

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

Jim Moriarty,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>File No. WC-2025-0204</u></b>
	)	
Missouri-American Water Company,	)	
	)	
Respondent.	)	

**MAWC’S BRIEF**

**COMES NOW** Missouri-American Water Company (“MAWC” or “Company”) and, as its *Brief*, states as follows to the Missouri Public Service Commission (“Commission”):

**TABLE OF CONTENTS**

INTRODUCTION .....	2
STANDARD.....	3
BACKGROUND .....	3
ISSUES .....	5
Alleged Violations of Statute, Rule, Order or Tariff.....	5
Rule 20 CSR 4240-13.025(1)(A) .....	5
Rule 20 CSR 4240-13.040(1).....	6
Rule 20 CSR 4240-13.040(2)(A) .....	8
Rule 20 CSR 4240-13.040(3)(G) .....	8
Rule 20 CSR 4240-13.040(5).....	9
MyWater Application.....	10
Data Transfer Process.....	11
Billing.....	12
MyWater Enhancements .....	13
Other Operations Items.....	16
Leak Adjustment .....	16
Meter Location .....	17
Meter Reading Time on Bills .....	18
Other Customer Service Items.....	19
Call Handling .....	19
Call Center Personnel Located in State.....	19
CONCLUSION.....	20

\*\*Denotes Confidential Information\*\*

## INTRODUCTION

Mr. Moriarty (also, the “Complainant”) filed this formal complaint against MAWC on January 16, 2025. A formal complaint is a statute driven legal process to determine whether there has been a violation of statute, rule, order or tariff. (Section 386.390, RSMo). As explained below, MAWC takes the position there has been no such violation in this case, and Mr. Moriarty has failed to meet his burden of proof in this matter.

Having said this, much of the discussion in the testimony revolves around the Company’s MyWater Internet application, which provides a variety of functions to customers. For example, a customer can make a payment; view current and past bills; enroll in, or stop, auto-pay and paperless billing; and submit service requests, including move-ins, move-outs, and establish new service. Further, customers can add authorized users and enroll in payment assistance programs, installment plans, or budget billing through MyWater.

The MyWater discussion primarily revolves around the usage charts that were first implemented in December 2023, for those customers that have AMI meters. That usage display feature of the MyWater system continues to be refined and improved. In MAWC witness Tarcza’s written and live testimony, he discussed enhancements that have been made over the last year, and were made recently, to attempt to provide customers with the best information the Company can within technological limitations.

Some of these changes have been a direct result of comments made by Mr. Moriarty. Conversations and interactions with Mr. Moriarty have resulted in enhancements that benefit all customers. Mr. Moriarty has been particularly consistent with his review of the data on MyWater as it relates to his usage displays and provided some observations the Company had not received from other customers.

MAWC will discuss these matters in greater detail in the following pages.

Moreover, as a result of the Company's last general rate case (Case No. WR-2024-0320), MAWC agreed to provide a presentation to the Staff and Office of the Public Counsel ("OPC") regarding MyWater status and improvements (that meeting took place on August 11, 2025), it has provided a report to the Commission as a follow-up within the rate case on September 10, 2025 and will continue to discuss the MyWater status and improvements in its quarterly meetings with Staff and OPC going forward.

### STANDARD

As Mr. Moriarty brought this Complaint, the burden of proof rests with him:

In cases where a complainant alleges that a regulated utility is violating the law, its own tariff, or is otherwise engaging in unjust or unreasonable actions, . . . the burden of proof at hearing rests with complainant." *AG Processing, Inc. v. KCP & L Greater Mo. Operations Co.*, 385 S.W.3d 511, 514 (Mo. App. 2012) (citations and internal quotation marks omitted).

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The party having the burden of proof carries "the risk of nonpersuasion." [*McCloskey v. Koplar*, 329 Mo. 527, 46 S.W.2d 557, 563 (Mo. banc 1932)] (citation omitted). Therefore, if the evidence is "equally balanced and the [fact-finder] is left in doubt, the litigant having the burden of proof loses; he must sustain his case by the greater weight of the evidence." *Id.*

*Mo. Pub. Serv. Comm'n v. Office of Pub. Counsel (In re Emerald Point Util. Co.)*, 438 S.W.3d 482, 490-491 (Mo. App. W.D. 2014) (emphasis added).

### BACKGROUND

Mr. Moriarty filed this complaint against MAWC on January 16, 2025. In his Complaint, Mr. Moriarty's main concern appears to be the variability in his water usage data as displayed in MyWater. (Exh. 4, Formal Complaint, pp. 3-6). In addition, Mr. Moriarty expressed concerns regarding the criteria where MAWC views a customer to be eligible for a leak adjustment, whether

his monthly water and sewer bill<sup>1</sup> is accurate based on the data variability he observed in MyWater, and the Company's response to his various inquiries during the last 18 months, including the Company's response to an indoor valve leak he had in November 2023, and the relocation of his meter from inside to outside his home. (Exh. 2, Ebbeler Dir., p. 8).

The Company worked closely with Mr. Moriarty after he filed this Complaint in an attempt to address his concerns. Mr. Ebbeler had several telephone conversations and email communications with Mr. Moriarty. His first interaction with Mr. Moriarty was on January 21, 2025, when Mr. Ebbeler called to discuss concerns expressed regarding MyWater. Thereafter, they had several email exchanges summarizing the Company's planned enhancements to MyWater, the timeline for implementing such enhancements, and Mr. Moriarty's unsuccessful attempts to obtain a leak adjustment. (Exh. 2, Ebbeler Dir., pp. 8-9).

MAWC staff, including Mr. Ebbeler and Mr. Tarcza, met with Mr. Moriarty on March 27, 2025, in the Company's Craig Road office to review the matter and discuss the results of the Company's investigation. This included looking at a live version of the MyWater application. Further, the Company provided printed copies of its responses to Staff's data requests to Mr. Moriarty. These documents provided more details about MyWater and the Company's actions. Additionally, the Company provided Mr. Moriarty with his AMI usage data from January 1, 2024, to March 14, 2025, a summary of gallons billed March 6, 2012, to March 14, 2025, all account notes, and electronic communications with Mr. Moriarty and, later, the supplemental responses the Company provided to Staff on August 6, 2025. (Exh. 2, Ebbeler Dir., p. 9).

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<sup>1</sup> Mr. Moriarty's sewer service is provided and billed by the Metropolitan Sewer District ("MSD"), an unregulated sewer provider, not the Company.

## ISSUES

In the following paragraphs, MAWC addresses the issues it believes Mr. Moriarty raised in his Complaint. Because this process is primarily a question of whether there has been a violation of statute, rule, order or tariff,<sup>2</sup> MAWC first replies to the alleged rule violations and then addresses the other subjects raised.

### **Alleged Violations of Statute, Rule, Order or Tariff**

Mr. Moriarty's Complaint specifies the five (5) Commission rules, or portions of rules, he alleges MAWC has violated. (Exh. 4, Formal Complaint, pp. 4-7). None of these rules concern the MyWater application discussed extensively in this case. MAWC further explains in the following pages why there has been no violation of the identified rules.

#### **Rule 20 CSR 4240-13.025(1)(A)**

Commission Rule 20 CSR 4240-13.025(1)(A) states as follows:

(1) For all billing errors, the utility will determine from all related and available information the probable period during which the condition causing the errors existed and shall make billing adjustments for that period as follows:

(A) In the event of an overcharge, an adjustment shall be made for the entire period that the overcharge can be shown to have existed not to exceed sixty (60) consecutive monthly billing periods, or twenty (20) consecutive quarterly billing periods, calculated from the date of discovery, inquiry, or actual notification of the utility, whichever comes first.

This Commission rule addresses billing errors and what is to be done in the event of an overcharge. No billing errors are shown in this case. Billing is separate from the MyWater display. The meter readings and the usage displayed on billing statements for Mr. Moriarty's account match the amounts billed after being truncated to the nearest hundred gallons of usage. (Exh. 2, Ebbeler Dir., p. 8, 15; Exh. 3, Bill and Meter Reads).

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<sup>2</sup> Section 386.390, RSMo.

Mr. Ebbeler further performed a comparison of the meter readings used for billing Mr. Moriarty and the meter readings obtained from the meter manufacturer's head-end system. Mr. Ebbeler showed the meter reads from the head-end system matched the meter reads used on Mr. Moriarty's bills. (Exh. 3; Tr. 24-27 (Ebbeler)).

**Rule 20 CSR 4240-13.040(1)**

Commission Rule 20 CSR 4240-13.040(1) states as follows:

(1) A utility shall adopt procedures which shall ensure the prompt receipt, thorough investigation and, where possible, mutually acceptable resolution of customer inquiries. The utility shall submit the procedures to the commission for approval and the utility shall notify the commission and the public counsel of any substantive changes in these procedures prior to implementation.

This Commission rule provides that a utility shall adopt procedures which shall ensure the prompt receipt, thorough investigation and, where possible, mutually acceptable "resolution of customer inquiries."<sup>3</sup>

The Company has a call center available to its customers who have inquiries. Those inquiries are typically handled by Customer Care Agents ("CCA"). If that CCA is unable to resolve or address the inquiry to the customer's satisfaction, MAWC has a call escalation process that allows the CCA to follow a process, which includes directing the customer to a supervisor. The Company also has an Account Resolution Team ("ART") that handles complaints and inquiries that are not resolved by the CCA. In April 2025, the CCAs and supervisors received additional guidance on appropriate escalation of complaints related to MyWater, including access to individuals with Information and Technology ("IT") background to assist in resolving any issues. (Exh. 2, Ebbeler Dir., p. 16).

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<sup>3</sup> At the hearing, Mr. Moriarty appeared to suggest general application of this provision to the MyWater application. (Tr. 142-151 (Moriarty/Stockman)). However, the rule expressly applies to "resolution of customer inquiries."

The Company also used what it calls “catch the wave” messages that the CCAs look at on a regular basis to refresh their knowledge on how MyWater works. MAWC also provided flow charts to CCAs to show the flow of data in MyWater and explain why the customer may see data in arrears of up to 72 hours. These tools help CCAs have a better understanding of the data transfer process, which also helps their ability to explain this information to the customers. (Tr. 134 (Tarcza)). This has included reinforcement with the customer service organization as to the capabilities to which customers have access through self-service, such as the daily and monthly usage charts available in MyWater. (Tr. 102, Tarcza)).

For the last few years, the Company worked to improve the call center functioning and responsiveness. Some of these actions post-date many of Mr. Moriarty’s interactions. For example, in November or December of 2024, the Company moved some of the call handling supporting software to a cloud-based system. Along with that action, a virtual assistant was added to help the CCAs provide better customer service by using key words spoken by the customer to direct the CCAs to places in the account to identify answers to customer questions. The cloud-based system also uses artificial intelligence to summarize the discussion between the customer and the CCA. (Tr. 30-31 (Ebbeler); Tr. 97, 98-99 (Tarcza)).

Mr. Tarcza described this change in more detail in his Rebuttal/Surrebuttal/Sur-Surrebuttal Testimony in Case No. WR-2024-0320, which was filed on January 24, 2025. (Exh. 9):

As noted on page 3 of Staff Witness Thomason’s Direct/Rebuttal Testimony, MAWC’s call center performance statistics have meaningfully improved since the Company’s last rate case. To further enhance the customer experience, in November 2024 American Water updated its call center technology. One of the enhancements was the replacement of the Interactive Voice Response (IVR) technology with Intelligent Virtual Assistant (IVA). IVA systems leverage advanced technologies to provide a more intelligent, flexible, and interactive conversational experience. It can handle complex conversations and tasks beyond basic call routing. In addition, the IVA is bilingual which allows customer to both receive information and perform self-service options in both English and Spanish. Enabling the IVA to handle a broader array of routine inquiries and tasks will allow

our call center agents to focus on more critical and complex issues facing our customers. The IVA can also use customer data and past interactions to personalize and continue to improve the customer experience while the back-end integrations provide a smoother path to resolution. This should help increase the call containment rate and improve customer satisfaction. In addition, MAWC reviews customer surveys and industry best practices to further improve the customer experience on an on-going basis.

(Exh. 9, Tarcza Reb/Sur./Sur-Sur., p. 6).

The Company has continued to review and improve its call center functions during the times relevant to this Complaint.

**Rule 20 CSR 4240-13.040(2)(A)**

Commission Rule 20 CSR 4240-13.040(2)(A) states as follows:

(2) A utility shall establish personnel procedures which, at a minimum, ensure that—

(A) At all times during normal business hours qualified personnel shall be available and prepared to receive and respond to all customer inquiries, service requests, safety concerns, and complaints. A utility shall make necessary arrangements to ensure that customers unable to communicate in the English language receive assistance;

This Commission rule provides that a utility shall establish personnel procedures which ensure that at all times during normal business hours qualified personnel shall be available and prepared to receive and respond to all customer inquiries, service requests, safety concerns, and complaints.

The Company's call center is staffed Monday through Friday, 7:00 am – 7:00 pm, for customer concerns. Customers can call 24 hours a day for emergencies, such as where the water is off or water is leaking. (Exh. 2, Ebbeler Dir., pp. 16-17).

**Rule 20 CSR 4240-13.040(3)(G)**

Commission Rule 20 CSR 4240-13.040(3)(G) states as follows:



(3) A utility shall prepare, in written form, information in plain language, which summarizes the rights and responsibilities of the utility and its customers in accordance with this chapter. The form shall be submitted to the consumer services department of the commission, and to the Office of the Public Counsel. This written information shall be displayed prominently, and shall be available at all utility office locations open to the general public, and shall be mailed or otherwise delivered to each of the utility's residential customers upon request. The information shall be delivered or mailed to each new customer of the utility upon the commencement of service and shall be available at all times upon request. The written information shall indicate conspicuously that it is being provided in accordance with the rules of the commission, and shall contain information concerning, but not limited to—

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(G) Explanation of meter reading procedures which would enable a customer to read his/her own meter;

This Commission rule provides that a utility shall prepare, in written form, information in plain language, which summarizes the rights and responsibilities of the utility and its customers, to include an explanation of meter reading procedures which would enable a customer to read his/her own meter.

The Company has a written Customer Rights and Responsibilities document that it shares with new customers. This document is also available on the Company's website.<sup>4</sup> The Company also has a document titled "How to Read Your Water Meter" that provides a written description of the process for different water meters the Company utilizes. This can also be found on the website.<sup>5</sup> (Exh. 2, Ebbeler Dir., p. 17).

#### **Rule 20 CSR 4240-13.040(5)**

Commission Rule 20 CSR 4240-13.040(5) states as follows:

(5) A utility shall maintain records on its customers for at least two (2) years which contain all information concerning—

(A) The payment performance of each of its customers for each billing period;

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<sup>4</sup> [www.amwater.com/moaw/Customer-Service-Billing/Rights-Responsibilities/Customer-Rights-And-Responsibilities/index](http://www.amwater.com/moaw/Customer-Service-Billing/Rights-Responsibilities/Customer-Rights-And-Responsibilities/index)

<sup>5</sup> [www.amwater.com/moaw/resources/PDF/Customer-Service/MOAW\\_WaterMeter\\_FactSheet.pdf](http://www.amwater.com/moaw/resources/PDF/Customer-Service/MOAW_WaterMeter_FactSheet.pdf)

(B) The number and general description of complaints registered with the utility;

(C) The number of settlement agreements made by the utility; (D) The actual number of discontinuances of service due to each of the following categories of reasons:

1. The customer's failure to comply with a settlement agreement or cold weather rule payment agreement;
2. The customer's failure to make any other required utility payment;
3. Unauthorized interference, diversion, or use of utility service; and
4. All other reasons combined;

(E) Actual number of reconnections; and (F) Actual number and amounts of refunds of deposits.

The Commission rule provides that the utility must maintain certain records for at least two (2) years.

MAWC maintains such records for at least two years. (Exh. 2, Ebbeler Dir., pp. 17-18).

#### **Conclusion for Alleged Violations of Statute, Rule, Order or Tariff**

MAWC complies with the Commission's rules and regulations and has not violated a statute or order. The record demonstrates MAWC has not violated any Commission Rule cited by Mr. Moriarty. Therefore, Mr. Moriarty has failed to meet his burden of proof in this Complaint.

#### **MyWater Application**

MyWater is an Internet application that allows the Customer to make a payment, view current and past bills, and enroll in, or stop, auto-pay and paperless billing. Customers can also submit service requests, including move-ins, move-outs, and establish new service. MyWater allows customers to report water quality concerns, damage, or emergencies, and to create a service order. (Exh. 7, Tarcza Dir., p. 4). Customers can also manage their accounts by resetting passwords, updating phone numbers and email addresses, and setting alert notification preferences.

Further, they can add authorized users and enroll in payment assistance programs, installment plans, or budget billing through MyWater. (Exh. 7, Tarcza Dir., p. 4).

For those customers with an AMI meter, MyWater provides a usage overview screen that displays a summary of water usage for 24 hours, 30 days, 12 months, 24 months, or 36 months. This functionality was added to MyWater in December 2023. The displayed usage data can be downloaded in Excel or PDF format. MyWater does not offer the ability to filter data or generate custom daily usage reports. The availability of hourly usage data is dependent on the timing of the data transfer process. (Exh. 7, Tarcza Dir., pp. 4-5).

As a result of the Company's last general rate case (Case No. WR-2024-0320), MAWC agreed to provide a presentation to the Staff and OPC regarding MyWater status and improvements (that meeting took place on August 11, 2025), and to provide a report to the Commission as a follow-up within the rate case (that report was filed on September 10, 2025). The Company will continue to discuss the MyWater status and improvements in its quarterly meetings with Staff and OPC going forward. (Exh. 7, Tarcza Dir., pp. 18-19).

### **Data Transfer Process**

Each customer premises has a water meter that is directly connected through a wire to an end point, also known as a transmitter. For customers who have an AMI transmitter attached to their meter, the endpoint transmits meter readings through a cellular or fixed network to the manufacturer's cloud-based system ("transmitter headend system"). Typically, this occurs three to four times per day. (Exh. 2, Ebbeler Dir., p. 5).

The manufacturer's network securely transfers the meter data to the Service Company's cloud infrastructure ("Company's cloud"). The process of transferring data from the manufacturer's network to Company's cloud infrastructure is described as "the data transfer process." Once within the cloud-based system, on a daily basis, data is sent to several other

systems for different consumption purposes, or uses of the data, including the customer billing system, internal reporting system, and the MyWater customer portal. (Exh. 2, Ebbeler Dir., p. 5).

Generally, data is transferred several times per day through the data transfer process. However, the frequency of the transfer varies based on the cellular fixed-network connection, as the network responsible for transmitting data may have delays or be unavailable. For instance, if the transmitter gets submerged underwater due to a weather event, the transmitter cannot connect to the cellular or fixed network until the water subsides. In addition, cellular data connectivity could be impacted by the network provider. All meter reads are not guaranteed, and this is considered normal with cellular-type meters. (Exh. 7, Tarcza Dir., p. 10; Exh. 2, Ebbeler Dir., p. 5, 6).

In most cases, once the network becomes available again, the meter read data will be uploaded to, and move through, the data transfer process. However, in some cases, the meter reading data is not available and therefore the hourly or daily consumption is not available in MyWater. If the data for specific time intervals is unavailable in the transmitter headend system, a customer will not be able to view that data in MyWater, since the meter reading data is ultimately populated from the manufacture. (Exh. 2, Ebbeler Dir., p. 6).

### **Billing**

MyWater and billing are separate. Information is transferred from the Company's cloud to MyWater and from the Company's cloud to other users of the data, such as billing or data transferred to MSD. As a result, MyWater display issues will not impact bills to MAWC customers. Further, MyWater display issues will not impact data provided to MSD for billing.<sup>6</sup>

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<sup>6</sup> Section 249.645, RSMo ("Any private water company . . . supplying water to the premises located within a sewer district shall, upon reasonable request, make available to such sewer district its records and books so that such sewer district may obtain therefrom such data as may be necessary to calculate the charges for sewer service."). See also, PSC Mo No. 13, 1<sup>st</sup> Revised Sheet No. RT 23.

The water usage data transmitted to MSD is transmitted through a different consumption process than MyWater. (Exh. 2, Ebbeler Dir., p. 12).

A customer's bill is based on the total usage for a specific period of time (typically 28 to 30 days), not a sum of specific daily usage. A bill is generated by subtracting the previous meter reading from the first day of the billing cycle from the current meter reading on the last day in the billing cycle, truncated to the nearest hundred gallons of usage. (Exh. 2, Ebbeler Dir., p. 8). To correctly bill a customer, the billing system only needs two reads - a current meter read along with what it used the prior month for the meter read. In comparison, the 24-hour usage in MyWater requires a meter read each hour of each day. (Tr. 28 (Ebbeler)).

This process is similar to the odometer on a car. If a driver wants to know the amount of miles driven on a daily basis, they can check the odometer each day and compute the mileage for that day. However, even if the driver did not record the daily mileage, at the end of the month they will still know the total miles driven that month by subtracting the odometer reading from the beginning of the month from the odometer reading from the end of the month.

As indicated above, Mr. Ebbeler performed a comparison of the meter readings used for billing Mr. Moriarty and the meter readings obtained from the meter manufacturer's head-end system. Mr. Ebbeler determined that the meter reads from the head-end system matched the meter reads used on Mr. Moriarty's bills. (Exh. 3; Tr. 24-27 (Ebbeler)).

### **MyWater Enhancements**

The MyWater application was developed with a commitment to continuously improve the customer experience. The Company actively evaluates feedback from users and stakeholders to identify areas where enhancements may be beneficial. Additionally, the Company performs internal testing and review of the application as described below. Ongoing developments and

refinements are part of the Company's standard process to ensure the application continues to meet evolving needs. (Exh. 7, Tarcza Dir., p. 4).

The Company started working on updates to MyWater in November 2024. After Mr. Moriarty's Complaint was filed in January, Company Witness Paul Ebbeler worked directly with Mr. Moriarty through telephone, email communications, and in person. (Exh. 7, Tarcza Dir., p. 7; Exh. 2, Ebbeler Dir., p. 9). The information provided in this Complaint has been helpful to the Company in identifying, resolving, and continuing to work toward resolving some display matters associated with the MyWater system. (Exh. 7, Tarcza Dir., p. 8).

In his direct testimony, Mr. Moriarty suggested the Company's testing process was deficient. (Exh. 1, Moriarty Dir., pp. 12-13). In response, Mr. Tarcza explained the process the Company goes through in regard to potential MyWater enhancements.

From a technical perspective, MyWater features begin in the development state where the Company determines what the development needs are for the business ("enhancements" or "change"), then it evaluates the technical requirements to meet those needs. Once the enhancements are determined, they are reviewed by the governance team. Thereafter, the enhancement goes to the IT department to develop the necessary code to deploy. (Tr. 79-80 (Tarcza)). This is essentially translating the business need into technical terms so the developers can do their work. (Tr. 79-80 (Tarcza)).

Once developed, prior to deployment, testing occurs to ensure the enhancement is functioning as designed or expected. The Company utilizes two testing processes. The first is a Quality Assurance ("QA") testing process, which allows for automated testing of the developed enhancement to determine if there any major issues. The Company then utilizes User Acceptance Testing ("UAT"), which is where internal employees test the enhancement in a live setting and attempt to "break" the enhancement or determine if any other issues arise from the enhancement.

Once the enhancement passes QA and UAT testing, then it is deployed in MyWater. (Tr. 81 (Tarcza)).

Unfortunately, it is not possible to test or discover all potential data display issues within MyWater during the development and testing phases. For example, the Company did not discover that certain hourly reads within the 24-hour MyWater download report were labeled with the scientific code, 5e-324. After investigation, the Company determined the scientific code displayed because it did not have a current meter read for the hour displayed. During QA testing, the Company was unable to see this issue because the AMI data used in testing was not “live” data. Therefore, the testing could not account for a scenario where a meter read was pending. (Tr. 82-83 (Tarcza)).

The Company initially identified three scenarios where usage may be adjusted in MyWater: (1) the variability in which MyWater receives the usage information, including if meter reads are not be available for a period of time; (2) a time zone difference of the customer and the MyWater display; and (3) a concern related to a 30-day look back and download period. (Exh. 7, Tarcza Dir., p. 8).

The Company provided the following updates to MyWater:

1. Resolved a 30 day look back discrepancy on January 30, 2025;
2. Resolved a time zone issue on March 6, 2025;
3. Corrected an issue related to missing water usage and delayed usage display in MyWater in April 2025 and a future enhancement is anticipated in August 2025;
4. Updated the MyWater display on April 11, 2025, to provide a reference to reflect that usage data in MyWater may be delayed up to 72 hours; and
5. Corrected a 30 day download feature on May 23, 2025.

(Exh. 7, Tarcza Dir., pp. 8-13).

As indicated by Mr. Tarcza's live testimony, more updates related to issues in this case are expected. (Exh. 7, Tarcza Dir., p 83, 87). The Company will continue to conduct regular maintenance activities on the MyWater application, similar to that of any other technology, and consider customer feedback to improve MyWater. As a result of the Company's continual improvement, for short periods of time, MyWater usage data may be unavailable to customers and changes will be made as deemed necessary by the Company. (Exh. 7, Tarcza Dir., p. 13).

### **Other Operations Items**

#### **Leak Adjustment**

\*\* [REDACTED]

[REDACTED] \*\* 7

A leak adjustment is a discretionary billing adjustment the Company makes when a customer's usage is high as a result of a leak on the customer's side of the meter that the Company is not responsible for repairing. The Company uses a specific threshold to determine when residential leak adjustments will be issued. If the customer does not meet the threshold, a leak adjustment will not be issued. Typically, a customer is only eligible for a courtesy leak adjustment once over the life of their account. The system reviews the customers' usage for the two-month period directly prior to filing for the adjustment, compared to the two-month period of the previous year. If the usage is not two times more than the period from the previous year, the customer is not eligible for a leak adjustment. (Exh. 2, Ebbeler Dir., p. 10).

\*\* [REDACTED]

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<sup>7</sup> The Company is marking this information Confidential pursuant to Commission Rule 20 CSR 424-2.135(2)(1) as it contains customer-specific information.





By placing the meter outside, the Company does not need the customer present and therefore reduces service delays, interruptions in service, and meter read estimates when a meter needs servicing. For these reasons, MAWC utilizes outside meter sets. (Exh. 2, Ebbeler Dr., pp. 12-13).

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### **Meter Reading Time on Bills**

Mr. Moriarty suggests the day and time of the meter reads used for billing should be shown on a customer's bill. (Exh. 1, Moriarty Dir., p. 6).

MAWC's bill currently shows the meter read and the meter read date, along with the consumption calculated from the meter reads and dates. (Tr. 29 (Ebbeler)). This is consistent with the requirements of Commission Rule 20 CSR 4240-13.090(9), which states in part as follows:

(9) Every bill for residential utility service shall clearly state— (A) The beginning and ending meter readings of the billing period and the dates of these readings;

Mr. Ebbeler testified that to his knowledge, MAWC is not currently capable of showing the time of a meter read on a bill. (Tr. 29 (Ebbeler)).

### **Other Customer Service Items**

#### **Call Handling**

Mr. Moriarty alleges that during 2024, MAWC hung up on him on many occasions. (Exh. 1, Moriarty Dir., p. 1). Both MAWC witness Ebbeler and Staff witness Stockman reviewed the call recordings associated with these matters. (Tr. 29-30 (Ebbeler); Tr. 147, 154 (Stockman)).

Mr. Ebbeler acknowledges that some calls were disconnected or dropped unexpectedly, but he could not tell what had happened. (Tr. 30 (Ebbeler)). He could not hear any malicious intent in the conversations, and the calls just went “dead.” (Tr. 69-70 (Ebbeler)). He did acknowledge, however, that he did not interview the CCAs involved. (Tr. 70 (Ebbeler)).

Staff witness Stockman indicated while listening to the telephone calls between Mr. Moriarty and MAWC, Staff observed cases of four unexpectedly dropped calls. Staff could not determine the cause of the disconnections. (Exh. 11, Stockman Dir., Sched. LAS-d2, p. 12 of 20). In response to Mr. Moriarty’s questioning, Ms. Stockman further testified that the calls “didn’t escalate to someone hanging up.” She observed that, “in reality, it does happen unfortunately whether it's a cell phone or something else.” In the end, she could not tell why the calls were dropped. (Tr. 147, 148 (Stockman)).

Mr. Ebbeler testified that if the Company did determine that a CCA hung up on a customer, the situation would be reviewed for discipline for that CCA. (Tr. 30 (Ebbeler)).

#### **Call Center Personnel Located in State**

Mr. Moriarty asked that all customer service be provided in the customer's own state or an adjoining state. (Exh. 1, Moriarty Dir., p. 6). No Commission regulation requires such staffing for

customer service, nor is any other public utility regulated by the Commission subject to such a requirement. (Exh. 11, Stockman Dir., Sched. LAS-d2, p. 13 of 20).

MAWC has a centralized customer service department so that its CCAs can be specialized. There are several advantages to having a centralized customer service department including that it provides: a larger pool of professionals from which to hire; a more efficient means to implement changes or conduct training; and, having a larger number of employees to address customer inquiries in the case of a call volume spike in a specific location. (Tr. 28-29 (Ebbeler)).

### CONCLUSION

MAWC has been appreciative of Mr. Moriarty's comments in regard to MyWater and has utilized those comments to improve the usage display features over the last year. The Company will continue to make changes to provide customers with the best information the Company can within technological limitations.

Mr. Moriarty has not met his burden of proof in this Complaint. The evidence fails to show that MAWC violated any statute, rule, order or tariff. The Commission should find MAWC is not in violation of any statute, rule, order, and tariff.

**WHEREFORE**, MAWC respectfully requests the Commission consider this *Brief* and, thereafter, issue such orders as it should believe are reasonable and just.

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ATTORNEYS FOR MISSOURI-AMERICAN WATER COMPANY

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail to all parties of record, this 30<sup>th</sup> day of September 2025.

/s/ Rachel L. Niemeier  
Rachel L. Niemeier