data management system, there's a few

15 more steps that data takes to get to MyWater. It's

16 ingested in like a local, like a system database

17 which then MyWater looks at, takes that data and

18 moves it over so you can interpret that and can look

19 at that data through MyWater.

20   So the way it was pulling it out of the --

21 the cloud, the meter data management system in

22 still -- was still correct, it was just between

23 the -- our database to basically store and look at

24 that and have MyWater interpret that data. That's

25 where the issue lied.

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1   Q.   So you're saying the Greenwich Mean Time

2   issue wasn't introduced until the MyWater app?

3   A.   The Greenwich Mean Time issue was

4   introduced when we went live with the viewing of data

5   from the MDM -- the master data -- meter data

6   management system. That was the very end of 2023,

7   December of 2023.

8   Q.   So the meter data that's stored on the

9   head-end cloud, that's multiple time zones, isn't it?

10   I mean, how many clouds -- how many head-end clouds

11   does the Company have? Just one?

12   A.   For head-ends?

13   Q.   Or do you have one for each operation?

14   A.   There's multiple head-ends depending on

15   which area you live in, which type of meter you have.

16   Q.   So does Missouri --

17   A.   That data --

18   Q.   I'm sorry, go ahead.

19   A.   Yeah. There's multiple, right. It

20   depends on locality and/or the type of system that

21   you use.

22   Q.   So does Missouri-American have its own

23   head-end cloud?

24   A.   It depends which meter you have. Your

25   system, you have a Badger meter at your house?

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1   Q.   Yes.

2   A.   And there's one -- there's a Badger

3 head-end that we have for the Badger meters to come

4 into which is -- that's technically outside of

5 MyWater.

6   Q.   Is all the data on that from the same time

7 zone?

8   A.   Depending on where the customer lives, it

9 would be in different time zones.

10   Q.   So it could be multiple time zones?

11   A.   (Witness nodded head.)

12   Q.   And is it represented on that cloud in

13 the -- as it -- as the time zone of each particular

14 account?

15   A.   It is. It is represented both in the

16 head-end and the meter data management system

17 according to your time zone.

18   Q.   So the head-end has the proper time of the

19 data?

20   A.   That's correct.

21   Q.   And so I may have asked this question

22 before, but I'm going to ask it again. So the

23 Greenwich Mean Time issue didn't arise until the

24 development of the MyWater application?

25   A.   MyWater was developed and released

1   in 2021.

2   Q.   By who?

3   A.   So -- by the Company. We deployed MyWater

4   in 2021 for all customers to use.

5   Q.   Is that Badger?

6   A.   It would have been -- you know, this is

7   before we had the Badger meters live. We have other

8   AMI systems that were feeding in such as Aclara,

9   Neptune. There were some Badger components as well.

10 We moved to a meter data management system that

11 talked to those Badger and Neptune head-ends in 2023.

12 Once we went live with the meter data management

13 system, that's when we deployed the feature MyWater

14 to look at that data and give that data to customers

15 to look at their usage.

16   Q.   So if I hear you correctly and from

17 reading your previous testimony and the rebuttal

18 testimony in the rate case, the whole Greenwich Mean

19 Time issue is the result of not using time zones

20 consistently through applications within the company.

21 Is that correct?

22   A.   The time zone issue was only limited to

23 just viewing of the customer data within MyWater.

24   Q.   With what?

25   A.   Within the MyWater applications, only

1   limited to MyWater display.

2   Q.   Thank you for that. Okay. On page 7 of

3   your direct testimony, line 11, you state, The

4   Company started working on updates to MyWater in

5   November 2024 prior to Mr. Moriarty's complaint.

6   Do you remember that?

7   A.   Yes, I do.

8   Q.   Are you aware that Mr. Moriarty voiced

9   complaints about MyWater in early 2024, if not in

10 late 2023?

11   A.   I was not directly involved in those

12 communications prior to -- prior to the formal

13 complaint.

14   Q.   Are you aware that Mr. Moriarty had filed

15 a -- had a company field representatives to his home

16 in May of 2024 and shared many of his concerns about

17 MyWater with them, including the 30-days report and

18 the 24-hours report?

19   A.   I was not aware of that prior to your --

20 the entry for formal complaint.

21   Q.   Are you aware that the reports submitted

22 by the field representative for that visit

23 specifically requested that a supervisor or IT

24 associate with more knowledge on how the system works

25 contact Mr. Jim and enlighten him on how -- on the

 1   system works?

 2   A.   I was not aware of that prior to your

 3   complaint, no.

 4   Q.   According to Mr. Ebbeler's testimony

 5   earlier, the letter that I got from Camden, New

 6   Jersey in late May 2024 he said could have actually

 7   been generated by the local office in St. Louis area.

 8   Is that common?

 9   A.   That is common. I think Mr. Ebbeler did

10   speak to that, that those letters could be generated

11   either locally or, you know, through corporate.

12   Q.   Have you ever seen Mr. Moriarty's letter

13   that he sent to Camden, New Jersey in response to

14   that letter?

15   A.   I was not aware of that letter, no.

16   Q.   Okay. Again, on your direct testimony,

17   page 7, you -- do you have that testimony ready?

18   A.   I do, yes.

19   Q.   On line 11 you say, The Company started

20   working on updates to MyWater in November 2024 prior

21   to Mr. Moriarty's complaint.

22   So I just told you about, which you said

23   you had no knowledge about, having representatives

24   to my home, field representatives to my home in May

25   of 2024 and they requested that a supervisor or IT

1 associate with knowledge about MyWater call me, which

2 the call never came. And followed by a couple

3 letters, one from Camden, New Jersey to me and my

4 answer to them, which was never -- which I never

5 received a response. I mean, you weren't aware of

6 any of that. Is that correct?

7   A.   Prior -- prior to your formal complaint,

8 no, we were not aware of that.

9   Q.   Are you aware that Mr. Moriarty testified

10 at a public hearing on November 12th, 2024 against

11 the Company's request for a rate increase on the

12 basis of deficiencies in MyWater and the way he was

13 being treated by customer service, including that he

14 had been hung up on so many times by customer

15 service, he believed it was part of their training?

16 Were you aware that he presented that testimony?

17   A.   In relation to when we started working on

18 the updates to MyWater, no, I was not aware of that.

19   Q.   Was that testimony in November of 2024 was

20 the same month that you started working on MyWater

21 updates?

22   A.   That's correct. We became aware of

23 the issues with the Greenwich Mean Time in October

24 of 2024.

25   Q.   So nobody passed on to you my message to

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1   the general counsel at that same hearing, that I had

2   a lot of problems with MyWater and if -- somebody

3   would just call me, we could fix them?

4   A.   I was --

5   Q.   You were not aware of that?

6   A.   No, I was not aware.

7   Q.   Do you have the formal complaint with you?

8   A.   I do.

9   Q.   Do you have Exhibit A?

10   A.   You said E as in echo?

11   Q.   No. A as in apple.

12   A.   A as in apple. Yes, I do.

13   Q.   Is this -- has this email been replaced or

14 corrected at any time to your knowledge?

15   A.   Yes. I think as Mr. Ebbeler indicated

16 previously, we -- the language regarding MyWater and

17 usage has been changed.

18   Q.   Has it been sent out as an email to all

19 customers?

20   A.   I am not aware of that, no.

21   Q.   So you don't know if customers have even

22 been notified of these changes?

23   A.   I -- I don't -- I'm not aware of any

24 company communication that went out to customers

25 regarding usage data.

1   Q.   Do you have data request 0027?

2   A.   Yes, I do.

3   Q.   Can you turn to page 2?

4   A.   Yes. Give me one second.

5   Q.   It discusses the wording about possible

6   delay in the data related to MyWater reports

7   indicating that selected wording data may not -- may

8   not be real -- real-time. Due to some system

9   limitations, usage may be delayed up to a 72-hour

10   period.

11   Did I read that correct?

12   A.   Yes, you did. Yep.

13   Q.   Why were the words "maybe realized"

14   instead of is not? May not be real-time rather

15   than is not real-time. It's not real-time ever, is

16   it?

17   A.   It is in arrears, but it is accurate data

18   that we are working on, you know, being in the

19   system. So this was the language that we agreed upon

20   internally.

21   Q.   But the wording says, May not be, and you

22   know it is not. Is that correct?

23   A.   Yes.

24   Q.   And you also -- is not -- I'm sorry. You

25   say, May be delayed. And the wording should be, Will

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 1   be delayed, isn't it?

 2   MS. KERR: Asked and answered; objection.

 3   JUDGE WALKER: Sustained.

 4   BY MR. MORIARTY:

 5   Q.   Are you aware --

 6   JUDGE WALKER: Mr. Moriarty, give me a

 7   minute. I need a minute here please. I don't have

 8   data request 2 -- do you want to admit that as

 9   evidence?

10   MR. MORIARTY: Please.

11   JUDGE WALKER: Is there an objection?

12   Okay. Hearing none --

13   MS. MARTIN: Is it data request 2 or 27?

14   MR. MORIARTY: 27.

15   THE WITNESS: 27.

16   JUDGE WALKER: Okay. 27.

17   MR. MORIARTY: Page 2.

18   JUDGE WALKER: 27, page 2. Let's admit

19   the whole data request. So, Ms. Coleman, is it 0027?

20   What is it?

21   MS. COLEMAN: That is correct, your

22   Honor.

23   JUDGE WALKER: Thank you. Okay. It will

24   be admitted.

25   (Complainant Exhibit 10 was admitted and

 1   made a part of the record.)

 2   MR. MORIARTY: May I continue?

 3   JUDGE WALKER: Please.

 4   BY MR. MORIARTY:

 5   Q.   Derek, are you aware that this message is

 6   not being included on the printed reports?

 7   A.   Can you repeat that one more time?

 8   Q.   Are you aware that this message is not

 9   being included on the printed reports?

10   A.   I am aware, yes.

11   Q.   It's displayed on the screen when the

12   report appears on the screen, but when you print it,

13   it doesn't show up.

14   A.   We -- our next release, that is one of the

15   enhancements we're making to the downloaded reports

16   that include the message as well.

17   Q.   On page 4 or 5 -- 4 and 5 of your direct

18   testimony you discuss features and custom access

19   functions within MyWater. Is it possible for

20   customers to reprint recent reports in MyWater,

21   especially the 24-hours report that may not have been

22   available a few days earlier?

23   A.   So the customer -- if I'm understanding

24   the question correctly, can the customer reprint the

25   same report for that 24-hour period at another time?

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1   Is that --

2   Q.   Yeah.

3   A.   -- what you're asking?

4   Q.   It -- it has happened a number of times,

5   the current data displayed has not been updated and

6   it goes more than 24 hours or more than a day, you

7   can't reprint that 24-hours report. You get the next

8   day's 24-hours report. So my question is would it be

9   difficult to add a feature that would let someone

10   reprint a prior day's 24-hour report?

11   A.   At the present time, no, but we've

12   definitely noted this as a possible future

13   enhancement for the system. You know, again, this is

14   still, you know, the first iteration of, you know,

15   these types of, you know, AMI, you know, usage

16   displays in MyWater. You know, again, we're

17   continually working on improving, you know, the

18   delivery and the customer experience for this type of

19   data. And it's on our list of things to consider as

20   we move along for the future.

21   Q.   On page 17, line 7 of your direct

22   testimony, you discuss assistance with -- to

23   customers with questions about MyWater. At what

24   point does customer care hand off questions to local

25   office representatives? I think you call that an

1   enhancement or acceleration process or something.

2   A.   A customer service agent wouldn't

3   typically hand off something directly to the local

4   market. It would go through the escalation path

5   depending on the type of question or type of issue

6   that may be at stake. So, I mean, it could be a

7   variation of different paths that that question or

8   the escalation would take depending on the nature of

9   the question.

10   Q.   Is the escalation process composed of

11 various groups within the company, or is it

12 centralized somewhere?

13   A.   It's centralized. And it's similar to the

14 process I described before where if the CCA who's

15 talking to the customer on the phone, you know, has

16 an issue that they don't have an answer to, typically

17 they would -- they would talk to their supervisors.

18 And if it goes beyond that, then the supervisors,

19 depending on if it's a MyWater type of question or

20 issue, they would relay that to the -- our group

21 who it would be a chat online, it would be chats

22 internally to talk, to find other answers and, you

23 know, also connect with, you know, either my team or

24 the IT department or other teams that may have

25 answers to that.

 1   If it's something operational in nature,

 2   you know, it may go from there to the local market,

 3   but it would definitely go through an escalation

 4   path, at least going to the supervisor who may have,

 5   you know, additional knowledge that the particular

 6   CCA on the phone may not have at that particular

 7   moment.

 8   Q.   What's that group or department called,

 9   escalation or?

10   A.   It's -- it's still within -- within our

11   customer service group.

12   Q.   Customer service. The 27 -- I'm sorry.

13   The 24 hours and the 30-days report which I use

14   mostly are never date and time stamped. Why is that?

15   A.   The -- the time stamp that you download is

16   in the -- it's actually in the file name. So when

17   you download those files, it will be part of the file

18   name of the download in your downloads folder.

19   Q.   Why not print it on the report?

20   A.   Our --

21   Q.   I realize that I may not print it for a

22   day or two after I display it.

23   MS. COLEMAN: Objection, your Honor, asked

24   and answered.

25   JUDGE WALKER: Sustained. Please ask a

 1 different question, Mr. Moriarty.

 2 BY MR. MORIARTY:

 3   Q.   The critical time would be when it's --

 4 when that information displayed at the request of the

 5 customer. That is the critical time, day and time.

 6 Why is not that not printed on the report?

 7   MS. COLEMAN: Objection, your Honor, asked

 8 and answered.

 9   JUDGE WALKER: Overruled.

10   THE WITNESS: What I can say there is

11 that we currently don't have that feature, you know,

12 available for the downloads. It's something we could

13 look at for future releases.

14 BY MR. MORIARTY:

15   Q.   Well, it was one of the features suggested

16 in my formal complaint, and I've yet until this

17 moment had it even addressed.

18   A.   And as I mentioned before too, you know,

19 all of the feature requests, we go through a

20 governance process and really from there we look at

21 cost benefit of the changes. We prioritize things

22 for MyWater with customer feedback, with other

23 projects, with other things that -- initiatives that

24 the Company's doing.

25   So, you know, those feature requests are

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1   there, but we continue to prioritize to make sure

2   that we're, you know, doing the right spend of

3   capital investment in these systems, you know, so

4   that we're, you know, being good stewards of that

5   ratepayer funds that go into development for these

6   systems going forward. So again, you know, things we

7   still will consider for, you know, the future

8   releases and so forth.

9   Q.   Well, if you're going to take that under

10 consideration, please understand how I use it. The

11 first thing I do when I display a report on the

12 screen is I print it and I write on there the day and

13 time I print that report which also tells me the day

14 and time I requested that report. Because that's, to

15 me, is the most important information you provide on

16 a report is as of when.

17   JUDGE WALKER: Mr. Moriarty --

18 BY MR. MORIARTY:

19   Q.   Would you agree with that?

20   JUDGE WALKER: I'm going to stop you. We

21 need to focus on asking questions. And I would also

22 caution the witness to only answer if there is a

23 pending question. And, Mr. Moriarty, I apologize for

24 interrupting you.

25 BY MR. MORIARTY:

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1   Q.   On page 18, line 12 of your direct

2   testimony you indicate that there is no Commission

3   rule that applies directly to MyWater. Are you

4   saying no rule applies to water usage?

5   A.   For -- we're -- this is really around the

6   MyWater application which is an opt-in service, you

7   know. Customers have to opt in, they have to sign up

8   for MyWater. And it's a value added opt-in service

9   for the customers to use.

10   Q.   Where else can customers get water usage?

11   A.   That's -- that is the place --

12   Q.   Current water usage.

13   A.   -- where customers would go to get their

14   usage.

15   It's MyWater.

16   MR. MORIARTY: No more questions.

17   JUDGE WALKER: Any Commission questions

18   for this witness?

19   MR. MORIARTY: Thank you, Derek.

20   THE WITNESS: Thank you.

21   JUDGE WALKER: Hearing none. Any

22   redirect? All right. I just want to say --

23   MR. COOPER: Your Honor, our pause was

24   just the fact we were just making sure there weren't

25   any other cross-examination questions I guess for

1   Mr. Tarcza before we moved on.

2   JUDGE WALKER: I heard none. Do you have

3   some?

4   MS. MARTIN: Yeah.

5   JUDGE WALKER: Okay.

6   MS. MARTIN: Well, not some. I have I

7   think one.

8   JUDGE WALKER: Okay. Go ahead.

9   MS. MARTIN: It's a line. Okay.

10   CROSS-EXAMINATION

11 BY MS. MARTIN:

12   Q.   So, Mr. Tarcza, you said that MyWater was

13 deployed in 2021. Correct?

14   A.   Correct.

15   Q.   And was there AMI -- AMI deployed before

16 that?

17   A.   AMI was -- there was some areas of AMI

18 that were deployed before that in 2021.

19   Q.   And were there any applications related to

20 that AMI like --

21   A.   There wasn't a --

22   Q.   Sorry.

23   A.   I'm sorry. I didn't mean to cut you off

24 there. But there was another application I believe

25 that was used, you know, that was external to -- to

 1 anything that American Water offered for the customer

 2 offering.

 3   Q.   Okay. So the earlier AMI didn't have any

 4 sort of fusto -- fustomer -- customer facing

 5 applications like MyWater deployed in 2021. Correct?

 6 Sorry. I'm --

 7   A.   In MyWater there still was usage available

 8 to look at for the customer, but it wasn't -- it

 9 wasn't real-time or near real-time.

10   Q.   Okay. And did you do any sort of beta

11 testing program with the MyWater app with maybe a

12 smaller group rather than sending it to the entire

13 customer base prior to --

14   A.   In 20 -- in 2021?

15   Q.   2021, after 2021, before it became live

16 across your service area?

17   A.   I -- I can't speak to prior to late 2021.

18 I joined the company in October of 2021.

19   MS. MARTIN: Okay. I'm checking to make

20 sure there was nothing else. Okay. I think that

21 those were my only questions. Thank you.

22   JUDGE WALKER: Okay. Missouri-American

23 Water, any redirect?

24   MS. COLEMAN: Is there any further

25 cross-examination?

1   JUDGE WALKER: I assume if there was,

2   someone would say something. Do you have anything,

3   Carolyn?

4   MS. KERR: Yeah. I have a couple

5   questions.

6   JUDGE WALKER: Okay. Absolutely. I

7   apologize.

8   MS. KERR: No, that's okay. I'm sorry.

9   JUDGE WALKER: I should go through the

10 list person by person, party by party. We shall

11 endeavor to do so.

12   RECROSS-EXAMINATION

13 BY MS. KERR:

14   Q.   Good afternoon, Mr. Tarcza. Now, if --

15   A.   Good afternoon.

16   Q.   If a customer, other than using the

17 MyWater app, is there any other way that a customer

18 can get their water usage information, like by

19 calling customer service?

20   A.   Customer service would be able to provide

21 verbally over the phone what their usage is.

22   Q.   So -- okay. So even if they can't get on

23 to the MyWater app, they can still get that

24 information by calling?

25   A.   Correct. Yep.

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1   MS. KERR: Okay. I don't have any other

2   questions. Thank you.

3   JUDGE WALKER: I'm hesitant to ask this,

4   but redirect?

5   MS. COLEMAN: Yes, your Honor.

6   REDIRECT EXAMINATION

7   BY MS. COLEMAN:

8   Q.   You were just asked a question regarding

9   whether or not a customer could get their usage by

10 calling customer service. Could a customer also view

11 their meter directly to obtain usage information?

12   A.   They can absolutely do so, yes.

13   Q.   I would like to clarify a few things

14 regarding the timeline for MyWater implementation.

15 You said that MyWater was introduced in 2021. As

16 part of that initial introduction to MyWater, were

17 the usage charts available at that time?

18   A.   There were usage charts available, but

19 they were not connected to the type of data that we

20 have available today in MyWater.

21   Q.   And when did the usage charts become

22 updated to what they are today?

23   A.   That update was linked to MyWater in

24 December of 2023.

25   Q.   In addition, you were asked questions

1   about the CCA responses from the June and July 2024

2   time period from DR 001 indicating that there was a

3   lack of awareness regarding the usage charts in

4   MyWater. What has been done since June or July

5   of 2024 do increase CCA awareness about MyWater?

6   A.   We've done exactly that. So we've done

7   trainings. We've done refreshers. We've done what

8   we call catch the wave messages that all the CCAs

9   look at on a -- on a very regular basis to just

10 really refresh the knowledge that they have on how

11 AMI works. We've done, you know, very, very simple

12 flow charts to show, you know, what steps data takes

13 and why the customer may see data in arrears of up

14 to 72 hours so that they have a better understanding

15 when they call in, if they have questions about

16 how -- how the system works and what data might they

17 be able to see, to better explain that to the

18 customers.

19   Q.   Mr. Moriarty also indicated that the

20 Company did not address the time stamp issue raised

21 in his complaint. Can you summarize all of the items

22 that have been addressed in MyWater?

23   A.   So we'd start with number one, the

24 Greenwich Mean Time. The Greenwich Mean Time has

25 been corrected in March of 2023. So the usage does

1   display at -- at the customer's time zone. So

2   Mr. Moriarty's in Central Time zone. That usage will

3   marry back up to his actual usage in Central Time.

4   The second issue that we corrected was

5   the 30-day look-back issue where, you know, the usage

6   was being basically truncated on that 29th day. That

7   update was made in late January of 2025, so it shows

8   the full usage, the 30-day look-back chart, and

9   downloads.

10   The other couple of changes we've made as

11   well were, you know, we did make some changes in

12   March and April this year to improve the No Data

13   Displayed Found issues or Usage Unavailable in the

14   system. We did make an update in May of this year on

15   the 30-day download was only showing 29 days, not to

16   be confused with the truncation issue. It just

17   wasn't showing that 30th day of data on the download

18   report. That was corrected in late May of this year

19   as well.

20   We have a couple of other changes that we

21   did make going back to April again. Sorry, I'm out

22   of order from a chronological standpoint. But we did

23   add the verbiage to the chart that data may not be

24   real-time and may be up to 72 hours in arrears in

25   some cases. We're also making some more changes with

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1 our next release as well. Number one being the --

2   MS. MARTIN: Objection. At this point I

3 think that we're getting a little away from

4 relevance. They're talking about things that

5 happened after this complaint as something that

6 happened earlier. So I -- I appreciate hearing all

7 of the updates; I just don't know how all of the

8 updates relate to what Mr. Moriarty was originally

9 complaining about which was something that happened

10 in the past.

11   JUDGE WALKER: I agree. I'm going to

12 sustain the objection. Are we -- have you completed

13 your --

14   MS. COLEMAN: One moment, your Honor. At

15 this time the Company has no additional redirect.

16   JUDGE WALKER: Okay. If there's no

17 recross, then --

18   MR. MORIARTY: I have one last question

19 or two.

20   JUDGE WALKER: All right. Mr. Moriarty,

21 you can ask one last question.

22   MR. COOPER: We're going to object, your

23 Honor. I mean, redirect is the last round of witness

24 testimony in these proceedings for various reasons,

25 but I guess I would object to any more questions at

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1   this point, but.

2   JUDGE WALKER: Well, given that this

3   witness is in Barcelona, I'm going to allow this one

4   question and only one.

5   FURTHER RECROSS-EXAMINATION

6   BY MR. MORIARTY:

7   Q.   I presented to Mr. Ebbeler earlier today

8   two contact notes from July 15th, 2024 and

9   June 19th, 2024. Do you have data request 0001?

10   A.   I do.

11   Q.   Would you look at page 2 of that response?

12   A.   One second. Yes, I'm on page 2.

13   Q.   Would you read the second-to-the-last line

14   on the page please.

15   A.   Resolution. I advised BP I could not see

16   daily usage. Would like to speak with someone else.

17   Q.   And on page 3 --

18   MS. COLEMAN: Objection, your Honor. This

19   is several questions.

20   JUDGE WALKER: I agree. I'm going to

21   sustain --

22   MR. MORIARTY: Did I ask -- did I ask

23   this witness?

24   JUDGE WALKER: Yes, Mr. Moriarty. You've

25   asked the questions that you allowed.

1   MR. MORIARTY: To this question?

2   JUDGE WALKER: To this witness. So,

3   Mr. Tarcza, I am going to excuse you and just tell

4   you buenos tardes y gracias por su trabajo hoy.

5   Dispruta Barcelona.

6   THE WITNESS: Gracias.

7   JUDGE WALKER: De nada. Do we have any

8   more witnesses for Missouri-American Water?

9   MS. COLEMAN: We do not, your Honor.

10   JUDGE WALKER: Thank you. Staff, would

11   you like to call your first witness?

12   MS. KERR: I call Lisa -- I call Lisa

13   Stockman.

14   JUDGE WALKER: Okay. Ms. Stockman, would

15   you raise your right hand.

16   (Witness sworn.)

17   LISA STOCKMAN,

18   the witness, having been first duly sworn,

19   testified as follows:

20   DIRECT EXAMINATION

21   BY MS. KERR:

22   Q.   Good afternoon.

23   A.   Good afternoon.

24   Q.   Could you please state your name and spell

25   it for the record.

1   A.   Lisa Stockman. L-i-s-a S-t-o-c-k-m-a-n.

2   Q.   Thank you. And by whom are you employed

3   and what's your position?

4   A.   I'm employed by the Missouri Public

5   Service Commission. I'm in the customer experience

6   department. I'm a research data analyst.

7   Q.   And have you prepared and filed testimony

8   in this proceeding, specifically direct testimony

9   dated August 5th, 2025 in question-and-answer form,

10 which we can mark it as Staff Exhibit No. -- I'm not

11 sure what number we're on.

12   JUDGE WALKER: I think we're on 11

13 maybe. 11.

14 BY MS. KERR:

15   Q.   11, Staff Exhibit 11?

16   A.   Yes.

17   Q.   And that direct testimony was filed as

18 confidential and as public?

19   A.   Yes.

20   Q.   Okay. Do you have any changes or

21 corrections to make to any of those documents?

22   A.   No.

23   Q.   And if I were to ask you the same

24 questions in those documents today, would your

25 answers be the same or substantially the same?

1   A.   Yes.

2   Q.   And are those same answers true and

3   correct to the best of your knowledge, information,

4   and belief?

5   A.   Yes.

6   MS. KERR: I offer Exhibit 11 into

7   evidence and tender the witness for cross-

8   examination.

9   JUDGE WALKER: Any objections? Hearing

10   none, it will be admitted.

11   (Staff Exhibit 11 was admitted and made a

12   part of the record.)

13   MS. KERR: Thank you.

14   JUDGE WALKER: Office of Public Counsel,

15   cross-examination?

16   MS. MARTIN: No questions.

17   JUDGE WALKER: Mr. Moriarty, do you have

18   cross-examination?

19   MR. MORIARTY: Yes, ma'am.

20   JUDGE WALKER: You may proceed.

21   CROSS-EXAMINATION

22   BY MR. MORIARTY:

23   Q.   May I address you as Lisa?

24   A.   You may.

25   Q.   On page 5 of 16, you talk about, in your

1 direct testimony, you talk about the Staff's

2 investigation. Did you participate in the

3 investigation?

4   A.   Yes.

5   Q.   What was your role?

6   A.   I was called SME. I'm the staff expert

7 witness.

8   Q.   Under the -- in the first paragraph under

9 that subject, Staff Investigation, it states, After

10 receiving the formal complaint, Staff spoke with

11 Mr. Moriarty on January 21, 2025, to discuss the

12 issues he raised.

13   Who from the Staff spoke with

14 Mr. Moriarty?

15   A.   I did, and I also had my coworker with me.

16   Q.   And are there notes to that --

17   A.   Yes.

18   Q.   -- interview?

19   A.   I took notes, yes.

20   Q.   So those are the only two people that were

21 involved in that interview?

22   A.   Yes.

23   Q.   Besides me?

24   A.   Yes.

25   MS. MARTIN: Mr. Moriarty, you need to --

 1 BY MR. MORIARTY:

 2   Q.   What's the best way to address questions

 3 about the statutes or the rules? Do you know those

 4 rules offhand, or do you need a copy?

 5   A.   I have them with me.

 6   Q.   You have them?

 7   A.   Yes.

 8   Q.   20 CSR 4240-13.040, Inquiries reads --

 9 point number one reads, The utility shall adopt

10 procedures which shall ensure prompt receipt through

11 investigation and, where possible, mutually

12 acceptable resolution of customer inquiries.

13   What is the purpose of a water meter?

14   A.   To register your water usage.

15   Q.   Does it include the need for a customer to

16 manage water usage?

17   A.   They can if they choose, yes.

18   Q.   Does it include the need for a customer to

19 confirm billing accuracy as it relates to water

20 usage?

21   A.   Yes.

22   Q.   Where do customers of Missouri-American

23 Water Company get water usage?

24   A.   They get the usage from Metropolitan. No,

25 I'm sorry, that's the sewer district. I'm not sure.

1   Q.   Well, the meter would be one source.

2 Correct?

3   A.   Right.

4   Q.   Where else can a company customer get

5 information about their water usage?

6   A.   They can call customer service. They can

7 also use MyWater.

8   Q.   You're aware that two of the data requests

9 revealed that two contact -- customer care agents

10 that had contact with Mr. Moriarty said they did not

11 have daily water usage?

12   A.   Correct.

13   Q.   Are you not aware of that?

14   A.   I am.

15   Q.   Should customers expect CCAs to have

16 information relevant to that customer's account?

17   A.   Yes.

18   Q.   Would such -- has the Company filed such

19 procedures?

20   A.   I believe so, yes.

21   Q.   And where are those procedures displayed

22 for the customers? Are they anywhere?

23   A.   They should be, yes. They should be in

24 the office and they're also on the website.

25   Q.   So the customer would have to go to the

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 1 company's office to understand the procedures about

 2 water usage?

 3   A.   It's also on the website.

 4   Q.   Which website you talking about, the

 5 MyWater?

 6   A.   Missouri-American Water's website.

 7   Q.   There was things such as rights and

 8 responsibilities, how to read your meter that at one

 9 time were displayed as part of MyWater. I think it

10 was called customer inquiries or something to that

11 effect. That's been taken off of MyWater. In fact,

12 I did not know where to find it until you responded

13 to an email I sent asking about it. And that's a

14 different -- that's a different -- completely

15 different website than MyWater, which I didn't even

16 know about and I assume most customers didn't know

17 about.

18   MS. KERR: Objection. Is there a

19 question?

20   JUDGE WALKER: Do you have a question,

21 Mr. Moriarty?

22   MR. MORIARTY: Yes.

23 BY MR. MORIARTY:

24   Q.   When was it moved from MyWater?

25   A.   That would be a question for the Company.

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1   I do not know.

2   Q.   Do you know why it was moved?

3   A.   I do not. That would be a question for

4   the Company.

5   Q.   Was it not part of the investigation?

6   A.   No.

7   Q.   But you agree that customers should have

8   data about their water usage to manage their water

9   usage and to verify billing accuracy?

10   A.   Yes.

11   Q.   And if they're not provided that

12   information, doesn't -- isn't the Company in

13   violation of these rules?

14   A.   It is provided on their website and at the

15   company office. They also send it out to new

16   customers.

17   Q.   Current date?

18   A.   The rights and responsibilities? Is that

19   what we're talking about, and customer rights?

20   Q.   No. I'm talking about all of this.

21   A.   They should be.

22   Q.   But primarily the water usage. That's the

23   key for the customers.

24   A.   Right.

25   Q.   How much water have they used.

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1   A.   How much water has Missouri-American Water

2   used?

3   Q.   No.

4   A.   Or the customer?

5   Q.   How much has the customer used that's been

6   supplied by Missouri-American Water?

7   A.   That's on your billing statement.

8   Q.   Nowhere else?

9   A.   You can get it off MyWater. You can call

10   customer service.

11   Q.   The Staff report on page 7 of 16 reads as

12   follows. Let me see if I can get that line number

13   reference for you. In the middle of the page it

14   says, Missouri-American Water Company explains in its

15   response to DR 0015 that data transfer process occurs

16   three or four times a day. Therefore, there is delay

17   in the hourly usage the customer can view based on

18   when data is transferred. Typically there is a

19   four-hour delay in data availability for the customer

20   to view their water usage.

21   Is that a true statement?

22   A.   That's the Company's response to my data

23   request. It came from DR 0016.

24   Q.   Did you accept that answer?

25   A.   Yes.

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1   Q.   You didn't investigate further?

2   A.   No, I did not.

3   Q.   Despite the formal complaint?

4   A.   I did not, no.

5   Q.   Did not know what?

6   A.   I did not investigate any more.

7   Q.   On page 9, again in the middle of the page

8 it says, While listening to phone calls between

9 Mr. Moriarty and the Company, Staff observed cases of

10 four unexpectedly dropped calls.

11   How many total calls did the Staff listen

12 to?

13   A.   I believe there were nine.

14   Q.   That's almost half. And Mr. Moriarty had

15 complained about being hung up on repeatedly. What

16 further investigation did you do?

17   A.   I didn't do any more.

18   Q.   So you just accepted the Company's answer

19 that four unexpectedly -- unexpected dropped calls is

20 normal?

21   A.   I did listen to the calls, but I could not

22 tell either. They didn't escalate to someone hanging

23 up. And in reality, it does happen unfortunately

24 whether it's a cell phone or something else. But I

25 couldn't tell why the calls were dropped.

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1   Q.   But even though Mr. Moriarty complained

2   about repeated hang ups, it didn't spark any

3   curiosity as to whether these were truly the customer

4   being hung up on?

5   A.   I couldn't tell during my investigation

6   that you were being hung up on, no. I don't know why

7   the calls were dropped.

8   JUDGE WALKER: Mr. Moriarty, would you

9   like to offer the Staff report as an exhibit to be

10 entered?

11   MR. MORIARTY: Yes, please.

12   JUDGE WALKER: Is there an objection?

13   MR. COOPER: I don't know that that

14 there's an objection. This is kind of similar to

15 another observation, but it's an attachment; it's a

16 schedule to Ms. Stockman's testimony, so I think you

17 have admitted the Staff report.

18   MS. KERR: Yes. It should be part of

19 Exhibit 11.

20   JUDGE WALKER: Okay. I didn't realize

21 the entire staff report is -- it's attached to the

22 back of it?

23   MS. KERR: Yes, it is.

24   JUDGE WALKER: Okay. All right. We'll

25 just leave it admitted as part of Ms. Stockman's

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 1 testimony.

 2   MS. KERR: Thank you. Thank you,

 3 Mr. Cooper.

 4 BY MR. MORIARTY:

 5   Q.   Do you have the formal complaint handy,

 6 Exhibit A?

 7   A.   Yes.

 8   Q.   On page 1 of Exhibit A does it not say

 9 that MyWater provides up-to-the-hour usage?

10   A.   That's what it states, yes.

11   Q.   What does that mean to you?

12   A.   Up to the hour. You should be able to --

13 the most current hour, closest hour.

14   Q.   So relatively current. Is that --

15   A.   Yes.

16   Q.   -- not correct?

17   A.   Yes.

18   Q.   Is it really?

19   A.   I don't use MyWater, so I'm not sure. I

20 understand you had concerns, some frustration, but --

21   Q.   But if it was showing data from two days

22 prior, would you call that current?

23   A.   No.

24   Q.   Turn to page 2. See the sentence

25 immediately below the heading in there at the bottom?

1   A.   Uh-huh.

2   Q.   It's where it refers to real-time?

3   A.   Yes.

4   Q.   So the Company's basically saying that up

5   to the hour is real-time information. Does real-time

6   mean anything to you other than up to the hour?

7   A.   I can agree with that.

8   Q.   Would you consider MyWater part of the

9   Company procedures?

10   A.   Yes.

11   Q.   So if they're not following their own

12   published procedures and advertising on the

13   application, wouldn't that be a violation of the

14   rules?

15   A.   No.

16   Q.   Why?

17   MR. COOPER: Objection; I don't believe

18   that -- we've gotten into a legal analysis of the

19   violation of Commission rule which I think is for

20   briefing and the Commission ultimately to decide.

21   JUDGE WALKER: I'm going to overrule the

22   objection and allow her to answer.

23   THE WITNESS: Can you repeat the

24   question?

25   BY MR. MORIARTY:

 1   Q.   Why is it not a violation of the rules?

 2 If it's part of the rules and they don't follow it --

 3   A.   There's no rules or statutes that explain

 4 language like this. There's nothing that governs

 5 that.

 6   Q.   But there are rules and regulations about

 7 water usage, are there not?

 8   A.   Sure.

 9   Q.   And if the customer's primary source of

10 water usage information is MyWater, doesn't that come

11 under the rules?

12   A.   Possibly.

13   MR. MORIARTY: No more questions.

14   JUDGE WALKER: Are there any Commission

15 questions?

16   MR. COOPER: We have questions, your

17 Honor.

18   JUDGE WALKER: Did I skip you?

19   MR. COOPER: I believe so.

20   JUDGE WALKER: I didn't mean to. Go

21 ahead.

22   CROSS-EXAMINATION

23 BY MR. COOPER:

24   Q.   Ms. Stockman, you were asked some

25 questions about page 7 of 16 within the Staff

1   memorandum. And is it true that within that

2   memorandum that Staff made the observation that the

3   option of real-time data is not available with the

4   water -- MyWater portal? I'm looking at that

5   paragraph that starts, MAWC's explains, that you were

6   talking about before. If I go to the three, four,

7   five, six -- well, fifth to the sixth line down in

8   that paragraph. Given this information

9   unfortunately. Do you see that sentence?

10   A.   I'm sorry, no. Where are you?

11   Q.   I'm on page 7.

12   A.   Page 7, yes.

13   Q.   Of 16.

14   A.   Yes.

15   Q.   And then there's a paragraph, oh, maybe

16   halfway down that says, MAWC explains --

17   A.   Yes.

18   Q.   -- comma.

19   And then if I go down again, the sixth

20   line of that paragraph that starts, Hourly usage.

21   A.   Yes.

22   Q.   About two-thirds of the way through

23   there's a sentence says, Given. It starts with the

24   word "given."

25   A.   Yes. Yes.

1   Q.   It says, Given this information,

2   unfortunately the option of real-time data is not

3   available with the MyWater portal.

4   A.   Yes.

5   Q.   And then that paragraph concludes, doesn't

6   it, acknowledging that Missouri-American is going to

7   or has at that point displayed a ribbon at the bottom

8   of the MyWater portal to let customers know data

9   could be delayed up to 72 hours?

10   A.   Yes.

11   Q.   You mentioned their -- the website or you

12   referred to the website for the Company. By that do

13   you mean the Missouri-America Water Company website?

14   A.   Yes.

15   Q.   The one that would come up if you were to

16   search those words?

17   A.   Yes.

18   Q.   And that is separate and different than

19   the MyWater application, isn't it?

20   A.   Yes, it is.

21   Q.   And I think it was mentioned earlier,

22   MyWater application is something that a customer has

23   actually has to sign up for?

24   A.   Yes.

25   Q.   On the other hand, any person utilizing

1 the internet can make it to the Missouri-America

2 Water Company website. Correct?

3   A.   Correct.

4   Q.   And when you talk about these various

5 documents being posted to the website, then it's that

6 open-to-the-world website where those documents are

7 provided. Correct?

8   A.   Correct.

9   Q.   You had mentioned having reviewed nine

10 recorded calls. Are -- I guess in my mind there were

11 about 14.

12   A.   Okay.

13   Q.   But my question for you is are you certain

14 about nine or --

15   A.   I am not --

16   Q.   -- could it have been more?

17   A.   -- certain about nine, no.

18   MR. COOPER: Okay. That's all the

19 questions I have for now.

20   JUDGE WALKER: Are there any Commission

21 questions?

22   MS. MARTIN: Your Honor, the OPC does

23 have a quick question.

24   JUDGE WALKER: Okay. Go ahead.

25   MS. MARTIN: Sorry. I didn't realize

1 that we missed us until Mr. Cooper was speaking.

2   CROSS-EXAMINATION

3 BY MS. MARTIN:

4   Q.   I am looking through the report. Did you

5 speak at all about the placement, the moving of his

6 water meter? I'm trying to find it. The moving of

7 his water meter into that pit?

8   A.   I believe so. Page 4.

9   Q.   Of the --

10   A.   Of the Staff report.

11   Q.   Of the Staff report. And can you give a

12 quick summary of Staff's findings?

13   A.   Sure. I believe that Mr. Moriarty had a

14 faulty, maybe a toilet handle, and so he had called a

15 plumber to come out. And when they came out, the --

16 there was a problem at the curb stop that they could

17 not get the water shut off. And because of that,

18 they had to have Missouri-American Water come out to

19 fix that curb stop. And at that time Missouri-

20 American Water Company moved his meter from inside

21 his home to a meter pit in his yard.

22   Q.   And did you -- did Staff have any findings

23 related to the moving of his meter from inside his

24 home to his yard?

25   A.   No.

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1   Q.   Okay.

2   A.   Missouri-American Water is in the process

3   of moving meters that are inside people's homes,

4   they're moving them outside for --

5   Q.   Right.

6   A.   -- convenience and safety.

7   Q.   I understand that.

8   A.   Okay.

9   Q.   Are -- is -- you might not be the

10   appropriate person to ask this to. Has Staff had --

11   faced any other concerns regarding customers who are

12   no longer able to see the physical meter because of

13   the new placement into --

14   A.   Not that I'm aware of.

15   Q.   Okay. But for customers who are older and

16   may have that concern, even if you haven't seen them

17   yet, the fact that if MyWat -- MyWater might not be

18   accurate and they might not be able to go see their

19   physical meter might be an issue?

20   A.   Possibly, yes.

21   Q.   And if they were to look on a Saturday

22   or Sunday or at 9:00 p.m. instead of between 7:00

23   and 7:00, that would raise a greater concern?

24   A.   Yes.

25   MS. MARTIN: Okay. Thank you.

1   JUDGE WALKER: Okay. We're going to go

2   through cross. Staff, do you have any cross?

3   MS. KERR: I'm sorry?

4   JUDGE WALKER: I asked if you had any

5   cross.

6   MS. KERR: Yeah. I have some redirect,

7   yes.

8   JUDGE WALKER: Go ahead.

9   MS. KERR: Thank you.

10   REDIRECT EXAMINATION

11   BY MS. KERR:

12   Q.   Now, in order -- when you were getting the

13   information on the calls, did you follow the

14   procedure to -- Staff procedure to get that

15   information?

16   A.   Yes, I did.

17   Q.   And when you were listening to those

18   calls, did those calls appear -- the calls that were

19   dropped, you said you couldn't really tell whether --

20   the reasons they were dropped. Did any of them seem

21   to be argumentative or --

22   A.   No.

23   Q.   -- how many --

24   A.   Huh-uh.

25   Q.   And during some of those calls, did -- did

1   the -- when you say some of them seemed to be just

2   dropped, did -- can you explain how some of them --

3   if any of them were just, like, dropped in the middle

4   of a conversation, or were some of them -- was

5   there -- did there seem to be an ending to those

6   calls or?

7   A.   It was in the middle of the call, yes, not

8   at the end. A few times someone was actually

9   speaking and then it just went silent.

10   Q.   And according to Commission rules, is the

11 water usage required to be shown on the bill?

12   A.   Yes.

13   Q.   And is it shown on the bill?

14   A.   Yes.

15   Q.   Okay. And do all water and sewer

16 companies regulated by the Commission have the water

17 usage on their bill?

18   A.   Yes, they do.

19   Q.   Including MAWC?

20   A.   Yes.

21   Q.   Okay. And do all these companies have

22 water usage available online for usage to your

23 knowledge?

24   A.   To my knowledge, yes.

25   Q.   Okay. Did you have -- did you have

1   findings -- did you make findings on -- on the water

2   meter, on the reason they moved the water meter from

3   inside of his house, Mr. Moriarty's house, to outside

4   his house? Did you have any findings in your Staff

5   report about that?

6   A.   Nothing more than that's what the Company

7   is transitioning. All meters that are inside the

8   home, they were moving outside.

9   Q.   Okay. And it's part of their policy that

10 they're doing that?

11   A.   Yes. Yes.

12   Q.   Did you find that the moving of the meter

13 did not violate any Commission rules when they did

14 that?

15   A.   It did not violate any.

16   Q.   Okay. Now, the primary source of

17 Mr. Moriarty or any customer to determine what

18 their water usage is, is that the MyWater app, or is

19 that -- what is that? What would their primary

20 source of information be to determine their water

21 usage?

22   A.   For Missouri-American Water?

23   Q.   For Missouri-American Water.

24   A.   Like I said, they can call the customer

25 service line and speak with a CCA. There's the

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1   MyWater app that they can check as well.

2   Q.   What's the ultimate source though, the

3   primary source?

4   A.   I would call customer service. Or they

5   can look at their bill.

6   Q.   Okay.

7   A.   It's on their bill, so they can reference

8   their bill as well.

9   Q.   Is there anything that requires customer

10   service personnel to be located in Missouri?

11   A.   There is not. There's no rule, statute,

12   nothing.

13   Q.   As long as they are -- as long as they're

14   familiar with Missouri rules, regulations?

15   A.   Yes.

16   Q.   Okay. And you -- your finding was that

17   they did?

18   A.   Yes.

19   MS. KERR: Okay. No further questions.

20   JUDGE WALKER: Okay. Ms. Stockman, you

21   may be excused. Does Staff have any further

22   witnesses?

23   MS. KERR: No.

24   JUDGE WALKER: Okay. This will be --

25   since OPC has no witnesses, that will be the close of

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1   testimony. In terms of housekeeping, I would like

2   data request 6, 12, 1, and 27 sent to me. Ms. Kerr,

3   would you send them to me please.

4   MS. KERR: Sure.

5   JUDGE WALKER: Does anyone have any

6   matters, post-matters before we discuss briefs? No?

7   Would anyone like to do a closing statement in lieu

8   of briefs?

9   MR. COOPER: No. We would prefer to

10 brief, your Honor.

11   JUDGE WALKER: Okay. Do you have a

12 proposed briefing schedule?

13   MR. COOPER: I could come up with one I

14 suppose. My memory is that the transcript is what,

15 ten -- ten business days before we'll likely see

16 that. If we could do that period plus another ten.

17 And I'm not wed to that, just as a possible starting

18 point.

19   JUDGE WALKER: Does anyone have an

20 objection to briefs being due 20 days from now?

21 Great.

22   MR. COOPER: Well, I think the first ten

23 is ten business days for the court reporter, so it

24 has to be a little bit more than --

25   JUDGE WALKER: Well, let's say 20

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1 business days then.

2   MR. COOPER: Yeah.

3   JUDGE WALKER: Would that be --

4 Mr. Moriarty, just so you're clear on what happens,

5 the brief is your opportunity to tell the Commission

6 based on what you have heard here today the strong

7 points in your case and why you think the Commission

8 should rule in your favor one more time. And when we

9 say 20 business days, that means not calendar days.

10 That means just weekdays. So you have 20 business

11 days from now to send me your brief. Do you have any

12 questions about that procedure?

13   MR. MORIARTY: No.

14   JUDGE WALKER: No, okay.

15   MS. MARTIN: I have a quick question.

16 Where -- and I am so sorry. We are also including

17 Labor Day in that. Is that correct?

18   JUDGE WALKER: If you want another day --

19   MS. MARTIN: No. No.

20   JUDGE WALKER: -- that's fine with me.

21   MS. MARTIN: What I mean is -- I'm just

22 trying to calculate. So it would be the 26th of

23 September. Is that right?

24   MS. KERR: Well, Labor Day's a holiday so

25 that doesn't count.

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1   MS. MARTIN: Right.

2   JUDGE WALKER: Well, it doesn't count in

3   the rules of civil procedure, but this is an

4   administrative -- if she wants an extra day, she --

5   MS. MARTIN: I just -- no. I just wanted

6   to make sure they are due -- briefs would be due on

7   the 26th of September. Is that right?

8   JUDGE WALKER: That's all right with me

9   if it's all right with the parties.

10   MS. KERR: That's fine.

11   JUDGE WALKER: Okay. The 26th it is.

12   MS. KERR: And just so I'm sure, what

13   number exhibit was DR number 1 and number 27? I

14   think that was 9 and 10, but I'm not sure. Or maybe

15   that was 11.

16   JUDGE WALKER: DR 1 is Exhibit 8. DR 27

17   is Exhibit 10.

18   MS. KERR: Okay. Okay. And I need to

19   get copies for you guys of all those DRs?

20   JUDGE WALKER: Yes.

21   MS. KERR: Okay.

22   JUDGE WALKER: 6, 12, 1, and 27.

23   MS. KERR: Okay.

24   MR. MORIARTY: Will there be a list with

25   the transcript, a list of the exhibits with the

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1   transcript?

2   JUDGE WALKER: Yes. A list of the

3   exhibits will be attached to the transcript.

4   MR. MORIARTY: Thank you.

5   JUDGE WALKER: Any other questions?

6   Thank you all for coming and thank you for your

7   participation. We're off the record.

8   (Off the record at 2:30 p.m.)

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1   CERTIFICATE OF REPORTER

2   STATE OF MISSOURI   )

3   COUNTY OF CALLAWAY   )

4   I, Shelley L. Bartels, a Certified Court

5   Reporter, CCR No. 679, do hereby certify that I was

6   authorized to and did stenographically report the

7   transcript of proceedings; and that the foregoing

8   transcript, pages 1 through 166, is a true record of

9   my stenographic notes.

10   I FURTHER CERTIFY that I am not a relative,

11 employee, or attorney, or counsel of any of the

12 parties, nor am I a relative or employee of any of

13 the parties' attorney or counsel connected with the

14 action, nor am I financially interested in the

15 action.

16

17   DATED this 3rd day of September, 2025.

18

19

20 _____

21   Shelley L. Bartels, CCR 679

22

23

24

25

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