

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
3 TRANSCRIPT OF PROCEEDINGS
4 Public Comment Hearing
5 June 9, 2008
6 Warsaw, Missouri
7 Volume 6
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
21 NANCY DIPPELL, Presiding,
DEPUTY CHIEF REGULATORY LAW JUDGE
22
23 CONNIE MURRAY
ROBERT M. CLAYTON, III,
COMMISSIONERS.
24 REPORTED BY:
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1 P R O C E E D I N G S

2 JUDGE DIPPELL: And if you all are ready
3 then we can go ahead and go on record.

4 The Missouri Public Service Commission
5 has set this time for a local comment hearing in case
6 numbers WR-2008-0266 and SR-2008-0267, SR-2008-0268 and
7 WR-2008-0269 in which Aqua Missouri seeks to -- intends
8 to seek to get a general rate increase.

9 The Missouri Public Service Commission
10 regulates rates charged by investor owned utility
11 companies of Missouri to insure that those rates are
12 just and reasonable. The commission also regulates
13 the --

14 UNIDENTIFIED SPEAKER: Her voice is kind
15 of fading out. Can she speak up a little bit --

16 THE COURT REPORTER: I'm sorry, sir.

17 UNIDENTIFIED SPEAKER: -- so we can
18 hear?

19 JUDGE DIPPELL: Is there a problem
20 hearing?

21 MS. BAKER: Yes, we're having a little
22 bit of problem hearing.

23 JUDGE DIPPELL: Okay. I'll speak up and
24 see if -- is that any better?

25 UNIDENTIFIED SPEAKER: There you go.

1 MS. BAKER: Yes, that helps.

2 JUDGE DIPPELL: The commission is made
3 up of five commissioners, two of whom are here in
4 Jefferson City with me today. The commissioners are
5 appointed by the governor to fixed terms and confirmed
6 by the Senate. The commissioners also employ a staff
7 of engineers, accountants, attorneys, financial
8 analysts and other specialists in the field of utility
9 regulation.

10 My name is Nancy Dippell and I'm a
11 regulatory law judge for the Missouri Public Service
12 Commission. I will preside over today's hearing.

13 We're video conferencing this hearing,
14 as you're aware, from the community learning center of
15 the high school in Warsaw and the commission's offices
16 in Jefferson City. In addition, we're broadcasting
17 these hearings over the Internet.

18 With me in Jefferson City today are
19 Commissioner Murray and Commissioner Clayton. And the
20 court reporter in Warsaw is transcribing this hearing
21 so that the other commissioners may re-- review and
22 read the comments. The sound and video of the hearing
23 is also being recorded here in Jefferson City.

24 Also present here in Jefferson City with
25 me today is staff counsel, Jennifer Hernandez, and

1 water and sewer permit staff and technical staff and --
2 and we have an attorney for the company here in the
3 room with me today.

4 And then in Je-- or in Warsaw, you've
5 already met Water and Sewer Department staff member,
6 Jim Russo, as well as Christina Baker, whose with the
7 office and the public counsel. In addition, I believe
8 there's probably some Aqua Missouri representatives
9 there and -- and hopefully you've had an opportunity to
10 meet them.

11 I'd like to thank the Warsaw High School
12 for providing us with the facility and just mention
13 that the comments and statements that are made here
14 tonight are in no way associated with the school.

15 This is an official hearing of the
16 Missouri Public Service Commission and as such, the
17 statements and testimony of the witnesses will be
18 recorded by the court reporter and will be taken under
19 oath or affirmation.

20 The purpose of the hearing tonight is to
21 receive your comments regarding the proposed rate
22 increase. The company will not present witnesses and
23 will not answer questions while we're on the record.
24 The commissioners are also not here to answer questions
25 but only to listen to your remarks.

1 This is your opportunity to comment and
2 your remarks will become part of the record of this
3 case. If you wish to testify, please put your name on
4 the sign-up sheet that Mr. Russo has there, if you
5 haven't already done so.

6 He'll call the name of each witness
7 who's signed up to speak and after everyone who's
8 signed up has been called, I'll then ask if there's
9 anyone else who'd like to sign up at that time.

10 And when your name is called, I'll ask
11 you to please come forward to where the microphone is.
12 If you could spell your name for the court reporter so
13 they can get it in the record correctly and then if you
14 could go ahead and give us your comments at that time.

15 After you've given us your comments,
16 there may be some questions from the commissioners or
17 myself or from some of the attorneys, so I'll ask you
18 to stay at the microphone until you've been excused.

19 If a previous speaker has already made
20 the point that you wanted to make, you can simply state
21 that you agree with what the previous person said. And
22 I'll ask that the audience not make comments or cheers
23 or applause while someone else is testifying so that
24 everyone will feel free to speak. In case they might
25 have a different opinion, we don't want anyone to be

1 intimidated.

2 So now, I'll ask the attorneys to go
3 ahead and make their entries of appearance and I'll
4 start with staff.

5 MS. HERNANDEZ: Jennifer Hernandez for
6 staff and Missouri Public Service Commission, P.O. Box
7 360, Jefferson City, Missouri, 65102.

8 JUDGE DIPPELL: And the company.

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

12 JUDGE DIPPELL: And Ms. Baker.

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

17 JUDGE DIPPELL: Thank you.

18 Mr. Russo, can you call our first
19 witness?

20 MR. RUSSO: Marty Fiser.

21 MS. FISER: Yes. My name is Martha
22 Fiser. I am from Laurie, Missouri.

23 JUDGE DIPPELL: Could I please get you
24 to raise your right hand?

25 (Witness sworn.)

1 JUDGE DIPPELL: Could you spell your
2 name for us?

3 MS. FISER: Martha Fiser, F-, as in
4 Frank, I-S, as in Sam, E-R.

5 JUDGE DIPPELL: Great. Go ahead and
6 give us your comments, Ms. Fiser.

7 MS. FISER: Yes, well, most of my
8 comments I have given to the three interested parties,
9 being Aqua, Mr. Russo and Ms. Baker -- Mrs. Baker --
10 Ms. Baker. And I hope that they take all those
11 comments in to play. I've practically said it all.

12 I will comment also that I have liv--
13 lived in Ozark Meadows longer than any of the other
14 residents and when I moved there, we were on a
15 glorified septic system. And the developer, waiting on
16 the city of Laurie to get their sewer system in, was
17 being heavily penalized because it wasn't working
18 properly and there was only five or six houses there.

19 There's the potential of about 36 houses
20 in the area that I am in and there was a further
21 potential at one time of a great many more houses.
22 Well, that's not so any more. And I feel that Aqua
23 bought that sewer system from the developer in the hope
24 that it would be a much bigger system and it's not
25 going to happen. That is not our fault.

1 Furthermore, it's not our fault that the
2 city of Laurie didn't get the sewer system in in time
3 for us, as residents -- we are residents of the city of
4 Laurie, to be on that system, which is a very
5 economical system, comparatively.

6 We did not get the benefit of any of the
7 grants that Laurie got, any of the bonds, any of the
8 fact that we voted that system in and yet we get no
9 benefit from any of that. We simply pay through the
10 nose for a system that we do have.

11 Up until just a few years ago, I was
12 paying as a single resident the same cost that the
13 duplicate residents were, husband and wife or two
14 persons were paying. We finally -- we finally, when
15 they asked for a rate increase, finally got on Laurie's
16 water meter sys-- reading so that Aqua could then
17 charge us a reasonable, hopefully, rate for the amount
18 that we actually were putting into the system.

19 Well, their raise didn't get put through
20 at that time. And now here they are, less than two
21 years later, asking again for an unreasonable 300 and
22 more percent raise. And to top it all off, the Public
23 Service Commission is saying they ought to have more.
24 Where does this stop?

25 We are all seniors. I think I speak for

1 all of us. I think most of us are in the same income
2 situation that I'm in and that is where our income will
3 never increase since I've -- well, social security
4 increases us a little bit and takes it off of Medicare.

5 We -- in the nine years that I've lived
6 in that house, my personal income, because of interest
7 rates going down on what little money I manage to save
8 that would supplement my social security as they begged
9 me to do all the years that I worked, has gone down
10 \$4,000 a year because of the interest rates going down,
11 down, down.

12 My buying power has, who knows, has gone
13 down at least that much I'm sure. In the last few
14 months it's gone down probably half as much as it did
15 all along. Where is it going to stop?

16 Do we not perhaps need a subsidy since
17 the subsidy, whoever was providing it to Aqua Source
18 has been cut off? Do you not perhaps need a subsidy
19 from the city of Laurie so that we can be treated the
20 same as all Laurie residents instead of discriminated
21 against? And we should have been put on their system
22 to start with. At least given a choice.

23 And now when we mention it at all they
24 say, Oh, well, you'll have to have a special pump.
25 You'll have to pay a huge price to get on it, as though

1 you didn't live in the city, like we're furnishing for
2 all of the other people who do not live in the city.
3 We're putting those communities on and they're paying,
4 what, \$5,000 to get hooked up. I don't know, some big
5 amount.

6 They say if -- if that ever come to pass
7 we would have to pay that kind of money. We should
8 have been put on in the first place.

9 Maybe a subsidy would be the answer and
10 all of the city -- all of the residents of the city of
11 Laurie would be subsidizing so that we would not have
12 to pay such a high price. Even if they had to raise
13 the tax a half a percent so that we would all be
14 treated the same.

15 I hope you'll look at my other comments
16 because this is the first time I've really brought this
17 up. And my other comments I'm sure have been brought
18 up many other times and I know they've been brought up
19 in my correspondence. Thank you very much.

20 JUDGE DIPPELL: Ms. Fiser, the
21 correspondence that you have, have you already
22 submitted that --

23 MS. FISER: Yes, ma'am. Yes, ma'am.

24 JUDGE DIPPELL: Okay.

25 MS. FISER: Yes, ma'am. Several times.

1 JUDGE DIPPELL: Okay. Great.

2 MS. FISER: Off and on. Even helped
3 other residents who did not have computers nor maybe
4 the necessary words to express themselves. I would
5 have them make their notes and from their notes I would
6 help them with their letters.

7 JUDGE DIPPELL: We appreciate that.
8 Thank you.

9 Commissioner Murray, do you have any
10 questions?

11 COMMISSIONER MURRAY: Ms. Fiser, thank
12 you very much for your testimony this evening.

13 MS. FISER: You're welcome.

14 COMMISSIONER MURRAY: I have just a few
15 questions for you. You indicated that Ozark Meadows
16 has the potential for 36 homes --

17 MS. FISER: Yes. I have the plot right
18 here.

19 COMMISSIONER MURRAY: How many homes are
20 there now?

21 MS. FISER: Probably half that. Half
22 that. Over a period of nine years. It's very slow
23 going, very slow going. And this is one of the
24 reasons. It truly is. Aqua Source billing is -- is
25 just a mystery to us all, a mystery.

1 Before Christmas we get a bill. Mine
2 alone was \$118 because they hadn't billed me for seven
3 months. I didn't know it. My stuff all comes out of
4 the bank. I didn't know that my bank had not been
5 getting any requests for -- for money and that I hadn't
6 been getting a bill, you know.

7 I thought I was getting a bill every
8 month. All of the sudden, I get a huge bill. I
9 honestly think they operate out of a -- a pick up truck
10 with a cell phone and a laptop. Because when you call
11 them, you get one answer on -- on this -- on this
12 strange bill that we got, on that big \$117 bill that I
13 got just before Christmas.

14 I get an answer that says, Well, you're
15 meter reading shows zero, your meter reading shows
16 zero, your meter -- that's all they could say to me.
17 I'm serious. I didn't ha-- I don't have a sewer meter.
18 I have a water meter.

19 And the city of Laurie provi-- would,
20 gladly, provide all that information. I understand
21 they would have in the very beginning have provided
22 that information for a cost that nobody wanted to pay.

23 COMMISSIONER MURRAY: How long have you
24 lived in Ozark Meadows?

25 MS. FISER: I have lived in Ozark

1 Meadows for nine years.

2 COMMISSIONER MURRAY: All right. And
3 how long has Aqua Missouri been your provider?

4 MS. FISER: Almost the full nine years.
5 I can't remember the exact date. I know that the
6 Ockies (ph.) who were the developer -- I say, I know,
7 I'm going to say, I believe that the Ockies who were
8 the developer sort of were forced to put that system in
9 because of the heavy penalties they were getting from
10 the environmental people. And --

11 COMMISSIONER MURRAY: How close --

12 MS. FISER: Beg pardon.

13 COMMISSIONER MURRAY: I'm sorry. Go
14 ahead.

15 MS. FISER: And then, as I understand
16 it, they sold the system to Aqua Missouri. And I
17 believe, I truly believe that Aqua Missouri saw the
18 potential of the first part of the development of being
19 36 houses.

20 The Ockies owned a great deal more
21 property adjoining. And as I was taken through my
22 home, I was told, This is the first development.
23 Beyond this, there will be maybe 40 more houses. There
24 will maybe even be some assisted living. We hope maybe
25 some day there will even be a -- a nursing facility if

1 the State sees that there is a need for one.

2 This was supposed to be a divine senior
3 center -- senior citizen community. It's n-- didn't
4 ever happen and now they don't even own the property
5 any more. It went back to the Catholic Church from
6 where it came. And so --

7 COMMISSIONER MURRAY: Ms. Fiser, who
8 supplies your water?

9 MS. FISER: The city of Laurie for us
10 and all the other residents.

11 COMMISSIONER MURRAY: How close in
12 proximity are you to the city of Laurie's sewer system?

13 MS. FISER: As close as anybody. I
14 don't know. I can't tell you. But I'm as close as
15 any -- the Catholic Church, which is -- I can walk to
16 it, is on the system.

17 And it would be, as I see it, we're
18 all -- we've got all the -- all the pieces of -- of
19 equipment except hooking us up to the other system.
20 Taking us off of one and putting us on the other.

21 I don't know -- I don't know the details
22 of such things but I can't see -- I know that they
23 maybe would need a, what they call a pump to raise it
24 up here and move it over there and all that good stuff
25 but they did that for everybody, everybody in Laurie

1 without charging them anything extra if they already
2 lived there.

3 Now, if they build a house now, that's
4 another matter or if they live outside the city of
5 Laurie and build a huge complex, which they've done,
6 they will furnish their sewer system and their water
7 system but they have to pay to get on it, you see. But
8 we should not be in that category at all.

9 COMMISSIONER MURRAY: You said, "If they
10 already lived there." At one point in time are you
11 talking about?

12 MS. FISER: I'm talking about when the
13 sewer went in and when it was being proposed and when
14 the grants were being made and the bonds were being
15 sold and the taxes were being charged and still are. I
16 pay Laurie city taxes just like anybody else. But I do
17 not get a sewer benefit out of it.

18 COMMISSIONER MURRAY: When did it go in?
19 When did the system go in?

20 MS. FISER: I wished I could tell you
21 exactly but it's been probably at least five years
22 would be my guess, probably a bit longer.

23 COMMISSIONER MURRAY: You were already a
24 resident in Laurie at the time?

25 MS. FISER: Yes, ma'am. I was in -- I

1 was a Laurie resident the day I moved in my house.

2 And -- and that house was in Laurie always. It was
3 never in any place else but in the city of Laurie.

4 COMMISSIONER MURRAY: And you did not
5 have the opportunity for going on Laurie's --

6 MS. FISER: No, ma'am.

7 COMMISSIONER MURRAY: Have you ever
8 talked to the city?

9 MS. FISER: Yes, ma'am. No results.
10 Sorry. They have a contract. Aqua Source has a
11 contract, Ockies have a contract. I don't know what
12 contract. I'm not a lawyer. We need a lawyer.

13 We ca-- there's no way 20 people of my
14 stature can get a lawyer and say to the city of Laurie,
15 You need to do something about this, or to whomever.
16 To Aqua Source, who needs to say to Laurie, You need to
17 subsidize this or something needs to be done. We are
18 discriminated against.

19 COMMISSIONER MURRAY: Well, I will look
20 forward to reading what you have put into the record.
21 Thank you very much.

22 MS. FISER: All right. Thank you very
23 much for listening. Appreciate it.

24 Commissioner Clayton, did you have any
25 questions?

1 COMMISSIONER CLAYTON: Ms. Fiser, I
2 don't have any questions for you. All my questions
3 have been answered. Thanks for --
4 MS. FISER: Super. Thank you.
5 JUDGE DIPPELL: Questions, Ms. Baker?
6 MS. BAKER: I do have a couple of
7 questions.
8 MS. FISER: Oh, good.
9 MS. BAKER: One, you mentioned that you
10 have an issue with your billing. That you had not
11 gotten bills for how long?
12 MS. FISER: Seven months, I believe it
13 was.
14 MS. BAKER: Okay. And when did you
15 finally get a bill?
16 MS. FISER: Just before Christmas.
17 MS. BAKER: Okay.
18 MS. FISER: A tremendous bill in my
19 notion.
20 MS. BAKER: All right. Had you had
21 anything like that happen before?
22 MS. FISER: No.
23 MS. BAKER: Okay. Have you gotten bills
24 before that monthly?
25 MS. FISER: Yes.

1 MS. BAKER: Okay. Have you had any
2 other billing issues?

3 MS. FISER: Well, now they have me on
4 that \$118 -- or \$17 they're having to give us credits
5 back. Now, I didn't ask for a check back. Now, one of
6 my neighbors did. One of neighbors says, Hey, you
7 can't hold my money. Give it back to me all at once.
8 And they sent him a check.

9 I didn't even think of it. And it --
10 you know -- I didn't -- that doesn't bother me.

11 MS. BAKER: Okay.

12 MS. FISER: But I would like to see them
13 get on a good clean system of billing where I can see
14 the gallon each that goes down my sewer and the -- the
15 minimum that I must pay and what I get for that
16 minimum. Anything? The way it looks here, I don't get
17 anything. And the rate I'm charging -- I'm being
18 charged for anything over the minimum and I would like
19 that to be based on something or other.

20 And I will comment, one thing, in the
21 four months that I've known about this, what looks like
22 a terrible 352 percent increase, I have cut my water
23 bill down by -- by 40 percent. And I intend -- and
24 Laurie will lose a little money on me and so will the
25 sewer people lose a little cause I intend to continue

1 it. Just because I need to, I need to.

2 Before I didn't feel like that was a
3 terrible thing to take a lengthy shower if I wanted to
4 or run my dishwasher just because my silverware was
5 running low or to run my washer because I really needed
6 a clean pair of socks. And I would make up a half load
7 to do that.

8 But I don't do those things any more.
9 I -- I do some really strange things that I won't even
10 tell you about to save water.

11 MS. BAKER: Have you had any chance to
12 deal with Aqua's customer service?

13 MS. FISER: Yes, ma'am.

14 MS. BAKER: Okay. What's been your
15 experience?

16 MS. FISER: Absolutely, unbelievable
17 poor.

18 MS. BAKER: Can you give an example?

19 MS. FISER: Yes. Yes. I called about
20 whatever I call about, which is either don't understand
21 the rates or don't understand this or don't understand
22 that and I get -- I get a very young person who does
23 not seem to understand at all what I'm talking about.
24 And I think I'm fairly -- I think I speak fairly
25 clearly and fairly well.

1 And I ask to speak to someone else and I
2 finally after a time maybe get to do that. It's not a
3 whole lot better. Their customer service is not really
4 good.

5 A friend of mine across the road at the
6 end of the system lived for two years with sewage in
7 her yard. At one call, she finally called maybe the
8 Public whoever and -- or maybe called a plumber, I
9 don't know which. But Aqua Source had nothing to say
10 to her except scolding her bitterly for calling
11 somebody to get the sewage out of her yard and it took
12 them at least two years, two years.

13 Now, they may call that an improvement.
14 It wouldn't surprise me but they call that an
15 improvement. What they did is they fixed the system
16 that was wrong to start with and they admitted, This
17 would have never worked, you know, the people that come
18 out and what -- the only improvement I ever know of
19 that they made and I don't call that an improvement, I
20 call that a correction.

21 MS. BAKER: I think that's all the
22 questions that I have. Thank you for coming.

23 MS. FISER: All right. Thank you.

24 JUDGE DIPPELL: Are there any questions,
25 Staff?

1 MS. HERNANDEZ: Yes. Good evening. Can
2 you clarify, when you sent in comments, did you send
3 them in your name or did you send them on behalf of --

4 MS. FISER: No. No. I sent them in the
5 name of Marty Fiser. I speak for nobody but myself. I
6 help -- I help people but -- but no, no my comments
7 were in my name only.

8 And -- and I will say I used my computer
9 to take the notes of a few other people and type up a
10 letter for them. At least two people, maybe three. I
11 don't remember. At least twice.

12 MS. HERNANDEZ: And what date did you
13 send your correspondence?

14 MS. FISER: Various. Got a big file.
15 Many times.

16 MS. HERNANDEZ: And you sent it -- you
17 sent it to Staff or you sent it to the Office of Public
18 Counsel?

19 MS. FISER: When you say, "Staff," are
20 you -- who are you referring to?

21 MS. HERNANDEZ: The Public Service
22 Commission.

23 MS. FISER: Okay. I sent it to -- I
24 sent it to Mr. Russo and your name is Ms. Baker and to
25 Aqua Source. Each had a copy of whatever I might have

1 said to the other in most instances. I maybe very
2 recently had a little correspondence with Ms. Baker
3 that was just between her and I about these meetings,
4 possibly.

5 But my comments, where I made comments,
6 they went to each and every person I named.

7 MS. HERNANDEZ: Okay. Thank you.

8 MS. FISER: You're welcome.

9 JUDGE DIPPELL: Did you have any?

10 MS. SMITH: I have no questions. Thank
11 you.

12 JUDGE DIPPELL: Thank you, Ms. Fiser.
13 We appreciate your comments.

14 MS. FISER: Thank you. Thank you.

15 JUDGE DIPPELL: Who's next?

16 MR. RUSSO: Ron Bennefeld.

17 (Witness sworn.)

18 MR. BENNEFELD: When we started out when
19 Aqua --

20 JUDGE DIPPELL: Could you please --
21 could you please state your name and spell it for the
22 court reporter?

23 MR. BENNEFELD: Ron Bennefeld,
24 B-E-N-N-E-F-E-L-D.

25 JUDGE DIPPELL: Thank you. Go ahead

1 with your comments.

2 MR. BENNEFELD: When we started out when
3 Aqua Source bought this, it went along pretty good.
4 They put some new mains in over here in White Branch
5 and upped the water volume the people over in the north
6 end was getting and then they asked for the rate
7 increase, which that was fine with me when they went to
8 the 25 36.

9 They had promised -- there was two boys
10 that worked for them to start with named Mike Rankin
11 (ph.) and Steve Lathan (ph.), he works for you all now.
12 They promised to put a new two-inch main down, they'd
13 got a okay, behind the block that I live on. Never got
14 done.

15 Then they come along and they say here a
16 few months ago they'd spend about \$60,000 on all these
17 projects since this rate raise. Well, the only thing
18 they did that I've seen is close two wells down and
19 they couldn't have spent over a couple thousand dollars
20 doing that. Me and Steve Lathan closed one down and
21 probably didn't have 5-, 600 dollars the company and my
22 money in it.

23 I -- I don't believe it. They say they
24 put new mains in since this last rate increase, I live
25 over there. I ain't seen nothing dug up other than a

1 water leak here and there fixed.

2 Their billing's terrible. They went for
3 two or three months and couldn't figure out what they
4 was doing. They was sticking that \$2, I forget what
5 they call it. That pro-- or profay (ph.) that you got
6 to -- once a year ya'll charge. The state collects \$2
7 once a year from every water customer. Whatever
8 They -- what do they call it? What do they call it?

9 UNIDENTIFIED SPEAKERS: Prorate.

10 UNIDENTIFIED SPEAKER: Primacy.

11 MR. BENNEFELD: Primacy thing. They
12 tried to stick that on there every month till I called
13 Steve and got that straightened out and then it took
14 forever to get the billing straightened out. Now they
15 can't bill you 30 days, they get one 37 days, 31 days,
16 27 days.

17 And to talk to them on the phone, if you
18 can even get hold of them, is just next to impossible.
19 I mean, I've dealt with some big companies in my
20 business, but this is one of the poorest ones I've ever
21 dealt with. I would even put this lower than Archery
22 Engineers.

23 But that's pretty much what I got to
24 say. I don't believe they need a rate increase right
25 now cause they haven't did nothing where they need it.

1 They haven't showed me not that they done.

2 JUDGE DIPPELL: Thank you. Commissioner
3 Murray, do you have any questions?

4 COMMISSIONER MURRAY: Just briefly.

5 Thank you, Mr. Bennefeld, for being
6 here. How long have you lived in your home?

7 MR. BENNEFELD: Twenty years -- 19
8 years.

9 COMMISSIONER MURRAY: So how long have
10 you -- how long has Aqua been your supplier?

11 MR. BENNEFELD: Seven -- 6, 7, 8 years.
12 I don't -- how long have they owned it, Dana?

13 MS. HALE-RUSH: This company since 2003.
14 Rick probably bought it back in mid-'90s.

15 MR. BENNEFELD: No. I mean, when'd Rick
16 sell it?

17 MS. HALE-RUSH: He sold it in '98, '99.

18 MR. BENNEFELD: I don't know, 7 or 8
19 years probably, something like that. Somewhere --

20 COMMISSIONER MURRAY: Can you tell me,
21 has the service improved or deteriorated since Aqua
22 took it over?

23 MR. BENNEFELD: Mine's never changed.
24 It improved when Rick Helms bought it and put the new
25 water tower in. Since then, I've seen no change at

1 all.

2 COMMISSIONER MURRAY: And --

3 MR. BENNEFELD: Maybe to the people in
4 the other end of White Branch but over in our end where
5 they promised to put the new main in, they never did do
6 it so it hasn't changed. And we've got a lot more
7 people lives over there where it used to be just
8 weekenders on -- along my street. And now it's
9 everybody along the street's on a one-inch main for
10 about nine or ten houses.

11 COMMISSIONER MURRAY: Now, have you
12 found any significant problems such as sewage backup or
13 anything like that?

14 MR. BENNEFELD: Sewage -- this isn't got
15 nothing to do with sewage, this is from water service.
16 We own our own sewage.

17 COMMISSIONER MURRAY: And Aqua has
18 nothing to do with your waste water service?

19 MR. BENNEFELD: I hope not. They
20 didn't.

21 COMMISSIONER MURRAY: Okay.

22 MR. BENNEFELD: That's a Benton County
23 Sewer Department. Yeah.

24 COMMISSIONER MURRAY: They supply your
25 sewer as well but they do not --

1 MR. BENNEFELD: They don't supply our
2 sewer. Benton County Sewer District does that. We
3 voted that in a few years back.

4 COMMISSIONER MURRAY: And how about your
5 water service?

6 MR. BENNEFELD: That's Aqua.

7 COMMISSIONER MURRAY: Yes. But I mean,
8 how -- how would you rate it, the service itself? The
9 water quality, the --

10 MR. BENNEFELD: It's still rusty like
11 it's always been but that's part of living down here in
12 the Ozarks.

13 COMMISSIONER MURRAY: Thank you. I
14 think that's all the questions I have.

15 JUDGE DIPPELL: Commissioner Clayton?

16 COMMISSIONER CLAYTON: Mr. Bennefeld, I
17 want to talk about this quality. You say your water's
18 rusty?

19 MR. BENNEFELD: Yeah.

20 COMMISSIONER CLAYTON: Is that what you
21 just said it was?

22 MR. BENNEFELD: Yeah. It's --

23 COMMISSIONER CLAYTON: It's always been
24 that way?

25 MR. BENNEFELD: It's been that way

1 forever.

2 COMMISSIONER CLAYTON: Okay. And what
3 about the water pressure?

4 MR. BENNEFELD: Oh, it's off and on,
5 just depends. Like I say, we've got a one-inch main
6 that feeds that whole street and --

7 COMMISSIONER CLAYTON: Well, that's what
8 I'm trying to understand. I'm trying to understand the
9 significance of the -- of the size of the main. Cause
10 I mean, it's -- you got just a trickle coming out
11 there, is that what's going on?

12 MR. BENNEFELD: Oh, yeah, on the
13 weekends when everybody's down here using up all the
14 water around. There's still a lot of one-inch mains.
15 There's a six-inch main goes down and turns to four
16 that goes to North White Branch but over in our end we
17 got a six-inch main that feeds a one-inch line.

18 You know, a normal house has got a
19 three-quarter-inch line into it, service line. Here
20 you got seven or eight, nine houses, all of them
21 feeding off this one-inch main.

22 COMMISSIONER CLAYTON: All right. How
23 about smell and taste of the water? Are you satisfied
24 with the smell and taste of the water or --

25 MR. BENNEFELD: Yeah, I am.

1 COMMISSIONER CLAYTON: You are?

2 MR. BENNEFELD: Yeah.

3 COMMISSIONER CLAYTON: Okay. I don't

4 think I have any other questions. Thanks for coming

5 out tonight.

6 MR. BENNEFELD: You bet.

7 JUDGE DIPPELL: Ms. Baker, do you have

8 any questions?

9 MS. BAKER: No. I have no further

10 questions. Thank you for coming.

11 MR. BENNEFELD: Okay. Is that it?

12 MS. BAKER: No.

13 JUDGE DIPPELL: Questions from staff?

14 MS. HERNANDEZ: I have no questions,

15 thank you.

16 JUDGE DIPPELL: And the company?

17 MS. SMITH: I have no questions, thank

18 you.

19 JUDGE DIPPELL: Thank you,

20 Mr. Bennefeld. Appreciate your testimony.

21 MR. BENNEFELD: You bet.

22 JUDGE DIPPELL: Who's the next witness?

23 MR. RUSSO: Ron Davis.

24 (Witness sworn.)

25 JUDGE DIPPELL: If you could state your

1 name and spell it for us.

2 MR. DAVIS: I'm Ron Davis, R-O-N
3 D-A-V-I-S.

4 JUDGE DIPPELL: Thank you.

5 MR. DAVIS: Okay. When Helms
6 Environmentalist first started our system, I worked for
7 them. We put the water towers in, the lines in. The
8 water tower, we got grants from the DNR, put the water
9 tower in, they were approved for us to pay for the
10 water tower, which our rates were raised. We paid for
11 that in a five-year period. I worked for Helms for
12 approximately three to four years and then I left them.

13 Then when Aqua Source took over, they
14 bought the system. Most of the expenditures, I feel
15 for working for Helms and seeing what Aqua Source does,
16 is divided into too many places. Like they have
17 Maplewood here and they have White Branch and all your
18 other little places.

19 Their expenditures are divided out
20 amongst all these places, it's not into one place.
21 When I worked for them, we had a nice small little
22 pickup, now they got a bigger one. Takes a lot of gas.
23 Some of their expenditures should be cut down.

24 As for the service, they've -- it's
25 minimal, I feel. We do have the benefit of the water

1 tower that keeps water so if electricity goes out we
2 got it for a few days. We have people down here on set
3 incomes, many of them. As I notice some of your
4 questions want to know about, the incomes of the
5 people. Well, they're a poor community, we're a poor
6 community.

7 It seems like some of your individuals
8 there doesn't realize that the sewer and water are two
9 separate things in White Branch. Not in Maplewood,
10 they're a combined issue up there.

11 Rate increases are ridiculous. We've
12 got bills of \$31 one month and this month it was back
13 to 25 and I don't know if we -- if they're going to,
14 you know, spend the money back to us like they
15 overcharge us. It's kind of funny how things work.

16 But they don't fix all the lines. I've
17 got a black, three-quarter-inch, plastic line going in
18 the back of my house and I'm -- and I got water. I'm
19 not complaining about that.

20 I'm just complaining about the rate
21 increases are not justified by the work they've done.
22 And they have one person that covers all these areas.
23 And as I worked for them, I covered these areas too and
24 I -- I spent more time in Maplewood than here but I
25 think my expenses were taken off of White Branch and

1 that way they had reasons to always try to raise
2 increase.

3 We did come before the Public Service
4 Commission once before when they got the rate increase
5 and they did get part of it and we -- thankfully, you
6 didn't give them all they wanted. And -- but this time
7 they've got just totally ridiculous.

8 I mean, people that are on social
9 security, if you look every year, they get an increase,
10 a percentage and it's minimal and then by the time they
11 take the Medicare and the Medicaid and everything else
12 out of it, they're in the hole. We -- we can't afford
13 this. People can't afford this.

14 And the Company has no reason to get
15 richer and richer and richer. We can see it in the oil
16 companies, we can see it in the food processors, we can
17 see it in everybody and they want to bleed us and we
18 can't afford to be bled.

19 And, you know, whip your questions at
20 me. I'm ready.

21 JUDGE DIPPELL: Thank you. Commissioner
22 Murray, do you have questions?

23 COMMISSIONER MURRAY: Yes. Mr. Davis,
24 can you explain to me where your community is located?

25 MR. DAVIS: Pardon?

1 COMMISSIONER MURRAY: Where are you
2 located exactly?

3 MR. DAVIS: I'm located 19057 Clinton
4 Road, in White Branch.

5 COMMISSIONER MURRAY: In White Branch.

6 MR. DAVIS: Right.

7 COMMISSIONER MURRAY: Okay. And how
8 long have you been a customer?

9 MR. DAVIS: Twenty-t-- well, I been in
10 White Branch 22 years and Helms had it -- well, Richard
11 had it first, then Helms bought it from him, then Aqua
12 Source bought it from them. I'm not going to give you
13 the exact years cause I don't know.

14 COMMISSIONER MURRAY: How do you feel
15 about the quality of the water?

16 MR. DAVIS: I -- I'm not complaining on
17 the quality. We have ups and downs on water pressures
18 and stuff, yes. But the water -- the water, it's as
19 good now as it was back then. So if it's the same, it
20 means it hasn't increased, you know. So why would
21 rates increase?

22 COMMISSIONER MURRAY: Have you -- did
23 you notice any -- any improvement at all after the last
24 rate increase?

25 MR. DAVIS: I -- I -- not -- no, not

1 really. I mean, I do know they -- they did tear some
2 wells out. They -- they eliminated -- you know, they
3 eliminated the wells for the safety of themselves, not
4 for the safety of the people.

5 And -- and the wells that they tore out,
6 were taken off of line anyway. So any of these
7 expenditures -- I mean, some of the wells wouldn't have
8 even had to been taken out. They -- you know, you
9 don't have to tear the whole building down and they did
10 it but them expenditures are kind of ridiculous.

11 As for service of the water, no.

12 COMMISSIONER MURRAY: And your billing,
13 you mentioned that you don't like your billing. Have
14 you ever gotten one large bill for several months of
15 service?

16 MR. DAVIS: No. Well, I -- not one
17 large bill for -- but every month, I get a different
18 price on my billing. I don't know. It's kind of
19 ridiculous. You know, I really -- I actually thought
20 they raised the rate up to \$30 and then the next time
21 it was \$25. I can't keep up with them. Nobody can.
22 We don't know.

23 COMMISSIONER MURRAY: Isn't it based on
24 usage?

25 MR. DAVIS: No. We have no basage on

1 usage for us. I mean, we have no meters. We put in
2 meter pin -- when I worked for them, the only way a
3 meter pin would be put in is if somebody didn't pay the
4 water bill and they came out to eliminate their
5 service, then they would put a meter pin in, but no
6 meters.

7 So it's basically the same rate for
8 everybody. Except that people, weekenders pay a lesser
9 rate than people that are -- are there full time.

10 COMMISSIONER MURRAY: Thank you.
11 Appreciate your testimony.

12 MR. DAVIS: You're welcome. Uh-huh.

13 JUDGE DIPPELL: Commissioner Clayton?

14 COMMISSIONER CLAYTON: Mr. Davis, I'm
15 confused and I need you to straighten me out. Can you
16 help me with that?

17 MR. DAVIS: Maybe.

18 COMMISSIONER CLAYTON: You said that the
19 water quality's about the same as it's always been and
20 it hasn't really gone up, hasn't gone down; is -- is
21 that accurate? Is that what you said?

22 MR. DAVIS: No. I -- no. I said the
23 water quality, I said it is -- is the same as it's been
24 from years ago. It fluctuates as the number of people
25 use and all this. So it's actually the same as it's

1 always been, not different than it's always been. And
2 it --

3 COMMISSIONER CLAYTON: Right. Right.
4 The -- the water quality's the same as it's always
5 been?

6 MR. DAVIS: Okay. And one of the
7 reasons why your pressure's up is we've never had full
8 function of the -- one thing, we've never had full
9 function of the water tower. If you check it, it's
10 never been filled.

11 COMMISSIONER CLAYTON: All right. So
12 with -- with the quality of service that you're
13 receiving right now, I mean, are you happy with it or
14 are you unhappy with it?

15 MR. DAVIS: No. I'm happy. I got
16 water. I got water.

17 COMMISSIONER CLAYTON: I understand how
18 you say you got water. I mean, are you happy? Does it
19 smell good? Does it taste good? Does it -- is it
20 rusty? Is it discolored? Does it mess up your
21 laundry?

22 MR. DAVIS: I -- I'm happy with the
23 sewer ro-- I'm happy with the water, but I'm not happy
24 with the price increase that doesn't justify that
25 anything's been done to correct any of the things that

1 maybe should have been done.

2 There may be some people that aren't --
3 you know, I mean, I'm happy with the water but I'm not
4 happy with the rate increases, which I don't see
5 justified cause I feel I'm paying an expenditure to
6 cover another, like Maplewood or one of the other
7 divisions.

8 Because I know the same person that
9 works on my water, goes to Maplewood cause I done it.
10 I worked for these people. And I know I was here and I
11 went there. Now, why? You're paying him a salary so
12 this expenditure should be covered -- if he's driving
13 way up there, and they have not done anything -- like I
14 said they got bigger trucks, which cost more gas and
15 stuff like that. We used little ones.

16 They should try to cut some of these
17 things. And I'm sure their overall salaries -- I mean,
18 whatever they pay for the system. I know the water
19 tower was paid for by us. So you keep increasing our
20 rates for things we've already paid for.

21 We have fire hydrants that we cannot use
22 cause they told us we couldn't use them. They got
23 their grant from the DNR on the premises that they
24 could use these fire hydrants to help cut our insurance
25 policy -- our insurance rates. Now, they come and tell

1 us we can't use them because they're on them flush
2 lines. I mean, you know, there's no justification in
3 all of this, none.

4 COMMISSIONER CLAYTON: Okay. Thank you
5 very much.

6 MR. DAVIS: You're welcome. Thank you.

7 JUDGE DIPPELL: Ms. Baker, any
8 questions?

9 MS. BAKER: I have -- I have one
10 question.

11 You mentioned something about having a
12 black line in your backyard?

13 MR. DAVIS: Yes. We -- we have a lot
14 of -- we have a lot of black, plastic still out there
15 that hasn't been replaced in a lot of residents.

16 MS. BAKER: They're buried though?

17 MR. DAVIS: They're buried.

18 MS. BAKER: Okay.

19 MR. DAVIS: Yeah. They're -- they're --
20 I mean, but you see, when we would put a line in, we
21 would fix the line there and the back of mine
22 specifically, there's still some of that, yes. Uh-huh.
23 Yeah.

24 MS. BAKER: That's the only question
25 that I have. Thank you.

1 MR. DAVIS: Okay.

2 JUDGE DIPPELL: From Staff?

3 MS. HERNANDEZ: No questions. Thank

4 you.

5 JUDGE DIPPELL: Company?

6 MS. SMITH: No questions. Thank you.

7 JUDGE DIPPELL: Thank you, sir.

8 Appreciate your comments.

9 MR. DAVIS: Okay. Thank you.

10 MR. RUSSO: Carl Kane?

11 MR. KANE: I'll pass on that. I think

12 they've covered everything I had to say.

13 MR. RUSSO: Okay. Thank you, sir.

14 Charlie Rogers?

15 MR. ROGERS: I'll pass too.

16 MR. RUSSO: Mr. Rogers pass.

17 Judge, we have one more, a Julie

18 Fletcher.

19 MS. FLETCHER: Do I -- where do I go?

20 MS. BAKER: He's going to move the

21 camera.

22 MS. FLETCHER: Okay. Hi.

23 (Witness sworn.)

24 JUDGE DIPPELL: Can you spell your name

25 for the court reporter?

1 MS. FLETCHER: J-U-L-I-E, last name
2 Fletcher, F-L-E-T-C-H-E-R.

3 JUDGE DIPPELL: Okay. Go ahead with
4 your comments.

5 MS. FLETCHER: Well, honestly, I've
6 never been able to drink White Branch water. I have to
7 buy bottled water. People that have come from
8 California where I used to live, I've lived in White
9 Branch for 20 -- almost 25 years or more, and they get
10 diarrhea and sick from the water. And I know it does
11 have radon in it, which is cancer producing. And I'm
12 not sure that that water is really filtered very well.

13 Also, I noticed that all my sinks are
14 just rusted, completely covered with rust color. And I
15 can't get it off of anything, the bathtub or the sinks
16 or the toilet. And I am closer to the tower. I don't
17 know if that has anything to do with it.

18 But I also feel that it's not fair
19 for -- also for people who have more people living in
20 their household to have to pay the -- the people that
21 are just one person households that use very little
22 water to pay for a higher rate. I think that if it was
23 at all possible, I'm sure it's an exorbitant price, but
24 water should be measured and you should pay according
25 to what your usage is.

1 I myself only use one load for -- of
2 water for colored or white per week. I take one shower
3 per week and I have very few dishes. I don't wash
4 my -- have anyone wash my car and I don't water any of
5 my yard or anything like that. So I don't use much
6 water.

7 So to me to pay a rate increase is just
8 way exorbitant. Plus, I'm on a fixed income and I'm
9 sure I'm not the only one in the White Branch area that
10 is on a fixed income.

11 We get very little increase each year,
12 maybe \$5 but it certainly wouldn't account for -- you
13 know, to be able to -- the sewer keeps going up and
14 then the water keeps going up, you know. What's going
15 to be next? And then our Branch dues are going up.

16 So I just feel that it's -- it's unfair,
17 the way the system is set up. Because originally, we
18 paid for things. And then they said that was going to
19 be it and this was going to be your rate. But now,
20 it's gradually creeping up.

21 JUDGE DIPPELL: How long have you lived
22 there?

23 MS. FLETCHER: About -- more than 25
24 years, I guess 26 years.

25 JUDGE DIPPELL: And you said you were

1 from California. Was that California the state?

2 MS. FLETCHER: State, yes.

3 JUDGE DIPPELL: And have you ever had
4 your water tested? You said you knew there was
5 radon --

6 MS. FLETCHER: Yes, I have. I had it
7 privately tested myself to find out what were the
8 different, if any, contaminants and it was found that
9 nothing would be dangerous or anything like that, but
10 there was radon. And I did have a concern because I
11 know radon is cancer producing.

12 JUDGE DIPPELL: Thank you.

13 Commissioner Murray, do you have any
14 questions?

15 COMMISSIONER MURRAY: Good evening.

16 MS. FLETCHER: Hi.

17 COMMISSIONER MURRAY: Have you had any
18 occasion to deal with the customer service people?

19 MS. FLETCHER: Yes, I have. Uh-huh.

20 COMMISSIONER MURRAY: And what has been
21 your experience with them?

22 MS. FLETCHER: Well, I think they were
23 very nice and helpful and I don't have any -- anything
24 negative to say. It's just this rate increase is like
25 the icing on the cake that I feel is unfair.

1 COMMISSIONER MURRAY: And it sounds like
2 you're not at all pleased with the quality of the
3 water --

4 MS. FLETCHER: No, no.

5 COMMISSIONER MURRAY: -- in terms of
6 rust in your --

7 MS. FLETCHER: But I realize it has to
8 be put in that high tower and I'm sure it's full of
9 rust and everything grows in there.

10 COMMISSIONER MURRAY: Thank you very
11 much for your testimony.

12 JUDGE DIPPELL: Commissioner Clayton?

13 COMMISSIONER CLAYTON: Ms. Fletcher, I
14 think all my questions have been answered. Thanks for
15 coming in today.

16 JUDGE DIPPELL: Ms. Baker, any
17 questions?

18 MS. BAKER: Just a -- a question.

19 Have you had any billing issues?

20 MS. FLETCHER: No. No billing issues.

21 MS. BAKER: No problems with your bills
22 or --

23 MS. FLETCHER: No.

24 MS. BAKER: Okay. All right. That's --

25 MS. FLETCHER: No problems.

1 MS. BAKER: -- the only question that I
2 have. Thank you.

3 JUDGE DIPPELL: Any questions from
4 Staff?

5 MS. HERNANDEZ: No questions. Thank
6 you.

7 JUDGE DIPPELL: Company?

8 MS. SMITH: No questions. Thank you.

9 JUDGE DIPPELL: Thank you very much,
10 Ms. Fletcher. We appreciate your testimony.

11 MS. FLETCHER: Thank you.

12 JUDGE DIPPELL: Is there anyone else
13 that would like to testify that didn't have a chance to
14 sign up?

15 MR. RUSSO: We have one more, Your
16 Honor, Kathy Sullins.

17 MS. SULLINS: Hi. My name is Kathy
18 Sullins and I live at White Branch. Bought back in
19 '82, moved here in '95 --

20 JUDGE DIPPELL: Let me get you sworn in
21 first. All right?

22 MS. SULLINS: Uh-huh.

23 (Witness sworn.)

24 JUDGE DIPPELL: Can you spell your name
25 for the court reporter, please?

1 MS. SULLINS: Kathryn, K-A-T-H-R-Y-N,
2 Sullins, S-U-L-L-I-N-S.

3 JUDGE DIPPELL: Go ahead with your
4 comments.

5 MS. SULLINS: Okay. I -- we bought in
6 '82, moved here in '95. I really don't see a change in
7 the difference in the drinking quality of water that
8 what we had back 20 years ago, so I really don't
9 warrant their increase and their increase that they're
10 wanting.

11 You asked a question about billing.
12 They do have a problem -- I have a problem with their
13 billing. I do have a problem with their answers they
14 give when I question about the billing. I'm not
15 satisfied with that at all.

16 We had a -- someone that didn't
17 winterize their cabin over the winter on Pebbles Road
18 in the pass this winter. There was a water line break.
19 I called the 1-800 hotline. I called the guy on the
20 Water Department and nobody responded. Five hours
21 later someone in the neighborhood shut the water main
22 off.

23 We don't need this crap. Why pay for
24 all this stuff if you're not going to get it? I can't
25 stand the drinking water. It totally ruins your hair,

1 it ruins your skin. I can run a tub of bath water and
2 it's --it's all -- it's gray.

3 So, you know, and it's just I don't know
4 where they're getting these figures and why are they
5 coming up other than filling the lines of their pockets
6 as far as greed. I just really don't agree with half
7 of what they've done.

8 And it's -- I just -- I can't get an
9 answer of what they're spending their money on. This
10 is where I'm coming from. I don't see no improvements.
11 So if I'm going to spend my money, I want to see some
12 improvements. And -- and I'm from Missouri; you got to
13 show me and I haven't seen it.

14 Like was testified earlier that -- that
15 water tank has been paid for years ago. So why are we
16 continue to pay for it. So, you know --

17 JUDGE DIPPELL: Can you tell us a little
18 more about your billing problem that you had?

19 MS. SULLINS: The billing, it can come
20 different times of the month and couple months ago you
21 got a, what, a 34-day billing or a 38-day billing and I
22 asked when was a 34 or 38 days in a month.

23 Well, they had a problem with their
24 billing system. I said, That's not my problem. I
25 said, You know I'm on a fixed income as several

1 homeowners are here. I budget my money, whatever. I
2 know what goes out, what don't.

3 And, you know, they really don't care
4 about your answer. I mean, you know, they don't want
5 to give you an answer. So -- and they don't even know
6 actually what's going on here unless they're told by
7 someone that works for them. And I don't really
8 respect that too much.

9 JUDGE DIPPELL: And you said you bought
10 in '82 but moved there in '95. Did you buy a home or
11 did you just buy land?

12 MS. SULLINS: No, we bought a home,
13 two-bedroom home. Bought in '82 as a weekend to come
14 down and go fishing. Moved here in '95 when I retired
15 and -- but you know, the quality of water totally sucks
16 to be honest about it.

17 So, you know, I've got to buy drinking
18 water. I don't drink it. It ruins the coffee pots,
19 you know. Everything is stained. It ruins your skin,
20 it ruins your hair. Your clothing is dingy.

21 So -- but I mean, even though they say,
22 Well, we've got to correct what your complaints are, I
23 still don't buy it. They've never corrected them
24 before and they got the rate increase. What says
25 they're going to do it this time. So I don't believe

1 they warrant for anything they've done in the future or
2 even in the past. I can't believe a thing that they've
3 done. And I won't believe them in the future either so
4 that's why I'm here, very discontent, very unsatisfied.

5 Customer service sucks, billing totally
6 sucks. I don't know where they got their flunkies to
7 run their office, but it's terrible. I think it's kind
8 of a buy out of a situation is all it is.

9 JUDGE DIPPELL: And have you ever
10 complained to the company about the dingy water and so
11 forth?

12 MS. SULLINS: Oh, yeah. They don't want
13 to hear it. They'll say, Well, I'll fill out your
14 complaint. Well, I don't know where it goes after I
15 tell them. It could go in file 13 and never be
16 mentioned. So, you know, actually if you don't come
17 and see them personally or actually see what they've
18 done, you don't know. You just have to take their word
19 for it. And I can't believe a thing they say.

20 JUDGE DIPPELL: Okay. Thank you.

21 Commissioner Murray, did you have any
22 questions?

23 COMMISSIONER MURRAY: I don't believe I
24 have any questions. Thank you.

25 JUDGE DIPPELL: Commissioner Clayton?

1 COMMISSIONER CLAYTON: Ms. Sullins, I
2 don't think you've sugar-coated anything here tonight.
3 And I think your testimony is coming through loud and
4 clear. I appreciate you coming out and sharing your
5 testimony with us, the concerns that you've raised
6 about the water quality. I appreciate you coming out.

7 MS. SULLINS: Okay. Thank you, folks.

8 JUDGE DIPPELL: Ms. Baker?

9 MS. BAKER: No, I have no questions, but
10 thank you for coming.

11 MS. SULLINS: Thank you, folks, for
12 being here.

13 JUDGE DIPPELL: Staff?

14 MS. HERNANDEZ: Yes.

15 JUDGE DIPPELL: Ms. Sullins, wait just
16 one moment if you don't mind.

17 MS. SULLINS: Sure.

18 JUDGE DIPPELL: Ms. Hernandez had a
19 question for you.

20 MS. SULLINS: Sure.

21 MS. HERNANDEZ: You testified that when
22 there was a water main break that you called the Water
23 Department. Which water department was that?

24 MS. SULLINS: Well, the -- the gentleman
25 that takes care of White Branch. I can't think of what

1 his name is. See a guy didn't winterize his house and
2 the lines bursted. We had water everywhere. We could
3 not get somebody else to turn the water main off. I
4 wasn't going to touch it. That wasn't my property or
5 my business.

6 So me and another neighbor called for
7 five hours. No one ever answered. The water guy
8 taking care of the area, the 1-800 number, no one ever
9 called back. So an individual in the neighborhood had
10 to go out with his pair of pliers and turn the main
11 off.

12 You know, we was always told, if there's
13 a problem, save water. Get a hold of the water man and
14 shut it off. Well, we didn't have nowhere to turn to.
15 Five hours and we never got any response.

16 MS. HERNANDEZ: Do you remember what
17 month that was that you -- you called? I assume it's
18 winter.

19 MS. SULLINS: It was some time in the --
20 some time in the winter. I don't recall. I know
21 Mindy -- Mindy Jones is in our area. She's the one
22 that helped me do all the calling and we even called
23 911. They didn't know who took care of us out here.
24 So, you know, we were -- so we're going to have to have
25 better workmanship and -- and relations with the

1 consumers to know what we're going to do, you know.

2 MS. HERNANDEZ: Thank you.

3 MS. SULLINS: Thank you.

4 JUDGE DIPPELL: Anything from the
5 company?

6 MS. SMITH: I just have one question,
7 Ms. Sullins. What year was that?

8 MS. SULLINS: This past year, 19-- I
9 mean, 2007.

10 MS. SMITH: Okay. Thank you.

11 MS. SULLINS: Or 2007, early 2008. It
12 was the winter time cause I was house sitting the
13 couple that was in Texas during the winter, this
14 winter.

15 MS. SMITH: I have no further questions.

16 JUDGE DIPPELL: Thank you, Ms. Sullins.
17 We appreciate you giving your testimony.

18 MS. SULLINS: Thank you.

19 JUDGE DIPPELL: Is there anyone else?

20 MR. RUSSO: I have no one on the sheet.
21 Anybody else?

22 No, Your Honor.

23 JUDGE DIPPELL: We really appreciate
24 everyone participating tonight. We appreciate those of
25 you who contacted us and requested us to come to

1 Warsaw. And anytime we can have a public hearing in
2 a -- in a location that is easier for everyone to
3 participate, we appreciate the opportunity to do that.
4 So, with that I will end the portion of the on the
5 record proceeding. We can go off the record.

6 (WHEREIN; the hearing was concluded.)

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1 CERTIFICATE OF REPORTER

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3 I, LISA M. BANKS, a Certified Court Reporter, within
4 and for the State of Missouri, do hereby certify that the
5 witness whose testimony appears in the foregoing hearing was
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