

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
3 TRANSCRIPT OF PROCEEDINGS
4 Public Comment Hearing
5 May 27
6 Jefferson City, Missouri
7 Volume 4
8 In the matter of Aqua Missouri)
Inc.'s Request for an Increase) Case No. WR-2008-0266
9 in Rates for Water Service Pursuant)
to the Commission's Small Company)
10 Rate Increase Procedure.)
11 In the matter of Aqua Missouri)
Inc.'s Request for an Increase) Case No. SR-2008-0267
12 in Rates for Sewer Service Pursuant)
to the Commission's Small Company)
13 Rate Increase Procedure.)
14 In the matter of Aqua Missouri)
Inc.'s Request for an Increase) Case No. SR-2008-0268
15 in Rates for Sewer Service Pursuant)
to the Commission's Small Company)
16 Rate Increase Procedure.)
17 In the matter of Aqua Missouri)
Inc.'s Request for an Increase) Case No. WR-2008-0269
18 in Rates for Water Service Pursuant)
to the Commission's Small Company)
19 Rate Increase Procedure.)
20
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DEPUTY CHIEF REGULATORY LAW JUDGE
22
23 CONNIE MURRAY
ROBERT M. CLAYTON, III,
COMMISSIONERS.
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1 P R O C E E D I N G S

2 JUDGE DIPPELL: The Missouri Public
3 Service Commission has set this time for a local
4 comment hearing in Case Nos. WR2008-0266, SR-2008-0267,
5 and 268, and WR-2008-0269, in which Aqua Missouri
6 intends to seek a general rate increase.

7 The Missouri Public Service Commission
8 regulates the rates charged by investor-owned utility
9 companies in Missouri to ensure that those rates are
10 just and reasonable. The Commission also regulates the
11 quality of service and the safety of operations of the
12 investor-owned utilities.

13 The Commission is made up of five
14 commissioners, two of whom are here with me today in
15 Jefferson City. And the Commission also employs a
16 staff of engineers, accountants, attorneys, financial
17 analysts and other specialists in the field of utility
18 regulation.

19 My name is Nancy Dippell and I'm a
20 regulatory law judge at the Commission, and it is my
21 job to preside over the hearing and take your comments
22 into the record.

23 We're videoconferencing this, as you're
24 aware, from the National Guard Armory in Sedalia, and
25 the Commission's offices in Jefferson City. In

1 addition, we're broadcasting these hearings over the
2 Internet, and they're being recorded here in our
3 offices in Jefferson City.

4 To my right is Commissioner Murray, and
5 to my left is --

6 COMMISSIONER MURRAY: Good evening.

7 JUDGE DIPPELL: -- to my left is
8 Commissioner Clayton. And I also have with me here
9 today technical staff, who is working hard to keep up
10 with me, as well as some of our expert staff and
11 attorneys for the company and for the Commission staff.

12 And, in addition, I believe you've been
13 introduced to some Aqua Missouri representatives that
14 are there in Sedalia with you.

15 If you are interested in testifying at
16 this evening's hearing, we'll ask you to sign up on the
17 sign-up sheet that Mr. Kelly has, if you haven't
18 already done so.

19 After we get to the end of the list of
20 witnesses, if there's anyone else that would like to
21 testify, we'll ask at that time, and you can come
22 forward at that time.

23 This is an official hearing of the
24 Missouri Public Service Commission, and the statements
25 and testimony of the witnesses will be recorded by the

1 court reporter, and will be taken under oath or
2 affirmation.

3 I'd like to thank the National Guard for
4 providing its facility, and just mention that the
5 statements and comments here tonight are in no way
6 associated with the Guard.

7 The purpose of this hearing is to
8 receive your comments regarding the proposed rate
9 increase. And the company is not going to present
10 witnesses and will not answer questions while we're in
11 this public comment portion of the hearing.
12 Commissioners are also not here to answer your
13 questions, but only to listen to your remarks.

14 And your remarks will become part of the
15 official record in the case, and the other
16 commissioners will have an opportunity to read the
17 transcript.

18 When your name is called, I'll ask you
19 to please come forward and speak into the microphone.
20 I'll ask you to spell your name for the court reporter,
21 so she can get it into the record correctly.

22 There may be some questions from the
23 Commissioners or myself or some of the attorneys, so
24 I'll ask you to stay at the witness chair until you've
25 been excused.

1 All right, then. Let me go ahead and
2 have the attorneys make quick entries of appearance.
3 And let's start with Staff.

4 MS. HERNANDEZ: Staff of the Missouri
5 Public Service Commission, Jennifer Hernandez, P.O. Box
6 360, Jefferson City, Missouri 65102.

7 JUDGE DIPPELL: And the company.

8 MS. SMITH: Jane Smith for Aqua
9 Missouri, Blitz, Bardgett & Deutsch, 308 East High,
10 Suite 301, Jefferson City, Missouri 65101.

11 JUDGE DIPPELL: And Ms. Baker, are you
12 in today?

13 MS. BAKER: Yes, Judge. I am.
14 Christina Baker, P.O. Box 2230, Jefferson City,
15 Missouri 65102, appearing on behalf of the Office of
16 the Public Counsel and the ratepayers.

17 JUDGE DIPPELL: Thank you. Well, we
18 would like to welcome you all here this evening. And
19 unless there are some Commissioner remarks, I'll go
20 ahead and get started with the next witness. All
21 right. Let's go ahead with the first witness.

22 MR. KELLY: Judge, the first witness is
23 Paul Parker.

24 JUDGE DIPPELL: Could you raise your
25 right hand. Do you solemnly affirm that the testimony

1 you're about to give at this hearing will be the truth,
2 the whole truth, and nothing but the truth?

3 MR. PARKER: I do.

4 JUDGE DIPPELL: Thank you. If you could
5 spell your name for the court reporter and then give us
6 your comments.

7 MR. PARKER: Paul Parker, P-a-u-l
8 P-a-r-k-e-r. Now, my --

9 JUDGE DIPPELL: Go ahead with your
10 remarks.

11 MR. PARKER: My only comments is, I want
12 to know if the improvement -- or the rate increase that
13 they're trying to give us is for improvements or
14 maintenance, basically. Because that's all they've
15 done out there is maintenance on this -- on this
16 system.

17 And the other is, we have got no fire
18 hydrant, no fire protection. And if they tie this ball
19 field on that they're talking about, whether our water
20 pressure is going to be worse than it is right now.
21 And that's simply all I've got to -- I've got to say
22 about it.

23 JUDGE DIPPELL: And, sir, where -- which
24 water district do you live in?

25 MR. PARKER: Maplewood.

1 JUDGE DIPPELL: And because the
2 Commissioners and I weren't here for the
3 question-and-answer session, can you just tell us about
4 the ballpark.

5 MR. PARKER: Well, I hear from a good
6 source that Mr. Liston (ph), that's head of this
7 ball -- RBI League that is coming into -- out there,
8 off of TT, it's got two large ball fields.

9 Now, he wants to put irrigation lines in
10 out there. Now, if they do that, they're not going to
11 be able to irrigate that thing with less than a one- or
12 two-inch line.

13 And when they open them up, is that
14 going to affect our water pressure? Are we going to
15 have what we got now, the quality we got now? Or is it
16 going to be worse than what we got? And that's one of
17 my main concerns.

18 JUDGE DIPPELL: Okay. Thank you.
19 Commissioner Murray, did you have any questions?

20 COMMISSIONER MURRAY: No questions.
21 Thank you, sir.

22 MR. PARKER: Okay.

23 JUDGE DIPPELL: Commissioner Clayton.

24 COMMISSIONER CLAYTON: I have a
25 question, Mr. Parker, just real quick. You mentioned

1 you had a question, and I can't answer your question on
2 whether the rate increase is for improvements or
3 maintenance.

4 But in your opinion, does it make a
5 difference in terms of the rate increase whether the
6 money will be spent on improvements or maintenance?

7 MR. PARKER: Sure it would, because you
8 need -- we need -- we've got no fire protection out
9 there. We're a pretty good-size area, and we've got no
10 fire protection whatsoever.

11 Now, I don't know whether they could put
12 hydrants on plastic lines without blowing them apart.
13 I -- that, I don't know. But I do know we haven't got
14 no protection out there like that.

15 But they haven't really done anything
16 out there except maintenance work on that. And I have
17 never had the water pressure that I should've had. And
18 that well sits in back -- just about my backyard, on
19 Brookfield (ph).

20 COMMISSIONER CLAYTON: But you're
21 unhappy with the water pressure that you're receiving
22 today?

23 THE WITNESS: Well, I've always been
24 unhappy with it, but I'll keep -- I'll -- I'd rather
25 have what I got than less. And if they tie that ball

1 field, that's where I'm afraid they're going to take
2 less.

3 COMMISSIONER CLAYTON: I understand.
4 I -- hold it, hold it, hold it, hold it. Don't want to
5 talk about the ball field. I want to talk about today.
6 Are you happy or not happy with the water pressure that
7 you have today?

8 MR. PARKER: I have -- no. I have never
9 been happy with the water pressure.

10 COMMISSIONER CLAYTON: Okay. So you're
11 not happy with --

12 MR. PARKER: Yeah.

13 COMMISSIONER CLAYTON: -- it today?

14 MR. PARKER: Basically, yeah.

15 COMMISSIONER CLAYTON: Okay. How about
16 the water quality, is --

17 MR. PARKER: Good.

18 COMMISSIONER CLAYTON: -- the water
19 clean?

20 MR. PARKER: I'd say it's good.

21 COMMISSIONER CLAYTON: Does it smell
22 right and everything else?

23 MR. PARKER: Yeah. I'll say it's good.

24 I have never had no problem with the water quality.

25 COMMISSIONER CLAYTON: Okay. So it's

1 just -- pressure is the --

2 MR. PARKER: Pressure --

3 COMMISSIONER CLAYTON: -- is the problem

4 that you're dealing with right now?

5 MR. PARKER: Uh-huh.

6 COMMISSIONER CLAYTON: And you would

7 support some sort of increase if you saw improvement in

8 the water quality and the fire protection --

9 MR. PARKER: Sure.

10 COMMISSIONER CLAYTON: -- associated

11 with your area; is that correct?

12 MR. PARKER: Sure. There's no --

13 there's no --

14 COMMISSIONER CLAYTON: Okay.

15 MR. PARKER: -- problems about that.

16 Everybody is going to have --

17 COMMISSIONER CLAYTON: Can you tell

18 me -- can you tell me, have your -- are your insurance

19 rates that you pay -- is your house affected by this

20 fire protection --

21 MR. PARKER: Yes. Yes. They are.

22 UNIDENTIFIED SPEAKER: Yes.

23 COMMISSIONER CLAYTON: Okay.

24 MR. PARKER: Yes. They are. Yeah.

25 COMMISSIONER CLAYTON: Have you been

1 told something about --

2 MR. PARKER: Well, it's on -- it's --
3 it's in the policy.

4 COMMISSIONER CLAYTON: -- fire
5 protection?

6 MR. PARKER: It's in the policy. Any
7 policy that -- any insurance rights, if you've got so
8 many feet from a fire hydrant, you're in a class --
9 different class of protection.

10 And so that's where that would come in.
11 If you had hydrants, you would be in -- well, I don't
12 know how they judge that, but you'd be in one class out
13 of another. It would drop you down where your
14 insurance would be cheaper. It would do that, I'm
15 pretty sure.

16 COMMISSIONER CLAYTON: So you've been
17 told, or you're --

18 MR. PARKER: It's on the policies, I
19 think.

20 COMMISSIONER CLAYTON: -- paying a
21 higher rate for having poor fire protection. Right?

22 MR. PARKER: Yeah. Oh, yeah.

23 COMMISSIONER CLAYTON: Okay. Thank you.
24 Thank you very much. No other questions.

25 MR. PARKER: Appreciate it.

1 JUDGE DIPPELL: Any questions from you,
2 Ms. Baker?

3 MS. BAKER: Yes. I do have a couple of
4 questions.

5 JUDGE DIPPELL: Sorry, Mr. Parker.

6 MR. PARKER: That's all right.

7 MS. BAKER: Have you had any billing
8 issues with Aqua?

9 MR. PARKER: A couple of times, and
10 that's when they went and changed over these meters.
11 And if I had my neighbor here, he could really tell
12 you, because he went through a terrible time with that
13 billing out there, really.

14 MS. BAKER: Okay. You stated that
15 you've had a new meter installed?

16 MR. PARKER: Well, I think they replaced
17 a lot of the meters out there. I think they did that.
18 And that -- but that's still under maintenance. That's
19 not -- you know, that's not improvement. That ain't
20 improvement.

21 Anytime they put a new meter in your
22 thing, your meter is going to turn easier. So that's
23 going to increase your rate of water, anyway. You know
24 that.

25 But -- and as far as maintenance go,

1 we've got the best maintenance man we've ever had out
2 there. I don't want anybody saying, you know, he's bad
3 or anything like that, because he is good. But we just
4 haven't got the same thing we've always had.

5 MS. BAKER: What was the billing issues
6 that you had?

7 MR. PARKER: Oh, she could probably tell
8 you more of that. It's -- they got off -- after they
9 put the meters in, it went a month or two months
10 without no billing.

11 And then when you got your billing, it
12 was three or four times higher than what it ever was.
13 And then they back and forth, back and forth. And
14 finally -- we got it straightened out finally, but it
15 took over of two, maybe three months to straighten it
16 out.

17 MS. BAKER: All right.

18 MR. PARKER: And that neighbor we had --
19 I don't know, he had a leak, and he had one heck of a
20 time getting that cleared up.

21 MS. BAKER: Have you had any chance to
22 deal with their customer service?

23 MR. PARKER: Their maintenance man?

24 MS. BAKER: More like their customer
25 call center. Have you ever called in --

1 MR. PARKER: Just to call in for leaks
2 and stuff like that.

3 MS. BAKER: Okay. Have you had a good
4 experience with that or a bad experience?

5 MR. PARKER: Never had no bad problems
6 with it.

7 MS. BAKER: All right. That's all the
8 questions that I have. Stay right there.

9 JUDGE DIPPELL: Thank you. Are there
10 any questions from Staff?

11 MS. HERNANDEZ: I have no questions.
12 Thank you, Mr. Parker.

13 JUDGE DIPPELL: From the Company?

14 MS. BAKER: No questions.

15 JUDGE DIPPELL: Thank you, Mr. Parker.

16 MR. PARKER: Okay.

17 JUDGE DIPPELL: You may be excused.

18 (Witness excused.)

19 MR. KELLY: Dan Swearengin.

20 MR. SWEARENGIN: Is somebody swearing
21 me?

22 MR. KELLY: Go ahead and sit.

23 MR. SWEARENGIN: Oh.

24 JUDGE DIPPELL: Do you solemnly swear or
25 affirm the testimony you're about to give at this

1 hearing will be the truth, the whole truth, and nothing
2 but the truth?

3 MR. SWEARENGIN: Yes. I do swear.

4 JUDGE DIPPELL: If you could spell your
5 name for the court reporter and then give us your
6 comments.

7 MR. SWEARENGIN: Dan, D-a-n, Swearengin,
8 S-w-e-a-r-e-n-g-i-n.

9 JUDGE DIPPELL: You can be seated, if
10 you want.

11 MR. SWEARENGIN: Thank you. I don't
12 want to be redundant to the previous speaker, and --
13 but it's kind of difficult not to be, I guess. But
14 Mr. Parker alluded to water taste and water quality, or
15 it was asked of him.

16 And we have had -- and I live in the
17 Brooking Park (ph) section of Maplewood. And most of
18 our people are aged people or aging people. And we
19 have had water taste problems and water quality
20 problems.

21 And I, too, am concerned about whether
22 or not this significant rate increase -- which
23 piggybacks on a significant rate increase of a year
24 ago -- I'm concerned as to whether or not this is going
25 to improve our service and the quality of equipment, et

1 cetera, and whether or not it will update our
2 equipment, or whether or not it will remain the same.

3 And that's where customer service -- I
4 have had some experience with that. And there seems to
5 be -- the feeling I have gotten from last meeting and
6 since with customer service has been a feeling of
7 arrogance.

8 Now, I know that it's a corporate thing,
9 and that it's an impersonal thing, but customer service
10 is supposed to be that: It's supposed to be customer
11 service, and it's supposed to be somewhat personal.
12 And that has not necessarily been the case.

13 Yes. We have had billing problems, to
14 the extent of getting three bills in one month, and
15 then not knowing which one to pay or which one we have
16 paid and which one we -- ought not been owed.

17 I don't know what that was about.
18 Somebody said a change in meters, and I don't know what
19 that had to do. I knew nothing about that. But we've
20 had billing problems.

21 And this rate increase that I view here
22 looks to me like will amount to about -- and I don't
23 know how that this is rated -- but it looks to me like
24 the bill would be about \$36.09.

25 And that's probably -- I'd have to

1 figure pretty quickly here, but it's probably -- I
2 don't know, it looks to me like about a 70 percent
3 increase over the -- over the amount that we were
4 increased a year ago. So it seems to me like unless
5 something can be shown as to need, it seems to be
6 exorbitant to me.

7 And since I can't ask you any questions,
8 why, that's about it.

9 JUDGE DIPPELL: Thank you,
10 Mr. Swearengin. Can you tell me, did you get any
11 notice about the meter --

12 MR. SWEARENGIN: No.

13 JUDGE DIPPELL: -- issue that you're
14 talking about?

15 MR. SWEARENGIN: No, ma'am.

16 JUDGE DIPPELL: And did you get your
17 billing problems resolved, eventually?

18 MR. SWEARENGIN: Oh, we got some sort of
19 resolution. I'm not sure we got it resolved, but we
20 paid a bill and stopped paying other bills. And so,
21 apparently -- I don't know what "resolved" means in
22 that case, but we'll say yes.

23 JUDGE DIPPELL: I guess, do you feel
24 that you paid for the correct amount of water at this
25 point and -- or are you still disputing a bill with the

1 company?

2 MR. SWEARENGIN: No. We're not
3 disputing anymore.

4 MS. SWEARENGIN: We gave up.

5 MR. SWEARENGIN: Yeah. My wife is
6 talking to me from the back of the room saying, we gave
7 up. But -- and that may be true. That may be true.

8 And one of the problems that we had --
9 and, of course, she's not here because she's quite
10 elderly -- but our neighbor is a woman who lives by
11 herself's bill was higher -- is higher than ours. And
12 it seemed a little strange to me, but no one ever
13 seemed to, as my mom would say, give a hoot.

14 JUDGE DIPPELL: I will invite you to use
15 our customer service number if you should have future
16 problems --

17 MR. SWEARENGIN: We will.

18 JUDGE DIPPELL: -- to see if our staff
19 can help you with those issues. Commissioner Murray,
20 did you have any questions?

21 COMMISSIONER MURRAY: Just briefly.
22 Mr. Swearengin, you indicated that you have had water
23 taste and quality problems?

24 MR. SWEARENGIN: Correct.

25 COMMISSIONER MURRAY: Are you still

1 experiencing those problems?

2 MR. SWEARENGIN: Well, we instituted a
3 water whatever you call it, to make it smell better and
4 taste better.

5 UNIDENTIFIED SPEAKER: Purification.

6 MR. SWEARENGIN: Purification. Thank
7 you.

8 COMMISSIONER MURRAY: You put that in
9 yourself?

10 MR. SWEARENGIN: That is correct.

11 COMMISSIONER MURRAY: And are you
12 satisfied with the taste and everything now?

13 MR. SWEARENGIN: Well, it sure does
14 help.

15 COMMISSIONER MURRAY: And when was your
16 most recent contact with a customer service
17 representative from Aqua?

18 MR. SWEARENGIN: I don't have a date
19 before me. We had --

20 COMMISSIONER MURRAY: Was your most
21 recent --

22 MR. SWEARENGIN: Well, we had --

23 COMMISSIONER MURRAY: -- contact --

24 MR. SWEARENGIN: -- we had an extended
25 problem there, and I think that -- I think the

1 president alluded to it in the -- in the Q&A session,
2 about when the well went down. And we had some
3 difficulties going into that and coming out of that.

4 What that has to do with your question,
5 I don't know. But I -- after that, why, we've had
6 several ongoing conversations because of the bills,
7 confusion of the bills.

8 And I think -- in my understanding, and
9 what I get the general gist from people, is a mistrust
10 that has arisen with the company. And that may have
11 something to do with -- particularly with the customer
12 service or lack thereof, Kankakee or wherever that
13 they're located.

14 COMMISSIONER MURRAY: All right. Thank
15 you very much.

16 MR. SWEARENGIN: You bet.

17 JUDGE DIPPELL: Commissioner Clayton,
18 did you have any questions?

19 COMMISSIONER CLAYTON: Thank you, Judge.
20 Mr. Swearengen, tell me about this customer service.
21 You called it arrogant, or being treated with
22 arrogance. And I think you just kind of alluded to it.
23 Can you tell me what factors led you to that
24 description.

25 MR. SWEARENGIN: Well, I think that

1 people felt like in our last meeting -- last year,
2 whenever that we met before -- that people came away
3 from that feeling that there had been a level of
4 arrogance that had been displayed.

5 And then with regards to the phone
6 conversations, I think being hung up on is probably --
7 and I'm not one to cuss a person on the other end, so
8 it wasn't because of that.

9 But, you know, when a -- when a
10 person -- and if I understood -- if I understood the
11 president to say awhile ago that they didn't want their
12 phones to be tied up because other customers were
13 trying to get in, well, maybe that tells us something
14 about what's going on with the need for service.

15 COMMISSIONER CLAYTON: I don't have any
16 other questions. Thank you very much for coming in,
17 Mr. Swearengin.

18 MR. SWEARENGIN: Thank you.

19 JUDGE DIPPELL: Ms. Baker, do you have
20 any questions?

21 MS. BAKER: I just have one question.
22 Do you also have pressure issues?

23 MR. SWEARENGIN: From time to time.

24 MS. BAKER: And they are low pressure
25 problems that you're having?

1 MR. SWEARENGIN: Yeah. To the extent
2 that -- back to the sewer problem -- that we can't
3 flush our stool sometimes.

4 MS. BAKER: Okay. Does that occur at
5 certain times of the year? certain times of the day?

6 MR. SWEARENGIN: I'm not sure. I'm not
7 sure that that -- that there is any particular phasing
8 of that, which leads me to one other thing, that
9 ballpark thing. That's the thing that's concerning us,
10 about the addition of a ballpark.

11 If that's -- if that happens -- and I
12 happen to be an old sports fan, so I'm not opposed to
13 the youth -- but it -- but when it has to do with
14 taking away from water, I do have a problem.

15 MS. BAKER: Thank you. I have no
16 further questions, but thank you for coming.

17 MR. SWEARENGIN: Thank you. Is that it?

18 MS. BAKER: No. Just --

19 JUDGE DIPPELL: Are there any questions
20 from Staff?

21 MS. HERNANDEZ: I have no questions.
22 Thank you.

23 JUDGE DIPPELL: From the Company?

24 MS. SMITH: I have no questions. Thank
25 you.

1 JUDGE DIPPELL: Thank you,
2 Mr. Swearengin.
3 MR. SWEARENGIN: Thank you.
4 JUDGE DIPPELL: We appreciate your
5 comments.
6 MR. SWEARENGIN: All right.
7 (Witness excused.)
8 MR. KELLY: Marian Scott.
9 UNIDENTIFIED SPEAKER: Marian.
10 MR. KELLY: Marian Scott.
11 JUDGE DIPPELL: Do you solemnly swear or
12 affirm that the testimony you're about to give at will
13 be the truth, the whole truth and nothing but the
14 truth?
15 MS. SCOTT: I don't hear very well.
16 Tell it again, please.
17 JUDGE DIPPELL: Do you solemnly swear or
18 affirm that the testimony you're about to give at this
19 hearing will be the truth, the whole truth, and nothing
20 but the truth?
21 MS. SCOTT: Yes. Yes. I do.
22 JUDGE DIPPELL: Thank you. If you could
23 spell your name and then have a seat.
24 MS. SCOTT: Marian, M-a-r-i-a-n, middle
25 initial is J. My last name is Scott, S-c-o-t-t. I

1 live at 163 Brooking Park Avenue.

2 JUDGE DIPPELL: You can have a seat if
3 you'd like, Mrs. Scott.

4 MS. SCOTT: What?

5 MR. KELLY: Go ahead.

6 JUDGE DIPPELL: You may have a seat if
7 you would like --

8 MR. KELLY: You can go ahead and sit.

9 JUDGE DIPPELL: -- to sit down.

10 MS. SCOTT: Oh.

11 MR. KELLY: There you go.

12 MS. SCOTT: Well, as you see, I can't --

13 JUDGE DIPPELL: That's all right. Go
14 ahead with your comments.

15 MS. SCOTT: Well, as you know,
16 everything has gone up in price, as well as gasoline.
17 Water is getting to be most precious commodity we have.
18 And you're continually adding on to -- I don't
19 understand. What do -- do we have one service for
20 Maplewood and Brooking Park together?

21 MS. BAKER: She's not going to answer.

22 MS. SCOTT: What?

23 MS. BAKER: She's not going to answer.

24 MS. SCOTT: She isn't?

25 MS. BAKER: No. You just have to give

1 comments.

2 MS. SCOTT: Oh, okay. Our water is
3 sometimes cloudy. It does not have any taste to it, or
4 smell. I have a water -- soft water conditioner.

5 But as to the cost, people are -- we --
6 the majority of our people in Brooking Park are on
7 Social Security. And, you know, as the old saying
8 goes, you can't get blood out of a turnip.

9 UNIDENTIFIED SPEAKER: Amen.

10 MS. SCOTT: And we are increasing --
11 everything is increasing except our wages -- earnings,
12 I would say. And it's very difficult.

13 Now, they are going to have this
14 ballpark down the road from us, and there will be
15 another drain on the pump on the water.

16 And what I'm -- do you realize how much
17 the water level in the United States -- how many feet
18 it has dropped? Not inches, feet. All over the United
19 States. And we still -- I'm raised on a farm, and
20 water was precious then, and we conserved, you know.
21 And I still do, myself.

22 But raising this -- you know, this has
23 got to stop somewhere. And that's all I have to say,
24 ma'am.

25 JUDGE DIPPELL: Thank you for your

1 comments.

2 MS. SCOTT: Okay.

3 JUDGE DIPPELL: I'm going to see if
4 there are any questions for you. Commissioner Murray,
5 did you have any questions?

6 COMMISSIONER MURRAY: No questions.
7 Thank you, Ms. Scott.

8 MS. SCOTT: Okay.

9 JUDGE DIPPELL: Commissioner Clayton.

10 COMMISSIONER CLAYTON: No questions for
11 me, either. Thanks for coming.

12 MS. SCOTT: Okay.

13 JUDGE DIPPELL: Ms. Baker?

14 MS. BAKER: Just the normal other
15 questions. Do you have pressure problems with your
16 water?

17 MS. SCOTT: No. No.

18 MS. BAKER: Okay.

19 MS. SCOTT: The only trouble we have is
20 when there's a broken line, you know, and then,
21 naturally, you have a fluttering when you turn your
22 water faucet on. But as far as -- you know, the
23 pressure is fine where we are.

24 MS. BAKER: Have you ever called their
25 customer service --

1 MS. SCOTT: No, ma'am.

2 MS. BAKER: -- numbers? Okay.

3 MS. SCOTT: No.

4 MS. BAKER: That's all the questions

5 that I have.

6 MS. SCOTT: Okay. All right.

7 JUDGE DIPPELL: Any questions from

8 Staff?

9 MS. HERNANDEZ: No. I have no

10 questions. Thank you.

11 JUDGE DIPPELL: Company?

12 MS. SCOTT: You're through?

13 MS. SMITH: No questions. Thank you.

14 MS. SCOTT: Okay. All right.

15 JUDGE DIPPELL: Thank you, Mrs. Scott.

16 You may be excused.

17 MS. SCOTT: All right.

18 (Witness excused.)

19 MR. KELLY: Is it Arthur Caton?

20 MR. CATON: Here. My hearing is so bad

21 that I don't believe I better try.

22 MR. KELLY: Oh, are you sure?

23 MR. CATON: Yeah.

24 MR. KELLY: Okay. Can we get with him

25 afterward --

1 JUDGE DIPPELL: Mr. Kelly, if you could
2 let him know how he might provide written comments --
3 MR. KELLY: Right.
4 JUDGE DIPPELL: -- if he feels more
5 comfortable.
6 MR. KELLY: Right. We will do that.
7 Glenn Sherman.
8 MR. SHERMAN: This other gentleman can
9 talk, even though he couldn't respond. But he could
10 still say his comments, couldn't he?
11 MR. KELLY: Sure.
12 MR. SHERMAN: Do you want to do that?
13 MR. KELLY: Okay. She's going to --
14 she'll swear you in. Okay?
15 MR. CATON: Huh?
16 MR. KELLY: She's going to swear you in.
17 Okay?
18 MR. CATON: Okay.
19 JUDGE DIPPELL: Do you solemnly swear or
20 affirm that the testimony you're about to give at this
21 hearing will be the truth, the whole truth, and nothing
22 but the truth?
23 MR. CATON: Yes.
24 JUDGE DIPPELL: Okay. Go ahead with
25 your comments, sir.

1 MR. CATON: Huh?

2 MR. KELLY: Go ahead. Tell her who you

3 are, and then --

4 MR. CATON: My name is --

5 MR. KELLY: -- your comments.

6 MR. CATON: -- Arthur T. Caton.

7 MR. KELLY: Okay.

8 JUDGE DIPPELL: Can you spell that for

9 us.

10 MR. KELLY: Could you spell your name

11 for them.

12 MR. CATON: A-r-t-h-u-r, Arthur, and

13 Thomas -- T stands for Thomas, and C-a-t-o-n.

14 JUDGE DIPPELL: Go ahead with your

15 comments, Mr. Canton (sic).

16 MR. KELLY: Go --

17 JUDGE DIPPELL: Caton?

18 UNIDENTIFIED SPEAKER: Caton.

19 MR. KELLY: Go ahead and tell her your

20 comment.

21 MR. CATON: Huh? I pretty well agree

22 with what these other people have said. And there was

23 one thing about the water there. We have a water --

24 Culligan Water's filter and a water softener. And that

25 filter needs to be changed every two months instead of

1 three.

2 MR. KELLY: Do you have anything else?

3 MR. CATON: No.

4 MR. KELLY: Okay. Judge, that's -- that

5 is his comments.

6 JUDGE DIPPELL: All right. I don't

7 believe -- are there any questions?

8 COMMISSIONER MURRAY: No questions.

9 JUDGE DIPPELL: Mr. -- Commissioner

10 Clayton?

11 MR. CATON: Yes?

12 COMMISSIONER CLAYTON: No questions.

13 Thanks for coming.

14 MR. CATON: No.

15 JUDGE DIPPELL: Thank you, sir. You may

16 be excused.

17 MR. CATON: Okay.

18 MR. KELLY: Thank you.

19 (Witness excused.)

20 JUDGE DIPPELL: Do you solemnly swear or

21 affirm that the testimony you're about to give at this

22 hearing will be the truth, the whole truth, and nothing

23 but the truth?

24 MR. SHERMAN: I do.

25 JUDGE DIPPELL: Thank you. If you could

1 spell your name for us and --

2 MR. SHERMAN: Glenn --

3 JUDGE DIPPELL: -- give us your
4 comments.

5 MR. SHERMAN: -- Glenn, G-l-e-n-n,
6 Sherman, S-h-e-r-m-a-n. And, ma'am, my comments today
7 are more about the billing and why we had a large
8 increase -- a gentleman said -- two or three years ago,
9 or something; maybe it was -- I'm not sure when -- that
10 was nearly 100 percent, or was 100 percent, and now
11 we're asked to -- for a modest increase.

12 Which is fine, a modest increase. But I
13 don't know why we need to have that on top of the large
14 increase that we just had not very long ago. That's my
15 main comment.

16 The other, I have two neighbors that
17 have had serious problems with billing. And one is
18 where -- a single lady that it went -- skyrocketed up,
19 and she tried to get help through the customer service
20 and had a lot of trouble.

21 And I don't think she's still got it
22 resolved. She's still trying to figure out where the
23 increase -- if it's her leak or somebody else's, but --
24 or if it's -- or if it's the -- caused from the
25 company.

1 I, myself, have had -- about a little
2 over two years ago, we had a break in our lines, and
3 our -- and it -- we determined that it was in the
4 meter. The company tried to ask for -- you know, we
5 lose a lot of money because of it, because of the leak.
6 And it was a couple hundred dollars.

7 But -- and they tried to charge us that,
8 but then we finally convinced them that it wasn't our
9 fault and it should be theirs. And they did accept
10 that and took care of that bill for us.

11 And the -- the lady that I talked to was
12 very nice and did -- I received good service at that
13 time. This was, like I say, about two and a half years
14 ago, something like that.

15 That's the -- my comments at this time.

16 My pressure, by the way --

17 JUDGE DIPPELL: Any --

18 MR. SHERMAN: -- is -- has always been
19 less than -- well, it's adequate, but less than what I
20 would prefer to have. But it's always -- that's what
21 it's always been. And so I -- we live with that.
22 That's all I have.

23 JUDGE DIPPELL: Thank you. Make sure
24 that you have our customer service number. If you
25 would like to take that back to your neighbor that you

1 said was having the ongoing problems, I'm sure our
2 customer service staff would be happy -- would be happy
3 to help her out.

4 MR. SHERMAN: Okay.

5 JUDGE DIPPELL: Commissioner Murray, did
6 you have any questions?

7 COMMISSIONER MURRAY: Just one.

8 Mr. Sherman, are you satisfied with the taste of your
9 water?

10 MR. SHERMAN: Yes. I am. Ours has been
11 fine.

12 COMMISSIONER MURRAY: Thank you.

13 JUDGE DIPPELL: And Commissioner
14 Clayton?

15 COMMISSIONER CLAYTON: I don't think I
16 have any questions, Mr. Sherman. Thank you.

17 JUDGE DIPPELL: Ms. Baker?

18 MS. BAKER: I have no questions, but
19 thank you for coming.

20 MR. SHERMAN: Okay.

21 JUDGE DIPPELL: Anything from Staff?

22 MS. HERNANDEZ: I have no questions.
23 Thank you.

24 JUDGE DIPPELL: And the company?

25 MS. SMITH: No thank you.

1 JUDGE DIPPELL: Thank you, Mr. Sherman
2 for coming and your comments.

3 (Witness excused.)

4 MR. KELLY: The next one I have on the
5 list is Beverly -- is it Jarolli?

6 MS. JACOBI: Jacobi.

7 MR. KELLY: I'm sorry.

8 JUDGE DIPPELL: Do you solemnly swear or
9 affirm that the testimony you're about to give at this
10 hearing will be the truth, the whole truth, and nothing
11 but the truth?

12 MS. JACOBI: Yes, ma'am.

13 JUDGE DIPPELL: Spell your last name for
14 us.

15 MS. JACOBI: J-a-c-o-b-i.

16 JUDGE DIPPELL: Go ahead with your
17 comments.

18 MS. JACOBI: Okay. I don't know why I
19 can't get hold of supervisors at the company when their
20 service representatives that answers the phone is very
21 rude and everything else; why we have to have a water
22 increase just after a year; and I'd like to know why we
23 can't have our bill sent the same time every month.

24 We have it what -- one month, we'll have
25 it on the 15th or 16th; the next time, we're going to

1 have it on the 23rd or the 30th. And there's no -- I
2 don't see any reason why we can't have it the same time
3 every month.

4 Because I -- my husband works very hard,
5 and we plan when we pay our bills. And when we don't
6 know what's coming out each payday, we have a hard time
7 keeping up with things. And is this rate increase
8 really going to help, or is it going to really hinder
9 us?

10 Because if it's for maintenance, I don't
11 see why we have to pay for maintenance. That is part
12 of the company's thing. They bought the company out
13 from the other people, they should maintain it. We
14 shouldn't have to pay to maintain it. And when you're
15 on a vixed -- a fixed income, any rate increase hurts,
16 especially for the elderly.

17 And I'm concerned because, like I said,
18 my husband gets paid weekly, and we have to figure out
19 what comes out. And sometimes we don't get -- have the
20 money for food or medicine. We have to make a
21 decision: Food or medicine. That's all I have to say
22 right --

23 JUDGE DIPPELL: Are there any
24 Commission -- or any Commission questions, Commissioner
25 Murray?

1 COMMISSIONER MURRAY: Yes. I just have
2 one or two. You said that you don't receive a bill at
3 the same time each month.

4 MS. JACOBI: Right.

5 COMMISSIONER MURRAY: Is that correct?

6 MS. JACOBI: Right.

7 COMMISSIONER MURRAY: Is your bill
8 due -- your payment due the same time each month?

9 MS. JACOBI: No. That's just the
10 problem. It's not due the same time every month.

11 COMMISSIONER MURRAY: So is it due --

12 MS. JACOBI: Like --

13 COMMISSIONER MURRAY: -- so many days
14 after you receive the bill?

15 MS. JACOBI: I'm not sure, because my
16 husband takes care of it. But I know when I get the
17 mail, it says the 16th -- due by the 16th. The next
18 month, it says due by the 23rd. And that's not right,
19 because I have --

20 COMMISSIONER MURRAY: And --

21 MS. JACOBI: -- to plan out what to pay
22 and when to pay it.

23 COMMISSIONER MURRAY: Can you tell me
24 just -- you indicated that the service reps were rude.

25 MS. JACOBI: Yes.

1 COMMISSIONER MURRAY: Can you give me an
2 example of why you say that.

3 MS. JACOBI: Well, one reason is, when I
4 called, I asked -- I got a person that I could not
5 understand, and she hung up on me. So I turned around
6 and I called again, and it happened to be the same
7 person. So I asked to speak to her supervisor. And
8 she said, We can't hang up -- hold the phone open that
9 long to get --

10 COMMISSIONER MURRAY: So did your
11 complaint ever get resolved?

12 MS. JACOBI: No. It did not. I just
13 gave up, because I had called four or five times and I
14 could not get a different person -- even another --

15 COMMISSIONER MURRAY: Do you recall what
16 you were calling about at that time?

17 MS. JACOBI: The date of the bill,
18 because we --

19 COMMISSIONER MURRAY: All right.

20 MS. JACOBI: -- didn't want it to be
21 overdue, and we hadn't received a bill in the mail yet.

22 And last month, it was due on the 16th,
23 and then this time, when I called about it, it -- they
24 said it won't be out until the 23rd. And I was trying
25 to find out why we can't get it the same time every

1 month. And I never did get that resolved.

2 COMMISSIONER MURRAY: All right. Thank
3 you very much for being here.

4 JUDGE DIPPELL: Commissioner Clayton?

5 COMMISSIONER CLAYTON: Yes, ma'am.
6 Would you be willing to share your account number with
7 our staff that are with you there in Sedalia so that we
8 can run a check --

9 MS. JACOBI: No. I --

10 COMMISSIONER CLAYTON: -- of your --

11 MS. JACOBI: -- do not give out my --

12 COMMISSIONER CLAYTON: -- of the billing
13 cycles?

14 MS. JACOBI: -- account numbers.

15 COMMISSIONER CLAYTON: -- cycles?

16 MS. JACOBI: I do not give out my --

17 COMMISSIONER CLAYTON: You don't have it
18 with you?

19 MS. JACOBI: No. And I do not give out
20 my account numbers to anything.

21 COMMISSIONER CLAYTON: Okay. No
22 problem. We -- I just was going to suggest that we
23 might have --

24 MS. JACOBI: I can give --

25 COMMISSIONER CLAYTON: -- a look --

1 MS. JACOBI: -- it to somebody -- I
2 mean, if someone wants to give a call at home, I will
3 be glad to give it to you over the phone, but I will
4 not do it in public.

5 COMMISSIONER CLAYTON: I understand.
6 That's no problem. I -- perhaps our staff can meet
7 with you after you testify there and -- because I think
8 this billing issue is very important. This is the
9 first we've heard of it.

10 And if there are inconsistencies in your
11 billing, I'd like to see why that is the case from the
12 company's perspective so we can compare all the
13 testimony. Thank you very much.

14 MS. JACOBI: Thank you.

15 JUDGE DIPPELL: Are there any questions
16 from you, Ms. Baker?

17 MS. BAKER: Just a couple of them. Do
18 you have any taste or odor issues with your --

19 MS. JACOBI: Yes.

20 MS. BAKER: -- water?

21 MS. JACOBI: At times.

22 MS. BAKER: Sometimes?

23 MS. JACOBI: Yes.

24 MS. BAKER: Does -- is it certain times
25 of the year? certain days?

1 MS. JACOBI: More, I think -- I pick up
2 on it more in the summertime. But we also have a pig
3 farm down the road from us, and I don't know if some of
4 their stuff is getting into our area or not, that's
5 causing us to have that problem.

6 MS. BAKER: Do you have any pressure
7 issues --

8 MS. JACOBI: Yes.

9 MS. BAKER: -- with your water?

10 MS. JACOBI: I do not have good water
11 pressure, most of the time.

12 MS. BAKER: All right. That's all the
13 questions that I have.

14 MS. JACOBI: Okay. Thank you very much.

15 JUDGE DIPPELL: Is there anything from
16 Staff?

17 MS. HERNANDEZ: Could you just spell
18 your last name again.

19 MS. JACOBI: J-a-c-o-b-i.

20 MS. HERNANDEZ: Thank you.

21 JUDGE DIPPELL: Anything from the
22 Company?

23 MS. SMITH: No. Thank you.

24 JUDGE DIPPELL: Thank you. Thank you,
25 ma'am.

1 (Witness excused.)

2 MR. KELLY: The next person is Bill
3 Bardon (sic).

4 MR. GORDON: It's Gordon.

5 MR. KELLY: Gordon.

6 JUDGE DIPPELL: Do you solemnly swear or
7 affirm that the testimony you're about to give at this
8 hearing will be the truth, the whole truth, and nothing
9 but the truth?

10 MR. GORDON: I do.

11 JUDGE DIPPELL: Thank you. If you could
12 spell your name for us.

13 MR. GORDON: William Gordon,
14 W-i-l-l-i-a-m G-o-r-d-o-n. I live in the Maplewood
15 section of Sedalia, Pettis County.

16 JUDGE DIPPELL: Go ahead with your
17 comment.

18 MR. GORDON: I have several comments
19 that I wish the Commission would look into. First of
20 all, I will support what others have said about the
21 lack of consistency in billing.

22 We, too, receive multiple bills within a
23 billing cycle, the last one of which said, Do not pay
24 this bill. When the bill finally got there, it was
25 more than we could afford out of a given paycheck, so

1 it came as a shock.

2 I would think that billing is probably
3 the simplest of business procedures. It has nothing to
4 do with fluctuating costs of maintenance. It simply
5 has to do with the effective use of computer billing
6 systems, which should be de rigueur for a business
7 today. Why is there such a fluctuation in consistency
8 of billing?

9 To support that, I'm referring now to my
10 Aqua Missouri bill. It shows my water usage history
11 beginning in February 2008. In a nutshell, my water
12 usage is averaged across the February -- excuse me,
13 February '07 through March of '08. It shows
14 consistently probably to be about 200 gallons a month.

15 However, two of those months are a white
16 area on the graph, which indicates that this was an
17 estimated bill. February, about 175 usage in gallons;
18 March, 150; April, 100; June went up to 200; August,
19 they estimated at about 75.

20 Then we received our September bill for
21 600 gallons. You can imagine what an impact this puts
22 on a family's budgeting. I mean, just, you know,
23 figuratively speaking, if it went from \$150 for 150
24 gallons, this went to 600 gallons at \$600,
25 proportionately. There's no excuse for that. It was

1 also estimated in November.

2 It was my understanding at the last
3 Public Service Commission hearing that I attended and
4 spoke before, that the Company at that time took great
5 pride in that they never estimated phone bills. They
6 always had their person come out, lift the cover off,
7 read the meter, and go on his way every month.

8 We assumed that that was their correct
9 policy, procedure and labor assignment. This proves
10 that inconsistent, at best.

11 Another point, too, that I would like to
12 make is to commend the Public Service Commission staff
13 for recommending a -- an even lower-than-present rate
14 for the Maplewood area. I see that our present rate is
15 \$20.80, and the Public Service Commission staff is
16 recommending \$18.28 -- or \$18.48.

17 I'm impressed, but would like to know
18 what research the Public Service Commission has, that
19 we do not have, that would encourage the Public Service
20 Commission to propose a less-than-requested proposed
21 rate.

22 That's good information, and I would
23 like that information to come out at your hearing.
24 There must be some good reasons. Maybe there's fewer
25 people, less usage, fewer maintenance, so forth.

1 A third point I'd like to make, we do
2 hear about the discussion between maintenance and
3 repair versus new construction or improvement. It
4 seems as though Aqua Missouri is still trying to buy
5 buggy whips when buggy whips are no longer in vogue.

6 Why are they replacing consistently
7 breaking plastic pipes with more plastic pipes, which
8 will continue to break in cold weather, freezes --
9 whatever reasons that cause plastic pipes to break
10 consistently -- and then claim, Oh, we need to charge
11 you more because we've repaired all of these things,
12 put in all new pipes for you?

13 But if it's the same new plastic pipes
14 that keep breaking, why doesn't good judgment, common
15 sense and business indicate pay twice as much for good,
16 solid tile pipes or steel pipes, whatever is the
17 state-of-the-art today, and not be relying on products
18 and procedures that are way past their usefulness?

19 We had an example of a neighbor who had
20 pipes break in his yard. Again, I will support the
21 earlier comments that we have exceptional Aqua Missouri
22 repair person --

23 UNIDENTIFIED SPEAKER: Staff.

24 MR. GORDON: -- in our community -- very
25 conscientious, works very hard. But he does not have

1 the quality supplies, products and repair equipment
2 that he needs to do a good, consistent job.

3 So, again, if a plastic pipe breaks, his
4 management says, You have to replace it with plastic
5 pipe again and hope it doesn't freeze and break again.
6 It just doesn't seem like good business judgment on the
7 part of ownership and management.

8 Another point. We talked about water
9 quality. I would like the Public Service Commission to
10 investigate a boil order that the Maplewood area had
11 probably 12 to 18 months ago, where, literally,
12 handmade, handpainted small signs were pounded in the
13 ground at the intersection of two roads off of TT
14 Highway entering Maplewood, saying, Boil order in
15 effect; boil your water.

16 Many people in our area are invalid,
17 homebound, don't get out frequently; would never, never
18 see these handmade, hand-posted signs. And, obviously,
19 if there's a boil odor (sic), there is a major health
20 risk.

21 Why didn't the integrity of the company
22 require them to personally call each resident or user
23 of that Aqua Missouri resource to let them know, this
24 water is dangerous; do not drink it?

25 But no, they thought it was enough,

1 legally, to post a handmade sign pounded in the ground
2 at two intersections in Maplewood.

3 I will support the comments earlier that
4 we all would like to benefit with improvements at the
5 same time better piping is put in, to include in that
6 piping the fire hydrants that would lower the insurance
7 rate and the health and safety of our residents.

8 The next point I would like to make is,
9 Aqua Missouri bill used to say something such as, Your
10 current is \$31.15. It is due on the -- whatever -- the
11 12th of the month.

12 If it is one day late, or late -- later
13 than this due date, you will be charged at \$14.00 late
14 fee. It was excessive based upon the percentage of
15 actual usage we used.

16 They have eliminated that dollar amount
17 of late fee. They do not show it anymore. But on the
18 back of the bill it states in smoke and mirrors, in my
19 opinion, Late payment charges become -- or charges
20 become delinquent if not paid by the indicated due date
21 on your bill. Late payment charges may apply in
22 accordance with the current rate schedule on file with
23 the Missouri Public Service Commission.

24 I would like the Public Service
25 Commission at their meeting to state publicly what this

1 current rate schedule is for late fees. I think you
2 will be appalled that it verges on usury.

3 Number -- next point. My bill in front
4 of me here -- I picked up one randomly. It is stated
5 on here, Bill date March 22nd. The due date of this
6 bill is April 16th. I think most of us have in our
7 mind that the common business procedure is you are
8 billed with payment due in 30 days. Here, it is less
9 than 30 days; probably three weeks or less.

10 Where, if you don't get it in -- not on
11 a cycle of 30 days, like most families like to budget
12 for, but if you're 26 days before you pay it, well, now
13 we tack on that excessive late charge and shut off your
14 water, if you don't pay the total bill by the due date.

15 So why don't we have 30-day billing like
16 most other companies do, as common procedure? I'd like
17 the Public Service Commission to get an answer to that,
18 why it's not standard 30-day billing.

19 And to support this woman's comment that
20 bills should go out on a given date of the month, so
21 that we can all plan that we will get the Aqua Missouri
22 bill on the 1st of the month; it's due by the, you
23 know, 30th day after that, and that nominal late fees
24 may be imposed.

25 As a comparison, another utility

1 company, Empire, who supplies our home in Maplewood
2 with gas, has a typical bill -- you know, this bill of
3 ours, at the time, it says \$95.53 due. Their note
4 says, If you are -- pay after this date, add something
5 like 47 cents for a late fee.

6 I would like the Commission to examine
7 the late-payment policies of Aqua Missouri and pay --
8 compare them to the nominal late fees charged by other
9 public utility companies, and see why the big
10 discrepancy.

11 The other thing we talked about was
12 water. Well, yes, we've been through droughts, the
13 water levels have low -- are low. Most anybody in
14 Missouri, especially mid and southwest Missouri, have
15 excessive water right now.

16 Unlike oil and -- crude oil, this is a
17 renewable resource. It -- you know, it rains
18 regularly; it refills our water supplies in good years.
19 And I don't see why we should have excessive charges
20 for a commodity that has consistently consistent
21 availability.

22 It should be understand -- stood by all
23 of us as users of Aqua Missouri -- as it is to the
24 Commission, I'm sure -- that Aqua Missouri is in the
25 business of providing profits for their shareholders.

1 So with the stock market in a decline or
2 recession/depression, whatever you want to call it
3 right now, it seems like, perhaps, they're trying to
4 raise their profits to keep up with, you know, gasoline
5 prices because they have all these vehicles and they
6 have to fill them with fuel. So I'm a little concerned
7 about that.

8 I would also like the Public Service
9 Commission to find out political contributions by Aqua
10 Missouri, because all of you are government employees.
11 You are -- your payroll comes from taxes.

12 And I'm concerned that we will see
13 within the water industry, which -- what we have seen
14 in public media recently about politicians being
15 involved with biodiesel fuels, having \$220,000 in tax
16 credits for their contributions to public -- or, excuse
17 me -- biopetroleum companies and their construction and
18 maintenance and investments. This bothers me a great
19 deal.

20 I will be interested to have the Public
21 Service Commission check on political contributions and
22 see how much of rate increases are affected, if not
23 allowed or encouraged, by political entities.

24 I'm concerned, too, about many of the
25 people in the Maplewood/Bolingbrook area are on fixed

1 incomes. I'm on fixed income myself. And it just
2 continues to be a hardship.

3 We all know all of the increasing
4 prices, but the excuse we hear from most companies that
5 add surcharges -- and airlines increasing tickets
6 because of fuel surcharges. Everyone's charges are
7 going up, but our incomes don't go up, so it really
8 provides a very -- a noticeable hardship to all of us.

9 Those are my major comments, but thank
10 you for your courtesy in listening to me. And I'd
11 welcome any additional questions that you and your
12 staff have.

13 JUDGE DIPPELL: Thank you, Mr. Gordon.
14 You mentioned at the very beginning of your comments
15 about a billing issue with a skipped month.

16 MR. GORDON: That's right.

17 JUDGE DIPPELL: And then -- did you
18 receive a letter before that billing cycle about a
19 conversion in the billing system, or --

20 MR. GORDON: I'd have to check with
21 my --

22 JUDGE DIPPELL: We had comments at
23 another hearing about that.

24 MR. GORDON: I would have to check with
25 my wife on specifics, but -- she has a pretty good

1 memory, if you would like her to speak, she could. Or
2 I could give that information to one of your
3 representatives here after our discussion.

4 JUDGE DIPPELL: That would be fine. I
5 just -- we had had comments about that at some other
6 public hearings, and I just wondered if it was
7 consistent among residents in different areas.

8 MR. GORDON: So it was not just
9 Maplewood; it may have been Jefferson City and other
10 Aqua Missouri service areas?

11 JUDGE DIPPELL: Those were in south --
12 in the southwest corner of Missouri, where there were
13 some other comments to that effect.

14 MR. GORDON: That's good to know. Thank
15 you for that information.

16 JUDGE DIPPELL: Commissioner Murray, did
17 you have any questions?

18 COMMISSIONER MURRAY: Just one or two.
19 Mr. Gordon, have you personally experienced any outages
20 as a result of breakages?

21 MR. GORDON: Except for the boil order
22 and the obvious resulting discoloration and boil order
23 telling us not to drink this water, I have not.

24 Again, I would comment on the
25 exceptional professionalism of our local maintenance

1 man in the Maplewood area. He goes, many times, beyond
2 the call of duty to help support the people in our
3 community.

4 COMMISSIONER MURRAY: You mentioned that
5 you would like more clarity about the late fees. Can
6 you tell me what the late fees is?

7 MR. GORDON: Unfortunately, as I say,
8 they've discontinued printing the dollar amount of late
9 fees on bills. It used to say something to the effect,
10 you know, Your current bill is \$43.29 due on the 31st,
11 or whatever. If paid after this date, add another
12 \$18.47.

13 It was excessive percentage of a total
14 bill. I thought it was unreasonable, and I felt it
15 verged on usury.

16 COMMISSIONER MURRAY: So have you ever
17 had a late bill yourself?

18 MR. GORDON: I can't answer that. I
19 would be happy to provide my account number with your
20 staff here and have them check.

21 It would not have been unlikely because,
22 as many people, my wife and I are used to paying on a
23 30-day billing cycle, and, as I mentioned earlier,
24 many -- or the -- most bills now say pay within three
25 weeks or you're late.

1 So it's a two-way trap there. You've
2 got to remember that it's not a 30-day payment, and
3 you've got to remember that there's an excessive late
4 fee not mentioned except in the smoke-and-mirrors
5 comment that they can set the price according to the
6 late fees they have submitted to you.

7 So I guess any late fee submitted to you
8 is just a record. It doesn't have to be approved. If
9 it does have to be approved, I would like the Public
10 Service Commission to look into the late fee structure
11 of Aqua Missouri.

12 COMMISSIONER MURRAY: Thank you very
13 much for your comments --

14 MR. GORDON: Thank you.

15 COMMISSIONER MURRAY: -- tonight.

16 JUDGE DIPPELL: Commissioner Clayton?

17 COMMISSIONER CLAYTON: Sir, I don't have
18 any questions. You gave us a lot of information, and
19 I'm hoping that our staff will report back with the
20 answers to the questions that you've raised, at the
21 evidentiary hearing. Thank you.

22 MR. GORDON: Thank you for your
23 courtesy, sir. Any further questions?

24 JUDGE DIPPELL: Ms. Baker?

25 MS. BAKER: No. I have no questions,

1 but thank you for coming.

2 MR. GORDON: Thank you.

3 JUDGE DIPPELL: Ms. Hernandez?

4 MS. HERNANDEZ: I do have one question
5 about the -- sorry -- the 600 gallons comment you made.

6 MR. GORDON: Yes.

7 MS. HERNANDEZ: What -- was that an
8 estimate, or was that --

9 MR. GORDON: That --

10 MS. HERNANDEZ: -- catching up with --

11 MR. GORDON: Thank you.

12 MS. HERNANDEZ: -- what they estimated
13 previously and then billing you for 600?

14 MR. GORDON: Thank you for allowing me
15 to clarify that. February's actual billing, according
16 to the meter, was approximately 175 gallons. March
17 went down to 150. April went down to 100. June went
18 up to 200.

19 August, the estimate -- the first
20 estimated month, August, dropped down to 75, perhaps,
21 on this graph. September, which was -- which was
22 actual from our meter, jumped up to 610, it looks like.

23 October, again, actual, at about 250.
24 November was estimated at 200. December dropped down
25 to 75. January '08 at 190. February down to 130. And

1 March up to 150.

2 So, again, out of those months, two of
3 them were estimated -- August at 50, November at 200.
4 And then that September one that followed the first
5 estimate soared from the estimated 50 to the actual
6 600.

7 Very hard on any family budget due to
8 estimating a water meter when we had always come to
9 expect and receive personal meter readings in the
10 Maplewood area.

11 MS. HERNANDEZ: Did you dispute that 600
12 figure --

13 MR. GORDON: We have --

14 MS. HERNANDEZ: -- with the company?

15 MR. GORDON: -- we have no way to
16 dispute it. If it's a meter reading, it's -- it must
17 be accurate. So no, we took for granted that it was
18 actual.

19 But again, some people have mentioned
20 they've had meter problems that were caused by faulty
21 equipment owned by the company. But we just bit the
22 bullet and paid that excessive one-month charge. And
23 again, I hope that --

24 MS. HERNANDEZ: Thank you for that.

25 MR. GORDON: -- I hope that wasn't a

1 late --

2 MS. HERNANDEZ: That clarifies.

3 MR. GORDON: Okay.

4 MS. HERNANDEZ: So you can continue.

5 I'm sorry. I didn't mean to cut you off.

6 MR. GORDON: Well, you know, if there
7 were late bills assigned, I would pay them. Because it
8 says there if it's paid after a certain date, pay this
9 higher amount. So I would do that as a matter of
10 routine.

11 And it's not unlikely that that happens
12 once in a while with any person on any bill; you're on
13 vacation or it falls behind the dresser, whatever
14 reason; you leave it in your vest pocket.

15 So it's just scary that they have
16 written so vaguely on what their late -- current rate
17 schedule is. Why don't they print it on here to make
18 it easier for a person to understand the dollar amount
19 of a late fee?

20 And is it based on a percentage of
21 amount due, or is it a flat late fee whether you have a
22 \$20 bill or a \$200 bill? I would like the Public
23 Service Commission to fully understand the late-payment
24 policies of Aqua Missouri.

25 MS. HERNANDEZ: Thank you for your

1 clarification.

2 MR. GORDON: Thank --

3 MS. HERNANDEZ: I have no other

4 questions.

5 MR. GORDON: Thank you.

6 JUDGE DIPPELL: Ms. Smith.

7 MS. SMITH: I have no questions. Thank

8 you.

9 MR. GORDON: Thank you.

10 JUDGE DIPPELL: Thank you, Mr. Gordon.

11 Ms. Hernandez, I would just like to ask if you could

12 make sure that when Staff does their recommendation in

13 this case that they inform the Commission what the

14 tariff charges are for the late fees and what the

15 current policy is in that area.

16 MS. HERNANDEZ: Okay. I will, Judge.

17 MR. GORDON: May I make one more --

18 JUDGE DIPPELL: Thank you, Mr. Gordon.

19 MR. GORDON: May I make one more

20 comment?

21 JUDGE DIPPELL: Oh, sure. Yes. Go

22 ahead.

23 MR. GORDON: Again, with the current

24 state-of-the-art in business, it would be nice to have

25 access to a website. We would like to see Aqua

1 Missouri have a website. It would help eliminate many
2 of these questions.

3 They could have their website updated
4 with new construction, with maintenance situations,
5 with improvements to customer service, with even access
6 to current and past billings on a website, as many,
7 many companies do these days.

8 I don't think that's so uncommon, that
9 expensive, or that difficult to provide a quality web
10 service that would allow us as their customers to know
11 what's going on so that we have less questions, because
12 it's there, and for them to solicit our input.

13 Send us a survey every six months:
14 How's our service? Has our phone improved? Has the
15 water quality improved? Have you had outages? How do
16 you like the service in your area?

17 It's a win-win situation for both
18 corporations and consumers that can go a long way to
19 eliminating many of these discussions.

20 And perhaps I am incorrect on some
21 issues. I'd like a source, a website, to find that
22 information quickly that eliminates many of these
23 questions and misunderstandings.

24 JUDGE DIPPELL: Thank you for your
25 suggestions.

1 MR. GORDON: Thank you.

2 JUDGE DIPPELL: Ms. Baker, did I ask if
3 you had questions?

4 MS. BAKER: Yes. Yes. You did, Judge.
5 Thank you.

6 JUDGE DIPPELL: Okay. Thank you.

7 MR. GORDON: Thank you.

8 JUDGE DIPPELL: Thank you, Mr. Gordon.
9 Appreciate your comments.

10 (Witness excused.)

11 MR. KELLY: Iliah Eshelman.

12 MS. ESHELMAN: I don't have any further
13 comments, because Mr. Gordon has pretty well covered --

14 MR. KELLY: Okay.

15 MS. ESHELMAN: -- 90 percent of it.

16 MR. KELLY: Okay. Sharon Smith.

17 MS. SHARON SMITH: Hello.

18 JUDGE DIPPELL: Hi. Do you solemnly
19 swear or affirm that the testimony you're about to give
20 at this hearing will be the truth, the whole truth, and
21 nothing but the truth?

22 MS. SHARON SMITH: Yes, ma'am. My name
23 is --

24 JUDGE DIPPELL: Go ahead and -- go
25 ahead.

1 MS. SHARON SMITH: My name is Sharon
2 Smith, S-h-a-r-o-n S-m-i-t-h. I live in Maplewood.
3 And unlike with everybody else, everything is going up.
4 I am on Social Security disability. I do have a hard
5 time.

6 I know our billing doesn't come out just
7 right on time. What I do is I always get the number
8 and I call the account -- my -- and -- for my account,
9 because whenever I get my checks on a certain day of
10 the month, I have to sit and I have to figure out every
11 bill on that day. So I call and get my information on
12 my account that way.

13 Now, here about a week ago, I had a
14 problem with my meter. It seemed like it was just, you
15 know, full of water at all times. I didn't understand,
16 you know, what was going on, so I called the customer
17 service. They were very, very nice, and didn't have a
18 problem.

19 I told them -- I said, I think I have a
20 problem with my line, because, you know, something is
21 not right; I have water standing upon my meter. So the
22 gentleman that does take care of our services out
23 there -- I will agree with everybody -- he's doing a
24 wonderful job.

25 He come in and he cracked everything

1 around my meter, and, yes, he did place a plastic tube
2 around my meter, and then just sit the thing upon --
3 you know, the lid upon it.

4 He did tell me to watch it for several
5 days, to make sure, you know, there would be no further
6 leaks. And I had noticed, he had stopped in, and he
7 did take and, you know, check it. Okay.

8 And again, I do agree with the gentleman
9 prior that everything is, you know -- and I'm a single
10 person, and I live in, you know, a ranch-style home.
11 It's awful funny how they do that, you know.

12 I told a lady my water bill, and this
13 other lady said, Well, mine is, like, eighty-some
14 dollars. I don't understand how you -- and I said -- I
15 don't know. I try to conserve. Our lights has went
16 up; now our water is going up.

17 I deal on propane. Propane is 2.22 a
18 gallon, and I have to pay umpteen, you know -- you
19 know, umpteen dollars for just my propane to stay lit.
20 So I'm thinking about going to Empire, but then I'm not
21 for sure if I just want to go all electric.

22 You know, anymore, it's a toss across of
23 what in -- what in God's creation are we going through?
24 We're going through a recession; I know that. Gas, I
25 thought would go down. It's not going to go down.

1 Prices of food's going up.

2 I don't get a big lump sum of food
3 stamps, but they expect me to think that I'm living
4 high on a king out here. I agree; everything needs to,
5 you know, calm down. I got a whole \$17 raise, and
6 guess what? Everybody's got a piece of the pie, and I
7 got nothing.

8 That's my comments.

9 And the billing is -- I feel should be
10 on the same day of every time, but I take it and call
11 the number, and I just enter my account number. And
12 therefore I make it easier for myself to find out -- I
13 write my check and I just hold on to it until my bill
14 comes in.

15 Because I have to have it -- all my
16 bills filled out and everything whenever my Social
17 Security disability hits my bank, because I am a one
18 single person; and I don't have a lot of money to go
19 around.

20 But that's my comments.

21 You know, I did have -- you know,
22 everything turned out fine with my water. It was a
23 leak on their side. And so I didn't have to worry
24 about foreclosure, because I wouldn't have been able to
25 pay for it.

1 But other than that, I have -- I've
2 never had no problem with anybody. It's just, you
3 know, I'm tired of everything being raising and
4 everybody's wages are staying the same. That's my only
5 thing.

6 JUDGE DIPPELL: Appreciate your
7 comments. Commissioner Murray, did you have any
8 questions?

9 COMMISSIONER MURRAY: Just very briefly.
10 Are you satisfied with the taste and the smell of your
11 water?

12 MS. SHARON SMITH: I'll be honest with
13 you, I -- I don't drink the water. I don't. I just
14 use it to wash. I use it for -- to make coffee.

15 I know sometimes -- you know, like, if
16 you go, like, early in the mornings, you know, your
17 stool won't flush right off of the bat. Other than
18 that, I don't drink the water. I don't. I just -- I
19 totally refuse to.

20 COMMISSIONER MURRAY: Is it -- is there
21 any particular reason? I mean, do you not like the
22 taste of it? Or do you --

23 MS. SHARON SMITH: I have to -- to be
24 sincere about it -- and I know everybody laughed when I
25 said I don't drink the water -- it's just it always --

1 sometimes had a smell to it.

2 But if I do drink it, I have to put in a
3 container, and I have to put in my refrigerator and let
4 it sit, and then I drink that water. But just straight
5 out of the tap? No, ma'am. I will -- I just will not
6 do it.

7 COMMISSIONER MURRAY: All right. Have
8 you had to call customer service about anything?

9 MS. S. SMITH: Yes, ma'am. Two weeks
10 ago, whenever I had a leak, or whatever it was, with
11 the line. And they were very nice to me. They told me
12 that, you know, they were glad that I had called.

13 The gentleman -- I don't know what his
14 name is -- he called me back that night and he said, Do
15 you think that it would be able to last until tomorrow?
16 And I said, Well, it's lasted this long. I said, You
17 know, it should, you know, maybe be all right for a day
18 or two.

19 But it was -- it was coming off of the
20 main -- you know, the main line, is what it was. Just
21 a little bitty pinhole made a big, big pile, you know,
22 of water, just on one section.

23 But like I said, they tore out the old
24 cover around my meter; they told me to kind of watch my
25 meter to make sure that, you know, there was no

1 after-effect, you know, with them having to wrestle
2 and, you know, do all the work to it.

3 I've never had a problem with anybody.
4 They were very kind and considerate. But I do --

5 COMMISSIONER MURRAY: Okay.

6 MS. S. SMITH: -- I do -- would like to
7 comment that, you know, it would be nice to have our
8 water, you know, bills on time and, you know,
9 everything else. The gentleman before us did a real
10 good job.

11 COMMISSIONER MURRAY: Okay. But you've
12 not had any problem with the people, the customer
13 service reps that you've called or the serviceman?

14 MS. S. SMITH: No.

15 COMMISSIONER MURRAY: Okay.

16 MS. S. SMITH: No. As a matter of
17 fact --

18 COMMISSIONER MURRAY: Thank you very
19 much.

20 MS. S. SMITH: -- I was very lucky.
21 Thank you.

22 COMMISSIONER MURRAY: Thank you.

23 JUDGE DIPPELL: Ms. Baker, did you have
24 questions?

25 MS. BAKER: No. I have no questions,

1 but thank you for commenting.

2 MS. S. SMITH: Okay.

3 JUDGE DIPPELL: Ms. Hernandez?

4 MS. HERNANDEZ: I have no questions.

5 Thank you.

6 JUDGE DIPPELL: Ms. Smith?

7 MS. SHARON SMITH: Yes.

8 MS. SMITH: Oh, I have no --

9 JUDGE DIPPELL: The other Ms. Smith.

10 MS. SMITH: -- questions. No. Thank

11 you.

12 JUDGE DIPPELL: Thank you, Ms. Smith,

13 for your comments.

14 MS. S. SMITH: Okay. Thank you.

15 (Witness excused.)

16 MR. KELLY: Mary Barnes.

17 MS. BARNES: I don't know if I need to

18 talk. They said it all.

19 MR. KELLY: Well --

20 JUDGE DIPPELL: Do you solemnly swear or

21 affirm that the testimony you're about to give at this

22 hearing will be the truth, the whole truth, and nothing

23 but the truth?

24 MS. BARNES: I so swear.

25 JUDGE DIPPELL: Thank you.

1 MS. BARNES: You're welcome.

2 JUDGE DIPPELL: State your name for us.

3 MS. BARNES: Barnes, Mary R.

4 B-a-r-n-e-s. Mary is the first name, M-a-r-y, middle
5 initial R. I live in Maplewood.

6 JUDGE DIPPELL: Go ahead with your
7 comment.

8 MS. BARNES: Anything else you wanted to
9 say, Judge?

10 JUDGE DIPPELL: No. Go ahead with your
11 comments.

12 MS. BARNES: I seem to do a lot of that.
13 Sorry. What I wanted to say, that I think Mr. Gordon
14 probably said everything we needed to say.

15 I wanted to say I've lived over -- at
16 least 32 years there, now, because my husband has been
17 dead for 30, and we lived here about two years before
18 he died.

19 And I've never a problem with the water.
20 I might be the only one that really drinks it out of
21 the tap. It tastes much better than my daughter's well
22 water -- much better.

23 But I am concerned about the cost of it
24 going up. I, too, am a widow on a fixed income. And
25 everyone around us is on a fixed income.

1 And I know to drive into town, it's not
2 too far, but it has to have been cut down to where we
3 go in, say, once a week instead of, say, two or three
4 times.

5 And it's just -- it's hard on everyone
6 out there. I might say everyone in the whole United
7 States is having the same problem, so I should be happy
8 I live in a small town.

9 But somebody was worrying about water;
10 you-all should live in the desert. I was raised on the
11 Mohave. We have water here. It's green, not brown.
12 Be thankful and praise God. And that's all I have to
13 say, because Mr. -- he covered everything beautifully.

14 UNIDENTIFIED SPEAKER: He did. He did a
15 good job.

16 MS. BARNES: And I am concerned about
17 the addition to everyone's income being whacked off,
18 and that's why I came here. Is there any questions?

19 JUDGE DIPPELL: Thank you.

20 MS. BARNES: Thank you.

21 JUDGE DIPPELL: Commissioner Murray?

22 COMMISSIONER MURRAY: No questions, but
23 thank you, Mrs. Barnes --

24 MS. BARNES: Thank you.

25 COMMISSIONER MURRAY: -- for your

1 testimony.

2 JUDGE DIPPELL: Ms. Baker, did you have
3 any questions?

4 MS. BAKER: No. I have no questions,
5 but thank you so much.

6 JUDGE DIPPELL: From Staff?

7 MS. HERNANDEZ: No questions.

8 MS. BARNES: Oh, okay.

9 JUDGE DIPPELL: For the Company?

10 MS. BARNES: I thought she was through.

11 MS. SMITH: Thank you.

12 JUDGE DIPPELL: You're fine,
13 Mrs. Barnes. You're finished. You may be excused.
14 Thank you.

15 MS. BARNES: Excuse me.

16 (Witness excused.)

17 MR. KELLY: Judge, that's the last name
18 on our list.

19 JUDGE DIPPELL: Is there anyone else
20 here that would like to testify?

21 MR. KELLY: I don't believe so, Judge.

22 JUDGE DIPPELL: Okay. Then I want to
23 thank you all very much for coming out today. I know
24 some of you came a few years ago when we had these
25 hearings, and I appreciate your returning and updating

1 us on your situation.

2 We will -- the Commission will be -- the
3 other commissioners will reading the transcripts that
4 didn't have an opportunity to be here tonight. So
5 thank you very much, and this concludes the on-record
6 portion of the hearing. We can go off the record.

7 (WHEREIN; the hearing was concluded.)

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2 CERTIFICATE OF REPORTER
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