

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
3 TRANSCRIPT OF PROCEEDINGS
4 Local Public Hearing
5 November 17, 2010
6 Platte City, Missouri
7 Volume 2
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10 In the Matter of the Small Company)
11 Rate Increase of Timber Creek)Case No. SR-2010-0320
12 Sewer Company)
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18 HAROLD STEARLEY, Presiding
19 SENIOR REGULATORY LAW JUDGE
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24 Reported by:
25 Janet H. Wimer, CCR

1 APPEARANCES:

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1 P R O C E E D I N G S

2 (Starting time of the Hearing: 6:06
3 p.m.)

4 JUDGE STEARLEY: Good evening. It's
5 Wednesday, November 17th, 2010. The Commission has
6 set this time to hold a Local Public Hearing in
7 File Number SR-2010-0320, which is captioned as In
8 the Matter of the Small Company Rate Increase of
9 Timber Creek Sewer Company.

10 My name is Harold Stearley. I'm the
11 Regulatory Law Judge presiding over tonight's
12 hearing. Unfortunately, none of the Commissioners
13 could be here with me tonight. However, they will
14 be reviewing the videotape, and we do have a Court
15 Reporter transcribing the contents of the hearing
16 and the Commissioners will be reviewing all of
17 that.

18 I see we do not have a sign-up sheet,
19 per se. What I'm going to do is take entries of
20 appearance from Counsel to start with, and if
21 there's anyone who would like to offer their
22 statements or comments on the record for the
23 Commission, I'll let you all go in turn at that
24 time.

25 So we'll begin by taking entries,

1 starting with Timber Creek Sewer Company.

2 MR. FINNEGAN: On behalf of Timber Creek
3 Sewer Company, Jeremiah D. Finnegan, Finnegan,
4 Conrad & Peterson, LC, 3100 Broadway, Suite 1209,
5 Kansas City, Missouri, 64111.

6 JUDGE STEARLEY: Thank you, Mr. Finnegan.
7 For the Office of the Public Counsel?

8 MS. BAKER: Thank you. Christina Baker,
9 P.O. Box 2230, Jefferson City, Missouri 65102,
10 appearing on behalf of the Office of the Public
11 Counsel in the rate case.

12 JUDGE STEARLEY: Thank you, Ms. Baker.
13 And appearing for the State of Missouri Public
14 Service Commission?

15 MS. OTT: Jaime Ott, for Staff of the
16 Public Service Commission, P.O. Box 360, Jefferson
17 City, Missouri, 65102.

18 JUDGE STEARLEY: Thank you, Ms. Ott, and
19 thank you, Ms. Baker, for not checking the
20 microphone.

21 As I had mentioned, we do not have a
22 witness list for anyone that's signed up. I do
23 think we have a few people in attendance tonight.
24 Is there anyone who would like to give a statement
25 on the record for the Commission?

1 Please come forward, sir. And if you
2 would please state and spell your name for our
3 Court Reporter?

4 MR. MURRAY: Cecil Murray, C-E-C-I-L, M-
5 U-R-R-A-Y.

6 JUDGE STEARLEY: All right, Mr. Murray, if
7 you would please raise your right hand, I'm going
8 to swear you in.

9 CECIL MURRAY, being sworn-in by Judge
10 Stearley, testified as follows:

11 JUDGE STEARLEY: Thank you, and please
12 proceed.

13 MR. MURRAY: Mainly, I'd just like to
14 make a statement, a brief comment that I think it's
15 pretty pathetic that the sewer company has to come
16 before this Board to ask for a raise and that the
17 Public Service Commission has costs. They're
18 supposed to be looking after our interests and not
19 jacking up the rate increases. That's all the
20 comments I have.

21 JUDGE STEARLEY: Well, Mr. Murray, while
22 I have you here at the podium, if you don't mind me
23 asking, have you had any service issues with the
24 company at all?

25 MR. MURRAY: I did before Darren took

1 over, and, but he solved the problem for me so far.
2 I had sewer odors. My house faced north and for
3 some reason or another, the sewer odors was coming
4 out of my - gasses was rolling out on the house by
5 my front door, and I fought tooth and nail with his
6 dad and everybody else over there at the sewer
7 company for about three years and then Darren, when
8 he took over, he fixed the problem, so I don't have
9 problems there now.

10 JUDGE STEARLEY: All right. Any type of
11 billing issues or trouble getting a hold of company
12 staff?

13 MR. MURRAY: Nope. The bills come quite
14 regularly.

15 JUDGE STEARLEY: And they're correct?
16 They're not-

17 MR. MURRAY: Yeah. They're pretty much
18 the same every month.

19 JUDGE STEARLEY: All right. Well, thank
20 you, Mr. Murray. We appreciate your comments. Is
21 there anyone else who would like to make a
22 statement or comment?

23 As you can see, this is a pretty
24 informal process.

25 MR. SHERRY: I'd like to clarify the

1 record. It's Derek Sherry, not-

2 (Multiple voices.)

3 JUDGE STEARLEY: Thank you for that.

4 Anyone else like to speak?

5 All right, seeing none, it looks like
6 we're going to have a quick public hearing tonight.
7 I think you all already have gotten some of your
8 questions answered during the question and answer
9 session.

10 This particular case is scheduled for an
11 evidentiary hearing which will commence on January
12 the 5th at the Commission's offices in Jefferson
13 City. That hearing will be webcast, so if any of
14 you would like to view the hearing and you're not
15 able to come to Jefferson City, you may do so by
16 doing a key word search and I'm sure Staff has the
17 information in your sheets for our web page, and
18 you can find the link that will take you to the
19 hearing.

20 Also there to pick up, Staff has
21 information in its materials and so does the Public
22 Counsel, if you'd like to make comments in writing
23 or would like to speak with them further about the
24 case. So I want to give you all as many
25 opportunities as possible to make your statements

1 or your concerns known to the Commission.

2 And with that, since we have no other
3 witnesses, the Public Hearing in File Number SR-
4 2010-0320 is hereby adjourned. Thank you all for
5 coming this evening.

6 (WHEREIN, the Hearing is concluded at
7 6:13 p.m.)

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or your concerns known to the Commission.
And with that, since we have no other

1 CERTIFICATE OF REPORTER
2 STATE OF MISSOURI) ss
3 COUNTY OF CLAY)
4 I, JANET H. WIMER, Certified Court
5 Reporter, the officer before whom the foregoing
6 hearing was taken, do hereby certify that the
7 testimony in said hearing was taken by me to the
8 best of my ability and thereafter reduced to
9 typewriting under my direction; that I am neither
10 counsel for, related to, nor employed by any of the
11 parties to the action in which this hearing was
12 taken, and further, that I am not a relative or
13 employee of any attorney or counsel employed by the
14 parties thereto, nor financially or otherwise
15 interested in the outcome of the action.

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18 Notary Public in and for
19 the State of Missouri
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And with that, since we have no other

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