BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

PROCEDURAL CONFERENCE

Zachary Beauford and	)	
Cassandra Beauford,	)	
Complainants,	)	
v.	)	Case No.: WC-2026-0370
Liberty Utilities, LLC	)	
d/b/a Liberty,	)	
Respondent	)	

TUESDAY, NOVEMBER 3, 2026
10:00 a.m.

via WebEx

VOLUME 1

JOHN CLARK, Presiding
SENIOR REGULATORY LAW JUDGE

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

Transcribed by:

Rupa Hegde

JUDGE CLARK: Today's date is November 3rd of 2026, and the current time is 11:06 -- sorry, 10:06 a.m. The Commission has set aside this time for a WebEx procedural conference in the case captioned as WC-2026-0370, and that is Zachary Beaufort -- Beauford, sorry, Complainant v. Liberty Utilities, LLC, doing business as Liberty, Respondent. My name is John Clark. I'm the Regulatory Law Judge presiding over this matter. At this time, I'm going to ask for entries of appearance from the parties, starting with Mr. Beauford. Mr. Beauford, you are here, correct?

MR. BEAUFORD: Yes, sir.

JUDGE CLARK: And you are representing yourself, correct? You're not represented by an attorney?

MR. BEAUFORD: Not at this time. I actually had hired attorney yesterday, so he's just joining the case, so. But he's not here today.

JUDGE CLARK: If he -- if he enters his entry of appearance, then he will have all the rights of any other attorney in this case. On behalf of Liberty?

MR. THOMPSON: Thank you, Judge. Kevin Thompson, Brydon Swearengen & England, PC 312 East Capitol Avenue, P.O. Box 456, Jefferson City, Missouri 65102 for Liberty Utilities.

JUDGE CLARK: Thank you. On behalf of the Commission staff?

MR. STAMP: Good morning, everyone. Adam Stamp, PSC Industrial Analysis.

MS. ASLIN: Doug, you're on mute.

JUDGE CLARK: You're still muted.

MS. ASLIN: I'll just go ahead and do it. Casi Aslin and Doug Hennon for PSC staff.

JUDGE CLARK: Ms. Aslin, Mr. Hennon, thank you. And anyone here on behalf of the Office of Public Counsel? Okay, I hear no one. I remind everyone that I can rule on procedural and substantive matters pursuant to Commission Rule 20 CSR 4240-2.090, subsection 6. I called this procedural conference. There was a staff recommendation filed. There were some responses to the staff recommendation. There were also some -- a response to Liberty, and I had directed a procedural schedule to be filed by November 17th.

Now, the reason I called a procedural conference, and I want to see that I'm correct on all this. So, people, correct me if I'm wrong. My understanding is this complaint was filed because Mr. Beauford wanted to -- he was building a duplex or a couple of duplex, I can't remember which right off. And he wanted to connect service to that. Upon going to do

so, he was informed by Liberty that the meter that he wanted to collect from, or that he wanted to be received service from, may or may not be on his property.

And my understanding is that Liberty had requested that he do a survey to determine whether or not that meter was on his property. Additionally, my understanding is that Liberty wanted to assess a $325 fee to essentially pressure check his system, and that the complainant, Mr. Beauford, was opposed to that and filed this complaint. Then, I guess, there was a report filed. Staff agreed that, as the cost causer that, Mr. Beauford should have to pay the $325. But they were unsure about the necessity of determining whether or -- whether or not he needs to perform a survey to determine whether or not the well was on his property.

After the staff recommendation and report went out, Liberty replied to it saying, "Okay, we will agree to service him from this meter if the line is done as Staff has specified, and he must pay the $325 to pressure check the system." And my understanding is his response was, "Fine, I'm willing to do that." And he called up and said, "Where do I pay my $325?" And was essentially told, "No, we don't need to do that anymore. We've assessed that your system is not capable of, of supporting service right now." Am I correct on that, on

all that as I've set it up?

MR. THOMPSON: Yes, Judge.

JUDGE CLARK: So, that's where we are right now. I'm going to take that as a yes. So, at this point, there is no $325 he can pay, and there's no -- there's no current resolution on the table. Is that correct?

MR. THOMPSON: I believe that's correct.

JUDGE CLARK: Okay. All right. Is there -- then I think I'm going to just kind of stick with what I have, which is let's, let's see if we can get me a procedural schedule by the 17th of November. Is there any reason that anyone thinks of that this hearing would take more than a day? This seems like a one-day hearing to me.

MR. THOMPSON: I agree it's a one-day hearing, Judge

JUDGE CLARK: Okay. All right. I am going to say -- I'm going to -- I'm going to ask the parties to look at the schedule. I don't -- it was -- it is going to be very difficult to find a hearing date before February. We've got a lot on the schedule right now, although there are some single dates on there in February and I would like -- since that's the earliest, I believe, the Commission is going to be able to address

this. I'd like the parties to look at February for those dates.

MR. THOMPSON: Could you give a list of the open dates, Judge?

JUDGE CLARK: I was very afraid you were going to ask that, Mr. Thompson.

MR. THOMPSON: I apologize. I didn't --

MR. HENNON: Judge, --

JUDGE CLARK: It is a very good --

MR. HENNON: -- can you hear me now?

JUDGE CLARK: -- question to ask. I'm sorry. Go ahead, Mr. Hennon.

MR. HENNON: I just want to know if you could hear me now. I haven't --

JUDGE CLARK: --yeah --

MR. HENNON: -- trouble with my computer audio. So, I'm on the phone. You got some echo going on, so.

JUDGE CLARK: Well, it's clear as day and it's all syncing up with the video, so.

MR. HENNON: Okay. I believe your order, Judge, did say to reach out to you about a day before a hearing.

JUDGE CLARK: That is correct, and that's because we have -- everything is filling up, and filling

up quickly. Things are changing on an almost daily basis. I've got a, a few procedural schedules out there that are attempting to occupy some of these dates, anyway. We just changed the way we did calendaring, so let me pull this up, and I can give you an idea of some available dates. That's much better. Weekly. Bear with me for just a moment. It looks like the first two weeks, at least so far, of February.

There are some available dates on Tuesdays and Thursdays in there. It looks like, at least the way I'm looking at it now, February 2nd, 4th, 9th, 11th, 16th, and 18th all look good. 23rd and 25th, I would have to look at the Commission's schedule in terms of whether or not there are any conferences or stuff. But as far as my hearing schedule goes, that's, that's where I'm clear. If there are particular dates and you want to find out the availability of those dates before sending me a procedural schedule, just email me, and I will run those dates by the Commission, okay?

So, if you want to toss out, like, three or four dates and have me run those by the Commission, I would be more than happy to do those. Does that work for the parties?

MR. THOMPSON: That works for Liberty, Judge.

MR. HENNON: Yes, Judge, that'll work.

JUDGE CLARK: Mr. Beauford? Mr. Beauford, you're muted. I can't hear you.

MR. BEAUFORD: I'll have to confirm with my attorney what dates will work with him before I can say for sure, but I will get on that and find out.

JUDGE CLARK: And that's absolutely fine. If he -- if he enters his appearance, I'm sure the other attorneys will be happy to talk to him.

MR. BEAUFORD: Okay. Thank you, sir.

MR. THOMPSON: Judge, I'd like to raise a question at this time, if I may.

JUDGE CLARK: You may.

MR. THOMPSON: I'm wondering why we still need a hearing. The company has agreed to provide service to Mr. Beauford from the meter pit that he prefers, as long as the configuration of the service line is that which he has advised us he will use. We're no longer asking for a fee for a study. The purpose of the study was to determine whether the system could add the capacity to service this additional hookup. We've since determined that, in fact, at the present, it does not.

The company is taking steps to remedy that. The Company understands it has an obligation as a

public utility to serve any and all customers who request service within its service territory. So, we're taking steps to remedy that issue. So, that's why I'm wondering exactly what we're going to decide at a hearing.

JUDGE CLARK: I think that's an excellent question, and that's kind of -- to a degree, I was left wondering that myself. But at the same time, there's a complainant out there, him saying he wants to do this. There's no money for him to pay anywhere once he was told. You're agreeing now, as I believe the last response indicated, that this is, I guess, Liberty's current assessment, is that they -- that the system will not support that. So, you're telling me that Liberty -- what, what is Liberty planning to do here?

MR. THOMPSON: The problem is one of pressure, as I understand it, and I believe what Liberty is going to do is raise the height of the water level in a water tower that services this line. That's my understanding. But that's getting into technical questions is that are way beyond my understanding.

MR. BEAUFORD: May I ask a question, sir?

JUDGE CLARK: Of course.

MR. BEAUFORD: Is it -- is it correct that you guys are still requiring a land survey in order

for me to use the existing pit?

MR. THOMPSON: I would have to check up the chain to see, but I don't believe so. I think the, the company is willing to serve you from the meter pit that you desire.

MR. BEAUFORD: Okay. Well, that would be a recent development because the last filing you guys made, to my understanding, you were requiring a land survey in order to use the existing pit. And so if that's changed, that's news to me.

JUDGE CLARK: Well, let me -- let me ask this, then. If, if, if this looks like it's going to resolve in a way that is amenable to the existing parties, rather than ordering a procedural schedule, would the parties be amenable to ordering a status and seeing -- basically, basically having everybody let me know kind of where we are at a time in the future. In other words, on that 17th date, where a procedural schedule would be normally filed, could the parties instead let me know where we are?

Because if there's an -- if there's something worked out that's, that's agreeable to Mr. Beauford, that's great. But he's the complainant. He has complained. So he, if at the end of the day he wants to have that heard, he gets to have that heard.

MR. THOMPSON: I understand, Judge.

JUDGE CLARK: So, but it also sounds, like, that there's been a recent change in circumstances.

MR. THOMPSON: I believe that to be true, and we'll let you know for sure on the 17th.

JUDGE CLARK: So, everybody's agreeable to that? Well, I'm hearing that the company's agreeable to that, correct?

MR. THOMPSON: Yes.

JUDGE CLARK: Staff, are you agreeable to that?

MR. HENNON: If there is a date besides the 17th that we could have that status conference, I would appreciate that. I agree with the concept of setting a status as opposed to going forward with the procedural schedule, but I'm scheduled to be out that day.

JUDGE CLARK: I wasn't thinking of a status conference. I was thinking of a status filing.

MR. HENNON: Got you.

JUDGE CLARK: Just basically, you know, here's where we are. We believe that a hearing is necessary to resolve this, or here's where we are. We don't believe a hearing is necessary, and we would ask

for X amount of additional time prior to somebody filing something resolving this.

MR. HENNON: That sounds most appropriate.

MR. BEAUFORD: Sir, can I say something further?

JUDGE CLARK: Of course, Mr. Beauford. Go ahead.

MR. BEAUFORD: So, so my last filings, I made a couple of requests. One is to forego the land survey, and also I'm, I'm requesting temporary service in the meantime, which I think is feasible from a, a larger existing main in the area. And I think, in my opinion, I think I have right to that because I think the service fee or the hydraulic fee was unlawful that they've been requiring for the past 10 months. And so that's another thing that I'm requesting.

JUDGE CLARK: Okay. So, you're requesting that they serve you from another location?

MR. BEAUFORD: Correct. At least to entertain that as an option. And Eric Larson has seemed to be unwilling to do that through email with me.

JUDGE CLARK: These are things that you, you would have filed an initial complaint and these would be things that are additional to that.

MR. BEAUFORD: So, are you saying I need to file another formal complaint?

JUDGE CLARK: No, I'm not saying you need to file another formal complaint. What I'm saying is, I'm not sure filing complaint -- because my understanding is they haven't either said they would or wouldn't yet. So, I'm not sure what the complaint would be about at this point.

MR. BEAUFORD: Okay. Well, it is regarding the temporary service, that has been declined by Eric Larson by email, and the discussion has ended. He didn't want to take it any further, at least to consider the possible options in that area.

JUDGE CLARK: Okay. You can -- you can file an additional complaint related to that if you want. I don't know if that would rely -- would rise to complaint worthiness at this point, because I'm not sure that a lot of whether or not they do that will be dependent on basically whether or not they're able to serve you out of your existing meter with some sort of repair or something. But, I mean, we're getting so far into the weeds right now. I can't tell you to file or not file a complaint.

I would like to know where we are on the 17th because it sounds like that there may be a path

forward with this, and there may not.

And that's, -- and I -- and I understand the dual nature of this. I mean, there may be a path that works for Liberty, but time wise, does not work for you. And that may -- that may be where we end up going to hearing, but I don't know yet. So, I'm not going to tell you can or can't.

MR. BEAUFORD: Okay. I have one other question regarding the fee, if that's okay. In my understanding correctly, has -- is Liberty conceding that the $325 fee was unlawful? Is that fair to say?

JUDGE CLARK: No, I don't think they're conceding that at all. And I don't think that's what staff is saying in their report. I think they said that it was fine to charge you the, the, the fee because, in essence, because you are building the duplexes and you are requesting the service, and the infrastructure that's being built is to serve only you that as the cost causer that you would have to pay for the pressure check of the system.

I think the reason that they're saying that they no longer need to have the money to pressure check the system is they've already decided that that is not necessary because the system will not support that. So, that -- so the thing that that fee was meant to

determine, I believe they've determined without that fee being assessed, which is that the system as it is, cannot support that. Is that correct, Mr. Thompson?

MR. THOMPSON: That is correct, Judge

JUDGE CLARK: Okay. So that's, that's where we are. It's not that they've determined that the fee is unlawful. They've determined that, that, that it is unnecessary given that they have determined the system cannot withstand the pressure.

MR. BEAUFORD: Okay, thank you.

JUDGE CLARK: Well, Mr. Beauford, you said you're going to have an attorney enter. If you have an attorney enter, that is fine. They will need to enter their appearance so that I can see it, and so that the other attorneys know that it's okay to talk to them and provide them information. You can talk to that attorney about whether or not you need to supplement your complaint or file an additional complaint. In the meantime, I am going to request, and I will codify it afterwards.

I will cancel the requirement that a procedural schedule be filed on the 17th, and ask instead that the parties file a status report indicating particular things that I've gone through here, which is basically, you know, where are we at in terms of the

legality of providing service, the feasibility of providing service, the timeline for providing service, those kinds of things.

MR. THOMPSON: Thank you, Judge. Understood.

MR. BEAUFORD: Thank you, sir.

JUDGE CLARK: Thank you. Is there anything additional that I need to take up at this procedural conference before I adjourn?

MR. HENNON: My, my only question to Mr. Thompson, Mr. Beauford, is whether they think that two weeks is enough time to give you a meaningful status other than, we're still working on it. Is that enough time to try to get some of these issues resolved?

MR. THOMPSON: I believe so.

MR. HENNON: Okay.

JUDGE CLARK: Well, if it's not, like I said, given the, the lack of availability of easy to find hearing dates, as long as the parties are working towards determining exactly where this complaint sets, I will probably be pretty amenable with going along with that. However, once we've codified exactly, kind of where it is, solidified exactly where, where we are, then I -- then I want to move forward quickly. So, with that in mind, I will -- I will issue an order today

basically saying the things I said at this conference.

MR. THOMPSON: Thank you, Judge.

MR. HENNON: Thank you.

JUDGE CLARK: Thank you all for being here. I appreciate your time. And with that, I will adjourn this, this procedural conference and we will go off the record.

(End of audio recording.)

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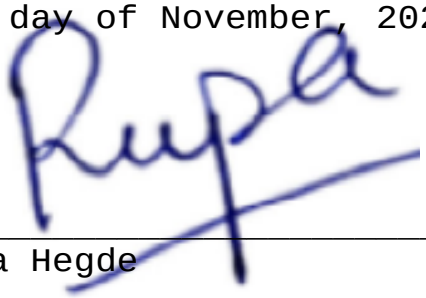

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$325 4:7,12, 19,22 5:5 14:11

-

--yeah 6:15

1

10 12:16

10:06 2:3

11:06 2:2

11th 7:12

16th 7:12

17th 3:18 5:12 10:18 11:6,14 13:25 15:22

18th 7:12

2

20 3:13

2026 2:2

2026-0370 2:5

23rd 7:12

25th 7:12

2nd 7:11

3

312 2:23

3rd 2:2

4

4240-2.090 3:13

456 2:24

4th 7:11

6

6 3:14

65102 2:25

9

9th 7:12

A

a.m. 2:3

absolutely 8:7

Adam 3:3

add 8:20

additional 8:21 12:1,25 13:15 15:18 16:8

Additionally 4:6

address 5:25

adjourn 16:9 17:6

advised 8:18

afraid 6:5

agree 4:18 5:16 11:15

agreeable 10:22 11:7,8, 11

agreed 4:11 8:15

agreeing 9:11

ahead 3:7 6:12 12:8

amenable 10:13,15 16:21

amount 12:1

Analysis 3:4

anymore 4:23

apologize 6:7

appearance 2:9,20 8:8 15:14

area 12:13 13:13

Aslin 3:5,7,8, 9

assess 4:7

assessed 4:24 15:2

assessment 9:13

attempting 7:3

attorney 2:15, 17,21 8:5 15:12,13,17

attorneys 8:9 15:15

audio 6:17 17:18

availability 7:17 16:18

Avenue 2:24

B

basically 10:16 11:22 13:19 15:25 17:1

basis 7:2

Bear 7:6

Beauford 2:5, 10,11,12,16 3:23 4:9,12 8:2,3,4,10,16 9:22,24 10:6, 23 12:5,7,9, 20 13:1,9 14:8 15:10,11 16:6,11

Beaufort 2:5

behalf 2:21 3:1,10

Box 2:24

Brydon 2:23

building 3:23 14:16

built 14:18

business 2:7

C

calendaring 7:4

called 3:14,19 4:22

cancel 15:21

capable 4:24

capacity 8:21

Capitol 2:24

captioned 2:4

case 2:4,18, 21

Casi 3:8

causer 4:11 14:19

chain 10:3

change 11:3

changed 7:4 10:10

changing 7:1

charge 14:15

check 4:8,20 10:2 14:19,23

circumstance s 11:4

City 2:24

Clark 2:1,7, 13,19 3:1,6,9 5:3,9,18 6:5, 9,11,15,19,24 8:2,7,13 9:6, 23 10:11 11:2,7,11,19, 22 12:7,18,23 13:3,14 14:12 15:5,11 16:7, 17 17:4

clear 6:19 7:16

codified 16:22

codify 15:19

collect 4:2
Commission 2:3 3:2,13 5:25 7:19,21
Commission's 7:13
company 8:15,24,25 10:4
company's 11:8
complainant 2:6 4:9 9:9 10:23
complained 10:24
complaint 3:22 4:10 12:24 13:2,4,5,7,15,17,23 15:18 16:20
computer 6:16
conceding 14:10,13
concept 11:15
conference 2:4 3:14,20 11:14,20 16:9 17:1,6
conferences 7:14
configuration 8:17
confirm 8:4
connect 3:25
correct 2:11, 14 3:20,21 4:25 5:7,8 6:24 9:24 11:9 12:20 15:3,4
correctly 14:10
cost 4:11 14:18
Counsel 3:11
couple 3:24 12:10
CSR 3:13
current 2:2 5:6 9:13
customers 9:1

D

daily 7:1
date 2:1 5:21 10:18 11:13
dates 5:23 6:2,4 7:3,6,9, 16,17,19,21 8:5 16:19
day 5:14 6:19, 22 10:24 11:18
decide 9:4
decided 14:23
declined 13:10
degree 9:7
dependent 13:19
desire 10:5
determine 4:5,14 8:20 15:1
determined 8:22 15:1,6,7, 8
determining 4:13 16:20
development 10:7
difficult 5:21
directed 3:17
discussion 13:11
Doug 3:5,8
dual 14:3
duplex 3:23, 24
duplexes 14:16

E

earliest 5:24
East 2:23
easy 16:18
echo 6:17
email 7:18 12:22 13:11
end 10:24 14:5 17:18
ended 13:11
England 2:23
enter 15:12, 13,14
enters 2:19 8:8
entertain 12:21
entries 2:9
entry 2:20
Eric 12:21 13:11
essence 14:16
essentially 4:8,23
everybody's 11:7
excellent 9:6
existing 10:1, 9,13 12:13 13:20

F

fact 8:22
fair 14:11
feasibility 16:1
feasible 12:12
February 5:22,24 6:1 7:8,11
fee 4:8 8:19 12:15 14:9, 11,15,25 15:1,7
file 13:2,4,15, 22,23 15:18, 23
filed 3:15,18, 22 4:10,11 10:19 12:24 15:22
filing 10:7 11:20 12:1 13:5
filings 12:9
filling 6:25
find 5:21 7:17 8:6 16:19
fine 4:21 8:7 14:15 15:13
forego 12:10
formal 13:2,4
forward 11:16 14:1 16:24
future 10:17

G

give 6:3 7:5 16:12
good 3:3 6:9 7:12
great 10:23
guess 4:10 9:12
guys 9:25 10:7

H

happy 7:22 8:9
hear 3:11 6:10,14 8:3
heard 10:25

hearing 5:13, 14,17,21 6:23 7:15 8:15 9:5 11:8,23,25 14:6 16:19

height 9:18

Hennon 3:8,9 6:8,10,12,13, 16,21 8:1 11:13,21 12:3 16:10,16 17:3

hired 2:17

hookup 8:21

hydraulic 12:15

I

idea 7:5

indicating 15:23

Industrial 3:4

information 15:16

informed 4:1

infrastructure 14:17

initial 12:24

issue 9:3 16:25

issues 16:14

J

Jefferson 2:24

John 2:7

joining 2:18

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

K

Kevin 2:22

kind 5:10 9:7 10:17 16:22

kinds 16:3

L

lack 16:18

land 9:25 10:8 12:10

larger 12:13

Larson 12:21 13:11

Law 2:8

left 9:7

legality 16:1

level 9:18

Liberty 2:6,7, 21,25 3:17 4:1,4,7,17 7:24 9:14,15, 17 14:4,10

Liberty's 9:12

list 6:3

LLC 2:6

location 12:19

long 8:17 16:19

longer 8:19 14:22

lot 5:22 13:18

M

made 10:8 12:10

main 12:13

matter 2:8

matters 3:12

meaningful 16:12

meant 14:25

meantime 12:12 15:19

meter 4:1,6, 18 8:16 10:4 13:20

mind 16:25

Missouri 2:24

moment 7:7

money 9:10 14:22

months 12:16

morning 3:3

move 16:24

mute 3:5

muted 3:6 8:3

N

nature 14:3

necessity 4:13

news 10:10

November 2:1 3:18 5:12

O

obligation 8:25

occupy 7:3

Office 3:10

one-day 5:14, 16

open 6:4

opinion 12:14

opposed 4:9 11:16

option 12:21

options 13:13

order 6:21 9:25 10:9 16:25

ordering 10:14,15

P

P.O. 2:24

parties 2:10 5:20 6:1 7:23

10:14,15,19 15:23 16:19

past 12:16

path 13:25 14:3

pay 4:12,19, 22 5:5 9:10 14:19

PC 2:23

people 3:21

perform 4:14

phone 6:17

pit 8:16 10:1, 4,9

planning 9:15

point 5:5 13:8,17

prefers 8:17

present 8:22

presiding 2:8

pressure 4:8, 20 9:17 14:19,22 15:9

pretty 16:21

prior 12:1

problem 9:16

procedural 2:4 3:12,14, 18,19 5:12 7:2,18 10:14, 18 11:17 15:22 16:9 17:6

property 4:3, 6,15

provide 8:15 15:16
providing 16:1,2
PSC 3:4,8
public 3:11 9:1
pull 7:5
purpose 8:19
pursuant 3:13

Q

question 6:11 8:12 9:7,22 14:9 16:10
questions 9:21
quickly 7:1 16:24

R

raise 8:11 9:18
reach 6:22
reason 3:19 5:13 14:21
received 4:2
recent 10:7 11:3
recommendation 3:15,16 4:16
record 17:7
recording 17:18
Regulatory 2:8
related 13:15
rely 13:16
remedy 8:24 9:3
remember 3:24
remind 3:11
repair 13:21
replied 4:17
report 4:10,16 14:14 15:23
represented 2:14
representing 2:13
request 9:2 15:19
requested 4:5
requesting 12:11,17,19 14:17
requests 12:10
requirement 15:21
requiring 9:25 10:8 12:16
resolution 5:6
resolve 10:13 11:24
resolved 16:14
resolving 12:2
Respondent 2:7
response 3:17 4:21 9:12
responses 3:16
rights 2:20
rise 13:16
rule 3:12,13
run 7:19,21

S

schedule 3:18 5:12,20,22 7:13,15,18 10:14,19 11:17 15:22
scheduled 11:17
schedules 7:2
sending 7:18
serve 9:1 10:4 12:19 13:20 14:18
service 3:25 4:3,18,25 8:16,17,21 9:2 12:11,15 13:10 14:17 16:1,2
services 9:19
set 2:3 5:1
sets 16:20
setting 11:16
single 5:23
sir 2:12 8:10 9:22 12:5 16:6
solidified 16:23
sort 13:20
sounds 11:2 12:3 13:25
staff 3:2,8,15, 16 4:11,16,19 11:11 14:14
Stamp 3:3,4
starting 2:10
status 10:15 11:14,16,20 15:23 16:12
steps 8:24 9:3
stick 5:10
study 8:19,20
stuff 7:15
subsection 3:14
substantive 3:12
supplement 15:17
support 9:14 14:24 15:3
supporting 4:25
survey 4:5,14 9:25 10:9 12:11
Swearengen 2:23
syncing 6:20
system 4:8, 20,24 8:20 9:13 14:20, 23,24 15:2,9

T

table 5:6
taking 8:24 9:3
talk 8:9 15:15, 16
technical 9:20
telling 9:14
temporary 12:11 13:10
terms 7:14 15:25
territory 9:2
that'll 8:1
thing 12:17 14:25
things 7:1 12:23,25 15:24 16:3 17:1
thinking 11:19,20
thinks 5:13
Thompson 2:22,23 5:2,8, 16 6:3,6,7 7:24 8:11,14 9:16 10:2 11:1,5,10 15:3,4 16:4, 11,15 17:2
Thursdays

7:10

time 2:2,3,9, 16 8:12 9:8 10:17 12:1 14:4 16:12,14 17:5

timeline 16:2

today 2:18 16:25

Today's 2:1

told 4:23 9:11

toss 7:20

tower 9:19

trouble 6:16

true 11:5

Tuesdays 7:10

U

understand 9:17 11:1 14:2

understanding 3:22 4:4,7, 20 9:20,21 10:8 13:6 14:10

understands 8:25

Understood 16:5

unlawful 12:15 14:11 15:7

unnecessary 15:8

unsure 4:13

unwilling 12:22

Utilities 2:6, 25

utility 9:1

V

video 6:20

W

wanted 3:23, 25 4:2,7

water 9:18,19

WC- 2:4

Webex 2:4

weeds 13:22

Weekly 7:6

weeks 7:8 16:12

wise 14:4

withstand 15:9

wondering 8:14 9:4,8

words 10:18

work 7:22 8:1, 5 14:4

worked 10:22

working 16:13,19

works 7:24 14:4

worthiness 13:17

wrong 3:21

Y

yesterday 2:17

Z

Zachary 2:5