

BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

PREHEARING CONFERENCE

John Leuchtmann,)

Complainant,)

v.) Case No.: WC-2026-0368

Liberty Utilities, LLC)

d/b/a Liberty,)

Respondent.)

THURSDAY, SEPTEMBER 3, 2026
1:30 p.m.

Jefferson City, MO
via WebEx

VOLUME 1

CHARLES HATCHER, Presiding
SENIOR REGULATORY LAW JUDGE

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

Transcribed by:

Naghma Tazeen

1 THE COURT: Okay. Good afternoon,
2 everyone. Our time is 1:30. Let's go on the record.
3 Today is September 3rd, 2026. The commission has set
4 this time for a prehearing conference in case number WC-
5 2026-0368. There is no court reporter, but this
6 conference is being recorded for later transcription.

7 This Webex will be divided into two
8 parts. The first part I will participate in and we will
9 discuss the next steps in the case. The second part
10 will just be the parties to discuss the details involved
11 in the scheduling issues in the case and any potential
12 settlement discussions.

13 Only the first part will be on the
14 record. Speaking of, for the record, this conference is
15 being held only via Internet and Webex application. My
16 name is Charles Hatcher. I'm the regulatory law judge
17 assigned to this case. And let's go ahead and have
18 counsel for the parties make their entry of appearance.

19 Mr. Linton, I understand you're
20 representing both of the complainants here, John
21 Leuchtmann and Lakewood Hills HOA? Is that correct?

22 MR. LINTON: Yes, Your Honor, that is
23 correct. I am of counsel with the law firm of McCarthy,
24 Leonard & Kaemmerer. My address there is 825 Maryville
25 Center Drive, Suite 300, Town and Country, Missouri

1 63017.

2 THE COURT: Thank you, sir. And for
3 Liberty Utilities?

4 MS. THOMPSON: Kevin Thompson, Brydon,
5 Swearngen & England P.C. The address is on file with
6 the commission. I am representing Liberty Water,
7 Missouri.

8 THE COURT: Thank you. And for Staff?

9 MR. CUNNEEN: Good morning, Your Honor.
10 Ray Cunneen and Casi Aslin for Staff.

11 THE COURT: Thank you, Mr. Cunneen. And
12 for the Office of the Public Counsel? All right. That
13 was not unexpected. The Office of the Public Council is
14 a member of all cases, but they don't necessarily
15 participate in all of the complaint cases.

16 Again, the prehearing conference is
17 convened for the purpose of discussing what the next
18 steps are that the parties desire. Just from my
19 observation, I see three potential options, but there
20 certainly might be others that did not occur to me.
21 There might be settlement. The parties might agree to
22 engage in mediation, which as we all know, is not
23 binding unless the parties do reach an agreement. And
24 the third option would be an evidentiary hearing.

25 As to the evidentiary hearing, if the

1 parties do desire to go that route in the proposed
2 procedural schedule, the commission needs the following
3 items.

4 Number one, at least one scheduled and
5 attended settlement conference. The remainder of this
6 conference call does not count as that one scheduled
7 settlement conference. The commission does not want to
8 see the parties waive that meeting or agree that they
9 don't have anything to talk about. Very strongly
10 encourage the parties to at least reach out and discuss
11 settlement at that -- at least one scheduled settlement
12 conference.

13 Second, a determination of how the
14 testimony will be presented. The commission allows for
15 pre-file testimony and in complaint cases we often do go
16 with simply live testimony. Hearing dates will be the
17 third item. Perhaps a selection of hearing dates, but
18 at least nailing down the one date that the parties
19 would prefer.

20 Fourth, a determination on briefs.
21 Complaint cases do not require briefs, and we have
22 typically allowed the parties to agree on whether they
23 will or will not file briefs in any particular complaint
24 case. Please note that on the briefing there is a 10-
25 business-day turnaround for transcripts. So whenever

1 your hearing date is, make sure and count 10 business
2 days -- and add that into your calculations for when
3 briefs will be due.

4 Fifth item, a cutoff date for discovery.
5 Six, lists. I think everyone here has experience
6 practicing before the commission. The list I'm talking
7 about are the witness lists and the issues lists. I
8 would prefer that those be due at least one calendar
9 week prior to the hearing and within a couple days after
10 the list being due, if we could have position statements
11 due. All of that gets combined into a memo for the
12 commissioner. So having that in advance is, is kind of
13 important.

14 Lastly, is the location. If we have an
15 evidentiary hearing, where are we having it and is it in
16 person or Webex? I guess if it's -- whether we're
17 having it in person or Webex hearing and if it's in
18 person, where is it going to be located?

19 Okay, I have come to the end of my
20 introduction and just to give everyone a heads up, I
21 foresee myself leaving this conference in the next 60 to
22 120 seconds or so. I'll ask for anyone if they have any
23 questions or anything else to bring up and then I'm
24 going to ask for someone to volunteer. Mr. Cunneen,
25 would you like to please volunteer to be my host when I

1 leave?

2 MR. CUNNEEN: I can do that, Judge.

3 THE COURT: Excellent. To explain for
4 everyone else on Webex, since I am the, the host of the
5 meeting, as they term it, if I leave, it will shut down
6 the entire Webex. So I have to designate another person
7 to be the host to keep the Webex continuing so you all
8 can discuss. I do not want to be on the, the Webex so
9 that you all can discuss settlement and other
10 confidential matters. Okay, let me catch my breath
11 here.

12 Do we have any questions, any procedural
13 matters to take up, any concerns, topics of discussion
14 before I end my portion?

15 MR. CUNNEEN: Nothing from Staff unless
16 you have something, Casi?

17 MS. THOMPSON: Nothing from the Company,
18 judge.

19 MR. LINTON: Nothing from us.

20 THE COURT: Excellent. Then, we've
21 already discussed the host transferring. Oh, oh, oh,
22 let's establish a due date. Mr. Cunneen, it is our
23 practice here that we, we voluntold the, the Staff
24 counsel to be responsible for the preparation of the
25 proposed procedural schedule.

1 If you all agree -- obviously, Mr.
2 Thompson or Mr. Linton can take those on. But I wanted
3 to ask Staff with that responsibility, is there a due
4 date that you would prefer? Two weeks from today is the
5 17th, and one month from today is October 3rd.

6 MR. CUNNEEN: I, I think two to three
7 weeks is a reasonable request. I don't think it'll take
8 me a month to get it back to you, Judge.

9 MS. THOMPSON: Company would request
10 three weeks because I'm going to be out of the office
11 between the 14th and the 18th.

12 THE COURT: Mr. Linton, would you be okay
13 with three weeks? And that would be September 24th?

14 MR. LINTON: That would be fine with me.

15 THE COURT: Okay. While you all continue
16 discussing, I will get that order typed up setting
17 September 24th as our due date for the proposed
18 procedural schedule or other appropriate filing, if you
19 all decide to go a different direction. Okay, I'll,
20 I'll open up one last time before I, I sign off. Any
21 other questions, issues, concerns?

22 MR. CUNNEEN: Thank you, Judge.

23 THE COURT: No, you guys are -- you guys
24 have it in hand. Thank you. And I appreciate your
25 being your volunteering, Mr. Cunneen.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MS. THOMPSON: Thank you, Judge.

MR. CUNNEEN: No problem.

(End of audio recording.)

CERTIFICATE OF TRANSCRIPTIONIST

I, NAGHMA TAZEEN, do hereby certify:

That said audio transcription is a true
record as reported by me, a disinterested person.

I further certify that I am not
interested in the outcome of said action, nor connected
with, nor related to any of the parties in said action,
nor to their respective counsel.

IN WITNESS THEREOF, I have hereunto set
my hand this 14th day of September, 2026.

Naghma Tazeen

Naghma Tazeen

1	3:5 advance 5:12 after 5:9 afternoon 2:1 Again 3:16 agree 3:21 4:8,22 7:1 agreement 3:23 ahead 2:17	Aslin 3:10 assigned 2:17 at 4:4,10,11, 18 5:8 attended 4:5 audio 8:3 9:5	case 2:4,9,11, 17 4:24 cases 3:14,15 4:15,21 Casi 3:10 6:16 catch 6:10 Center 2:25 certainly 3:20 CERTIFICATE 9:1 certify 9:3,8 Charles 2:16 combined 5:11 come 5:19 commission 2:3 3:6 4:2,7, 14 5:6 commissioner 5:12 Company 6:17 7:9 complainants 2:20 complaint 3:15 4:15,21, 23 concerns 6:13 7:21 conference 2:4,6,14 3:16 4:5,6,7,12 5:21 confidential 6:10 connected	9:9 continue 7:15 continuing 6:7 convened 3:17 correct 2:21, 23 could 5:10 Council 3:13 counsel 2:18, 23 3:12 6:24 9:11 count 4:6 5:1 Country 2:25 couple 5:9 court 2:1,5 3:2,8,11 6:3, 20 7:12,15,23 Cunneen 3:9, 10,11 5:24 6:2,15,22 7:6, 22,25 8:2 cutoff 5:4
2	all 3:12,14,15, 22 5:11 6:7,9 7:1,15,19 allowed 4:22 allows 4:14 already 6:21 another 6:6 any 2:11 4:23 5:22 6:12,13 7:20 9:10 anyone 5:22 anything 4:9 5:23 appearance 2:18 application 2:15 appreciate 7:24 appropriate 7:18 as 3:22,25 4:6 6:5 7:17 9:6 ask 5:22,24 7:3	B back 7:8 because 7:10 before 5:6 6:14 7:20 between 7:11 binding 3:23 both 2:20 breath 6:10 briefing 4:24 briefs 4:20, 21,23 5:3 bring 5:23 Brydon 3:4 business 5:1 business-day 4:25 but 2:5 3:14, 19 4:17 7:2 by 9:6	case 2:4,9,11, 17 4:24 cases 3:14,15 4:15,21 Casi 3:10 6:16 catch 6:10 Center 2:25 certainly 3:20 CERTIFICATE 9:1 certify 9:3,8 Charles 2:16 combined 5:11 come 5:19 commission 2:3 3:6 4:2,7, 14 5:6 commissioner 5:12 Company 6:17 7:9 complainants 2:20 complaint 3:15 4:15,21, 23 concerns 6:13 7:21 conference 2:4,6,14 3:16 4:5,6,7,12 5:21 confidential 6:10 connected	D date 4:18 5:1, 4 6:22 7:4,17 dates 4:16,17 day 9:14 days 5:2,9 decide 7:19 designate 6:6 desire 3:18 4:1
3				
6				
8				
A				

details 2:10 determination 4:13,20 different 7:19 direction 7:19 discovery 5:4 discuss 2:9, 10 4:10 6:8,9 discussed 6:21 discussing 3:17 7:16 discussion 6:13 discussions 2:12 disinterested 9:6 divided 2:7 down 4:18 6:5 Drive 2:25 due 5:3,8,10, 11 6:22 7:3, 17 E else 5:23 6:4 encourage 4:10 end 5:19 6:14 8:3 engage 3:22 England 3:5 entire 6:6	entry 2:18 establish 6:22 everyone 2:2 5:5,20 6:4 evidentiary 3:24,25 5:15 Excellent 6:3, 20 experience 5:5 explain 6:3 F Fifth 5:4 file 3:5 4:23 filing 7:18 fine 7:14 firm 2:23 first 2:8,13 following 4:2 for 2:4,6,14, 18 3:2,8,10, 12,17 4:14,25 5:2,4,11,22, 24 6:3,24 7:17 foresee 5:21 Fourth 4:20 from 3:18 6:15,17,19 7:4,5 further 9:8	G get 7:8,16 gets 5:11 give 5:20 go 2:2,17 4:1, 15 7:19 going 5:18,24 7:10 Good 2:1 3:9 guess 5:16 guys 7:23 H hand 7:24 9:14 Hatcher 2:16 having 5:12, 15,17 heads 5:20 hearing 3:24, 25 4:16,17 5:1,9,15,17 held 2:15 here 2:20 5:5 6:11,23 hereby 9:3 hereunto 9:13 Hills 2:21 HOA 2:21 Honor 2:22 3:9 host 5:25 6:4, 7,21	how 4:13 I if 3:25 5:10, 14,16,17,22 6:5 7:1,18 important 5:13 in 2:4,8,9,11 3:15,22 4:1, 15,23 5:12, 15,17,21 7:24 9:9,10,13 interested 9:9 Internet 2:15 into 2:7 5:2,11 introduction 5:20 involved 2:10 issues 2:11 5:7 7:21 it 5:15,17,18 6:5,22 7:8,24 it'll 7:7 it's 5:16,17 item 4:17 5:4 items 4:3 J John 2:20 judge 2:16 6:2,18 7:8,22 8:1 just 2:10 3:18 5:20	K Kaemmerer 2:24 keep 6:7 Kevin 3:4 kind 5:12 know 3:22 L Lakewood 2:21 last 7:20 Lastly 5:14 later 2:6 law 2:16,23 least 4:4,10, 11,18 5:8 leave 6:1,5 leaving 5:21 Leonard 2:24 let 6:10 let's 2:2,17 6:22 Leuchtmann 2:21 Liberty 3:3,6 like 5:25 Linton 2:19, 22 6:19 7:2, 12,14 list 5:6,10 lists 5:5,7
--	--	--	--	---

live 4:16 located 5:18 location 5:14 M make 2:18 5:1 Maryville 2:24 matters 6:10, 13 Mccarthy 2:23 me 3:20 6:10 7:8,14 9:6 mediation 3:22 meeting 4:8 6:5 member 3:14 memo 5:11 Missouri 2:25 3:7 month 7:5,8 morning 3:9 Mr 2:19,22 3:9,11 5:24 6:2,15,19,22 7:1,2,6,12,14, 22,25 8:2 MS 3:4 6:17 7:9 8:1 my 2:15,24 3:18 5:19,25 6:10,14 9:14 myself 5:21	N Naghma 9:3, 17 nailing 4:18 name 2:16 necessarily 3:14 needs 4:2 next 2:9 3:17 5:21 no 2:5 7:23 8:2 nor 9:9,10,11 not 3:13,20,22 4:6,7,21,23 6:8 9:8 note 4:24 Nothing 6:15, 17,19 number 2:4 4:4 O observation 3:19 obviously 7:1 occur 3:20 October 7:5 of 2:14,18,20, 23 3:12,13, 14,15,17 4:5, 13,17 5:11, 12,19 6:4,13, 24 7:10 8:3 9:1,9,10,14	off 7:20 office 3:12,13 7:10 often 4:15 on 2:2,13 3:5 4:20,22,24 6:4,8 7:2 one 4:4,6,11, 18 5:8 7:5,20 only 2:13,15 open 7:20 option 3:24 options 3:19 order 7:16 other 6:9 7:18,21 others 3:20 our 2:2 6:22 7:17 out 4:10 7:10 outcome 9:9 P P.C. 3:5 part 2:8,9,13 participate 2:8 3:15 particular 4:23 parties 2:10, 18 3:18,21,23 4:1,8,10,18, 22 9:10 parts 2:8	Perhaps 4:17 person 5:16, 17,18 6:6 9:6 please 4:24 5:25 portion 6:14 position 5:10 potential 2:11 3:19 practice 6:23 practicing 5:6 pre-file 4:15 prefer 4:19 5:8 7:4 prehearing 2:4 3:16 preparation 6:24 presented 4:14 prior 5:9 problem 8:2 procedural 4:2 6:12,25 7:18 proposed 4:1 6:25 7:17 Public 3:12, 13 purpose 3:17 Q questions 5:23 6:12 7:21	R Ray 3:10 reach 3:23 4:10 reasonable 7:7 record 2:2,14 9:6 recorded 2:6 recording 8:3 regulatory 2:16 related 9:10 remainder 4:5 reported 9:6 reporter 2:5 representing 2:20 3:6 request 7:7,9 require 4:21 respective 9:11 responsibility 7:3 responsible 6:24 right 3:12 route 4:1 S said 9:5,9,10 schedule 4:2 6:25 7:18
---	--	--	---	--

scheduled 4:4,6,11	Suite 2:25	3:20,21,25	Utilities 3:3	whether 4:22 5:16
scheduling 2:11	sure 5:1	4:1,7,9,10,22	V	which 3:22
second 2:9 4:13	Swearengen 3:5	5:9,18,19,20, 21,23,24,25	Very 4:9	While 7:15
seconds 5:22	T	6:3,6,7,8,13, 24 7:3,6,8,10, 19 9:10,11	via 2:15	will 2:7,8,10, 13 4:14,16,23 5:3 6:5 7:16
see 3:19 4:8	take 6:13 7:2, 7	today 2:3 7:4, 5	volunteer 5:24,25	with 2:23 3:5 4:16 7:3,13, 14 9:10
selection 4:17	talk 4:9	topics 6:13	volunteering 7:25	within 5:9
September 2:3 7:13,17 9:14	talking 5:6	Town 2:25	voluntold 6:23	witness 5:7 9:13
set 2:3 9:13	Tazeen 9:3,17	transcription 2:6 9:5	W	would 3:24 4:19 5:8,25 7:4,9,12,13, 14
setting 7:16	term 6:5	TRANSCRIPTI ONIST 9:1	waive 4:8	Y
settlement 2:12 3:21 4:5, 7,11 6:9	testimony 4:14,15,16	transcripts 4:25	want 4:7 6:8	Yes 2:22
shut 6:5	Thank 3:2,8, 11 7:22,24 8:1	transferring 6:21	wanted 7:2	
sign 7:20	then 5:23 6:20	true 9:5	Water 3:6	
simply 4:16	THEREOF 9:13	turnaround 4:25	WC- 2:4	
since 6:4	think 5:5 7:6,7	two 2:7 7:4,6	we 2:8 3:22 4:15,21 5:10, 14,15 6:12,23	
sir 3:2	third 3:24 4:17	typed 7:16	we're 5:16	
Six 5:5	this 2:4,5,7, 14,17 4:5 5:21 9:14	typically 4:22	we've 6:20	
someone 5:24	Thompson 3:4 6:17 7:2,9 8:1	U	Webex 2:7,15 5:16,17 6:4,6, 7,8	
something 6:16	those 5:8 7:2	understand 2:19	week 5:9	
Speaking 2:14	three 3:19 7:6,10,13	unexpected 3:13	weeks 7:4,7, 10,13	
Staff 3:8,10 6:15,23 7:3	time 2:2,4 7:20	unless 3:23 6:15	what 3:17	
statements 5:10	to 2:10,17	up 5:20,23 6:13 7:16,20	when 5:2,25	
steps 2:9 3:18		us 6:19	whenever 4:25	
strongly 4:9			where 5:15,18	