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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing
April 24, 2014
High Hill City Hall
High Hill, Missouri
Volume 1

In The Matter of Roy-L)
Utilities Request for an)
Increase in Water System)
Operation Revenue)
) WR-2013-0543
) Tariff Tracking No.
) YW-2014-0401
In The Matter of Roy-L)
Utilities Request for an)
Increase in Water System)
Operation Revenue)
) SR-2013-0544

KIM S. BURTON, Presiding
REGULATORY LAW JUDGE
SCOTT RUPP,
COMMISSIONER

REPORTED BY:
AMANDA N. FARRAR, CCR
MIDWEST LITIGATION SERVICES

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

2 (The hearing commenced at 6:23 p.m.)

3 JUDGE BURTON: This is the local public
4 hearing that the Missouri Public Service Commission
5 has called for the matters of Files WR-2013-0543 and
6 SR-2013-0544. This is in regards to Roy-L Utilities
7 which has requested an increase in their rates.

8 As I've started before, I'm Kim Burton,
9 I'm the regulatory law judge, and what we have also
10 with us -- or who we have with us here today is
11 Commissioner Rupp. We have five commissioners here
12 with the commission. We have one with us today.
13 The other commissioners will have an opportunity to
14 view your testimony through the recording and also
15 through the transcript because we have a court
16 reporter here as well.

17 Now, before we begin, I'm going to go
18 ahead and let Commissioner Rupp say a few words.

19 COMMISSIONER RUPP: Thank you, Judge.
20 I'm Commissioner Scott Rupp. I just want to thank
21 everybody very much for coming out today, especially
22 in the rain. I want to let you know I'm here to
23 listen to your public testimony and take your
24 comments and your concerns back to my fellow
25 commissioners.

1 The fact that I'm the only commissioner
2 here in attendance does not reflect how we view
3 these cases. You know, just we will have the
4 opportunity to read the transcripts, look at the
5 viewpoints. Your comments are going to be a part of
6 the official record in this case and when we
7 consider during our decision-making process.

8 I'm here just to listen to your comments
9 and your concerns regarding the case before us. So
10 feel free to comment on the quality of service you
11 received. The commission is charged by law to see
12 that customers receive safe and adequate services at
13 just and reasonable rates. That's our mission
14 there.

15 We are not -- or I am not allowed to
16 answer any questions that you might have about the
17 rate case before you. So I cannot answer any
18 questions. This is your opportunity to make
19 comments about this case that's before us. The
20 Office of the Public Counsel and the staff of the
21 commission are also available to answer specific
22 questions you might have. I am allowed to ask
23 questions in order to clarify your comment and your
24 concerns.

25 So I just wanted to say thank you for

1 being here, I look forward to hearing the testimony
2 that you all may have regarding this case.

3 (A discussion was held off the record.)

4 JUDGE BURTON: Now what's going to
5 happen is I'm going to call the names of those
6 individuals who signed up and indicated that they
7 wish to testify. Afterwards, all those others that
8 might wish to testify to come forward as well.

9 I'll ask that you have a seat over here,
10 I will swear you in and you'll be able to give your
11 statements and your testimony or any evidence that
12 you would like to have admitted into the record.

13 I would ask that you speak up because
14 normally we have microphones, but because of the
15 small location we don't. So to make sure that the
16 court reporter can hear you and to make sure that
17 those who are going to be watching it later can hear
18 you, please speak up and speak slowly.

19 After that I may ask you questions,
20 Commissioner Rupp may ask you questions and then the
21 staff counsel's attorney, the OPC's attorney and the
22 company's attorneys may also ask you questions about
23 your testimony. Okay?

24 So why don't we go ahead and begin and I
25 believe we have Mr. Philip Stone first. Mr. Stone?

1 MR. STONE: I'm sorry.

2 JUDGE BURTON: Okay.

3 MR. STONE: She was talking in my ear.

4 Were you talking to me?

5 JUDGE BURTON: I was. Could you please

6 have a seat right over there in the lovely green

7 chair. All right. Now, Mr. Stone, I'm going to

8 swear you in.

9 PHILIP STONE,

10 was sworn to tell the truth and testified as

11 follows:

12 JUDGE BURTON: Would you please state

13 your name for the record.

14 MR. STONE: My name is Philip Stone.

15 JUDGE BURTON: And could you spell your

16 name for the record.

17 MR. STONE: Stone is spelled S-T-O-N-E.

18 First name P-H-I-L, one L, I-P.

19 JUDGE BURTON: Thank you. And where do

20 you reside?

21 MR. STONE: 28 Hickory Drive.

22 JUDGE BURTON: Okay. Thank you.

23 MR. STONE: In High Hill here at the

24 lake.

25 JUDGE BURTON: Okay. You may proceed.

1 MR. STONE: Well, I've got two points to
2 make here: One is the question of the rate
3 increase. As I understand it, it includes
4 improvements that were required of the company to
5 make and have already been made and paid for and
6 this rate increase takes a period of what's been
7 figured at over a period of ten years to repay those
8 costs to the company. It also includes a water
9 meter program, although that might be a small
10 portion of the rate increase.

11 My second point is pertaining to the
12 water meter program. I am wondering what the
13 benefits of metering the water for this system,
14 which is a small system comparatively speaking, and
15 which has not been metered before, and I'm wondering
16 why go to the expense of including water meters. I
17 don't know if there's a real benefit to that. I
18 think that's all I have --

19 JUDGE BURTON: Okay. Thank you.

20 MR. STONE: -- that I would say so far.

21 JUDGE BURTON: Okay. Thank you.

22 Commissioner, do you have any questions?

23 COMMISSIONER RUPP: No.

24 JUDGE BURTON: Company? Staff?

25 Company? OPC?

1 (A discussion was held off the record.)

2 JUDGE BURTON: At this point, I actually
3 have forgotten, let's go ahead and have the
4 attorneys enter their appearance.

5 For Roy-L Utilities?

6 Okay. And for the staff of the Public
7 Service Commission?

8 MS. HAMPTON: Whitney Hampton, 200
9 Madison Street, Jefferson City, Missouri 65102.

10 JUDGE BURTON: Okay. Thank you.

11 And for the Office of Public counsel?

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

16 JUDGE BURTON: Okay. All right. Well,
17 thank you, Mr. Stone.

18 Next we have Nancy Pape.

19 MS. PAPE: Yes, ma'am.

20 JUDGE BURTON: Hi.

21 MS. PAPE: I'm Nancy Pape. I reside at

22 6 --

23 NANCY PAPE,

24 was sworn to tell the truth and testified as

25 follows:

1 JUDGE BURTON: Would you please state
2 your name for the record.

3 MS. PAPE: Nancy Pape.

4 JUDGE BURTON: And could you just spell
5 the last name.

6 MS. PAPE: P-A-P-E.

7 JUDGE BURTON: Okay. And where do you
8 reside?

9 MS. PAPE: Six Heron Lane, High Hill at
10 Ranch Royal.

11 JUDGE BURTON: Okay. Thank you.

12 MS. PAPE: What Scott Rupp, the
13 commissioner, had stated was that he is here to
14 listen and for concerns and issues that we might
15 have for our service, and mine is safe and adequate
16 service.

17 One of my issues that I wanted to bring
18 for the record was the chlorine issue. That is not
19 in the rate increase nor does it have anything to do
20 basically with the rate increase, but it affects
21 weekend versus full-time homes. I believe that the
22 system itself is not adequately dispersing the
23 chlorine in the proper way, because if you take a
24 tree trunk and the tree branches, the chlorine is
25 going up the trunk and the tree branches are

1 representing the different homes. We have full-time
2 and part-time homes. The full-time homes are
3 getting the brunt of the chlorine, while the
4 part-time homes, who are not out there and their
5 water system is not being used, their water is
6 sitting there dormant and possibly fermenting their
7 carcinogens that are known to have caused cancer in
8 consumption and usage.

9 I know there's natural organic matter
10 that it comes in water, in all water systems, and I
11 truly feel that the use of the chlorine which is
12 mandated by DNR is not suitable for our community.

13 The improvements that were made by Ranch
14 Roy-L, I am no architect or water personnel, but it
15 seems that everything that she has done has been of
16 high quality and good service. The rate increases
17 are to cover what she has put out for the mandated
18 repairs and upgrades.

19 I'm kind of in disagreement with the
20 meters. Common sense would tell everyone if her
21 electric bill is going up, if that pump house is
22 working more, she's got a leak somewhere. We are a
23 small enough community where she can walk around,
24 she'll be able to tell where her water leak is. How
25 has she done it all this time before? It's by

1 someone reporting a water leak, someone seeing a
2 water leak. I know she got a good price for her
3 meters, but there's other costs incurred in
4 installing these and I think that that is
5 unnecessary.

6 JUDGE BURTON: Okay. Thank you.

7 MS. PAPE: Thank you.

8 JUDGE BURTON: Now, are you a full-time
9 resident --

10 MS. PAPE: Yes, ma'am.

11 JUDGE BURTON: -- as you were saying?
12 Okay. All right.

13 Commissioner Rupp?

14 COMMISSIONER RUPP: No questions.

15 JUDGE BURTON: Okay.

16 MS. BAKER: No questions.

17 JUDGE BURTON: Okay. Thank you very
18 much.

19 MS. PAPE: Thank you for listening.

20 JUDGE BURTON: Uh-huh. Now, at this
21 time, I'll see if anyone else has additional
22 testimony that they would like to add for the record
23 and for the commissioners to consider.

24 UNIDENTIFIED MALE SPEAKER: I just -- I
25 don't have to go on that. Is this --

1 JUDGE BURTON: If you're going to say
2 anything --

3 UNIDENTIFIED MALE SPEAKER: Anything at
4 all?

5 JUDGE BURTON: Yes -- it needs to be
6 under oath and on the record.

7 UNIDENTIFIED MALE SPEAKER: Is she --
8 are you the Office of the Public Counsel?

9 MS. BAKER: Yes, I am, and if you have
10 questions for me, I will be here afterwards.

11 UNIDENTIFIED MALE SPEAKER: I just want
12 to know if you're on my side.

13 MS. BAKER: I am.

14 UNIDENTIFIED MALE SPEAKER: Is that what
15 it is?

16 MS. BAKER: Yes, yes. My office is the
17 state agency who, who argues on behalf of the
18 customers.

19 UNIDENTIFIED MALE SPEAKER: And you have
20 negotiated this rate increase?

21 JUDGE BURTON: I'm going to go ahead and
22 stop you right there.

23 MS. BAKER: I'm going to answer all
24 those questions afterwards.

25 UNIDENTIFIED MALE SPEAKER: Afterwards.

1 JUDGE BURTON: If there are any other
2 questions that you might have, you'll have an
3 opportunity to talk to her afterwards, but if
4 there's questions or just statements, let's say,
5 that you'd like to have on the record or any
6 concerns you have.

7 UNIDENTIFIED MALE SPEAKER: I will get
8 it from her later.

9 JUDGE BURTON: Okay. Is there anyone
10 else that would like to add?

11 Okay. Sir.

12 ROBERT SCHLINKER,
13 was sworn to tell the truth and testified as
14 follows:

15 JUDGE BURTON: Would you please state
16 your name for the record.

17 MR. SCHLINKER: It's Robert Schlinker
18 spelled S-C-H-L-I-N-K-E-R.

19 JUDGE BURTON: Okay. Thank you. And
20 where do you reside?

21 MR. SCHLINKER: 209 Danville Road,
22 Montgomery City, Missouri.

23 JUDGE BURTON: Okay.

24 MR. SCHLINKER: And we have less than a
25 year, so I'm the newbie on the block. My wife and I

1 purchased No. 9 Lone Oak, High Hill, Missouri at the
2 Ranch.

3 So I guess my thoughts are at this point
4 in time compared to service in a small town, I feel
5 like the rates are very reasonable. I do have some
6 concerns shared by others here about the chlorine.
7 Sounds like this is not the proper place, but
8 hopefully maybe you can express that with DNR,
9 because if that's a concern to folks that live here
10 full-time, coming here part-time that maybe will be
11 a concern of our family as well. So I would hope
12 you would share those concerns with DNR.

13 JUDGE BURTON: Uh-huh.

14 MR. SCHLINKER: The meters, I can see
15 both sides; however, being a part-time person, you
16 know, I can come out here and water my flowers and
17 leave the hose going for three days and that
18 wouldn't be fair to the people that live here all
19 the time. I mean, I don't like to -- I like to
20 conserve, but I can see where meters are beneficial
21 from the standpoint of those that are using the
22 water or paying for the water for the most part and
23 those that are not the same way.

24 However, any business there has to be
25 some overhead whether I'm part-time or full-time

1 down the road, who knows, I expect to pay part of
2 that overhead because that's part of doing business.
3 And you put meters in, you put a water system in,
4 you cannot expect somebody to maintain that business
5 without having some overhead expense, so.

6 It's short time here, I hope to be a
7 good neighbor and I've enjoyed it, I grew up around
8 here, know the lake and look forward to being with
9 all of you down the road. Thank you.

10 JUDGE BURTON: All right. Thank you.
11 Why don't you hold on one minute and let's just see
12 and then you can go back.

13 MR. SCHLINKER: Sure.

14 JUDGE BURTON: Commissioner, do you have
15 any questions?

16 Staff?

17 MS. HAMPTON: No.

18 JUDGE BURTON: OPC?

19 MS. BAKER: No. Thank you.

20 JUDGE BURTON: All right. You're
21 excused. Thank you.

22 MR. SCHLINKER: Thank you all.

23 JUDGE BURTON: Is there anyone else who
24 would like to make some statements on the record for
25 the commission's consideration?

1 Okay. Seeing no hands and no
2 indications, we'll go ahead and go off the record,
3 but before I do, I want to thank everyone for your
4 participation and coming out here on what was a
5 difficult night weather-wise and look forward to
6 more of your responses in the future. Thank you.

7 (The hearing concluded at 6:38 p.m.)

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CERTIFICATE OF REPORTER

I, Amanda N. Farrar, a Certified Court
Reporter for the State of Missouri, do hereby
certify that the witnesses whose testimony appears
in the foregoing transcript were duly sworn; the
testimony of said witnesses was taken by me to the
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parties thereto, nor financially or otherwise
interested in the outcome of the action.

Certified Court Reporter

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