

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

In the Matter of Missouri-American Water )  
Company's Request for Authority to Implement )  
A General Rate Increase for Water and Sewer )  
Service Provided in Missouri Service Areas. )

**Case No. WR-2008-0311**

**NOTICE REGARDING EXTERNAL COMMUNICATIONS**

Issue Date: November 3, 2008

On November 3, 2008, I received the attached letter and enclosures from Nancy Kantor regarding a liability claim for the Metropolitan St. Louis Sewer District.

Dated at Jefferson City, Missouri,  
on this 3<sup>rd</sup> day of November, 2008.  
Davis, Chairman

Nancy Kantor  
7423 Shaftesbury  
University City, MO 63130  
314-727-1226

October 18, 2008

Metropolitan St. Louis Sewer District  
Dispute Resolution Committee/CCD  
2350 Market  
St. Louis, MO 63103

*Mr Davis -  
can the PSC help  
with this?*

*Nancy Kantor*

RE: Claim 200833064

To Whom It May Concern:

I was very distressed to receive the October 9, 2008, letter from Jeri Cashin of Corporate Claims Management (copy attached) informing me that you had decided (suddenly) that the flooding in my house (September 14, 2008) was due to overland flooding instead of sewer overcharge. For weeks you had been telling me that the flooding in my house was indeed due to sewer overcharge and that I was entitled to \$2,400.00 in "assistance" (even though the damage was over \$20,000.00). Suddenly, it is overland flooding and I am not entitled to this "assistance". Let me assure you that my flooding was due to sewer overcharge. I was in no way the victim of overland flooding.

I was here when your crew examined the sewer in front of my house after the flood. I talked with them extensively. They diagnosed the problem as sewer overcharge and assured me that I would receive some assistance from MSD. They told me during the conversation that the sewer had simply been unable to handle the water and that was why I had water in my basement. The only water in my basement was from the sewer backup (not overland flooding). The water came up my drain and went back down the drain.

I also had a number of conversations with your service representatives (at 314-768-6260). Each one of them told me that my flooding had been attributed to sewer overcharge. Every time I talked to them the problem was sewer overcharge, and I was assured of financial assistance. Please check your records for those calls.

All previous correspondence from you has attributed the problem to sewer overcharge and has informed me of the financial assistance available to me. What has happened to change this - nothing! The problem is still sewer overcharge.

My basement was not flooded overland. The water came from sewer backup only. There was no standing water in my front or back yard. There was no standing water in the street in front of my house. The water did not come through the foundation. It came from the drain.

If you were to personally examine my property (as the original crew did) you would see that my house is too high up to have had overland flooding. I am on the portion of my block that moves uphill. The creek water cannot reach me. There was no water in my yard or street to reach my house. In the worst of storms, even storms of the caliber of September 14, I have not had a drop of water in my basement. Even when houses nearby previously flooded due to the creek or overland flooding, I have never had any flooding. I realize that houses to the north and west of me may have had overland flooding, but I did not. Again, you can examine my property and you will see that no creek water or overland flooding could have reached my house. It never has.

Please also note that my mortgage company does not require me to carry flood insurance. My house has never before flooded and there has been no need for flood insurance. I do carry a sewer backup rider on my home insurance. Their adjustor was here and determined that the damage was due to sewer backup, and the insurance company paid my claim. My insurance company would have paid me nothing if the cause had been overland flooding.

I would also like you to examine the letter from Just Clean, Inc., sent to me by Gerri Davis, the manager there. They are a professional cleaning service recommended by my insurance agent, and they have extensive experience cleaning basements after floods and sewer backups. Ms. Davis' letter attests to the fact that what they cleaned in my basement was sewer backup. Please feel free to call Ms. Davis at 314-423-9333 if you have any questions about this.

I have submitted all necessary claim information and photos to Jeri Cashin as instructed. She has all the material necessary to settle my claim and send me the \$2,400.00 to which I am entitled. I would appreciate your timely examination of my letter, records, and claim information. I would appreciate the timely payment of the \$2,400.00 in assistance to which I am entitled.

Sincerely,



Nancy Kantor

Cc: Gerri Davis, Just Clean, Inc.

~~Leonard Komen, Attorney~~

Jeffrey Theerman, Executive Director, MSD

Evelyn Shields, Public Works Director, University City

Julie Feier, City Manager, University City

Jeff Davis, Chairman, Missouri Public Service Commission ✓

Enclosures



**CORPORATE CLAIMS MANAGEMENT, INC.**  
*Claims Administration Services*

October 9, 2008

NANCY KANTOR  
7423 SHAFTESBURY AVE  
ST. LOUIS, MO 631302209

RE: MSD Service # /200833064 /  
Our Client: Metropolitan Sewer District

Corporate Claims Management is the third party administrator which handles liability claims for the Metropolitan St. Louis Sewer District (MSD).

MSD has continued to investigate the cause of the back up you experienced and has concluded that it was a result of overland flooding. As you are probably aware, this was a result of the tremendous amount of rainfall in the aftermath of Hurricane Ike and not related to the proper function of the sewer system.

Unfortunately, MSD can not accept responsibility for this type of event and as such, we will not be able to assist you with this loss.

If you as the customer disagree with the disposition/cause of the water backup, as determined by the Operations Department, you may submit the dispute, in writing, to the Customer Care Department. The District must receive appeal letters within thirty (30) days of this notification regarding disposition/cause of the water back up in order to be considered by the Committee. Appeal letter may be mailed, hand delivered, faxed or emailed to the following address:

Metropolitan St. Louis Sewer District  
Dispute Resolution Committee/CCD  
2350 Market  
St Louis, MO 63103

Fax Customer Care Department – (314) 768-6352

Email [CUSTOMERSVC@STLMSD.COM](mailto:CUSTOMERSVC@STLMSD.COM)

Upon receipt of the appeal letter and supporting documentation, the Dispute Resolution Committee will review the claim and make a decision based on the documentation, and any additional relevant information received from the Operations Department. You will be informed of the decision of the Committee by letter.

Sincerely,

JERI CASHIN

Corporate Claims Management, Inc.

# *Just Clean*

1560 FAIRVIEW  
OLIVETTE, MISSOURI 63132  
(314) 423-9333  
(OUTSIDE ST. LOUIS) 1-800-321-9719  
Fax (314) 423-5392

October 20, 2008

To Whom It May Concern:

The letter is to inform you that Ms. Nancy Kantor contracted Just Clean, Inc. to perform water restoration services due to the aftermath of Hurricane Ike (sewer back up. Services) were performed on location at the 7423 Shaftesbury St. Louis, MO 63130 on the 19<sup>th</sup> of September.

If you have any questions or need any additional information please feel free to contact the office at (314) 423-9333.

Sincerely,



Gerri Davis  
Manager

nms