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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
TRANSCRIPT OF PROCEEDINGS

Local Public Hearing
January 24, 2018

Warsaw Community Building
Council Chambers (Lower Level)
181 West Harrison Street
Warsaw, Missouri 65355

In the Matter of Missouri)
American Water Company's) File No.
Request for Authority to) WR-2017-0285, et al.
Implement General Rate Increase)
For Water and Sewer Service)
Provided in Missouri Service)
Areas.)

KIM S. BURTON, Presiding
DEPUTY CHIEF REGULATORY LAW JUDGE
WILLIAM P. KENNEY
COMMISSIONER

REPORTED BY:
Angela R. Corkill, CSR, CCR

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A P P E A R A N C E S

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

2 (Hearing commenced at 12:40 p.m.)

3 JUDGE BURTON: Let's go ahead and go
4 on the record in File No. WR-2017-0285, et. al, in
5 the matter of Missouri American Water Company's
6 request for authority to implement general rate
7 increase for water and sewer service provided to
8 Missouri service areas. Today is January 24th, 2018,
9 the time is approximately 12:40 p.m., and we are in
10 Warsaw, Missouri, for a local public hearing.

11 Good afternoon, everyone. My name is
12 Kim Burton. I'm a regulatory law judge with the
13 Missouri Public Service Commission. There are five
14 commissioners and I have seated to my right
15 Commissioner Bill Kenney.

16 COMMISSIONER KENNEY: I'd like to
17 welcome each of you today. As you notice, we have a
18 court reporter here and the other four commissioners
19 are going to be able to review any testimony that is
20 given today. This process is a long process. This
21 is just part of it. We have public hearings like
22 this in all of Missouri American Water's locations,
23 several across the eastern part of the state, the
24 western part of the state. We will begin an
25 evidentiary hearing that's scheduled for two weeks

1 starting on the 26th of February and anybody who is
2 so inclined, can watch that on the Internet.

3 Again, I appreciate you coming out and
4 I hope that the staff and the Office of Public
5 Counsel and the company have been able to answer any
6 questions that you've had. So, again, thank you for
7 coming out.

8 JUDGE BURTON: Thank you,
9 Commissioner. At this time I will ask the parties to
10 enter their appearance for the record and we will
11 begin with Missouri American Water Company.

12 MR. LUFT: Thank you, Judge Burton.
13 Tim Luft, Missouri American Water, and the court
14 reporter has my information.

15 JUDGE BURTON: Thank you. On behalf
16 of the staff of Missouri Public Service Commission?

17 MR. JOHNSON: Thank you, Judge. Mark
18 Johnson on behalf of the staff for the Missouri
19 Public Service Commission, and the court reporter has
20 my information.

21 JUDGE BURTON: Thank you, Mr. Johnson.
22 On behalf of the Public Counsel?

23 MR. WILLIAMS: Thank you, Judge and
24 Commissioner. My name is Hampton Williams. I'm here
25 on behalf of the Office of the Public Counsel and the

1 court reporter has my contact information.

2 JUDGE BURTON: Thank you. Are there
3 any other parties present here today? Okay.

4 Now, I do have a list of two
5 individuals who've indicated that they would like to
6 testify, and what will happen is I will call your
7 name and ask you to come forward. I will swear you
8 in and have you spell and state your name for the
9 record. You can offer your testimony that you would
10 like the commission to consider and after you're done
11 with your statements, I would ask that you remain up
12 here at the microphone in case either I or
13 Commissioner Kenney have any questions for you and if
14 any of the attorneys present have any questions for
15 you.

16 Now, after the two individuals have
17 testified, I'll give an opportunity for anyone else
18 here who might think of something else they would
19 like to say and have the commission consider. And I
20 want to stress that anything that might have been
21 discussed during the question-and-answer session that
22 just briefly occurred will not be considered by the
23 commission because it will not be part of the record.
24 So if there is something, any issues or concerns or
25 areas that you think need to be addressed that you

1 would like the commission to consider in this case,
2 please do so now while you have the opportunity to
3 testify.

4 I would also state that the commission
5 would like to know if there are any questions or
6 concerns that you might have or issues you might have
7 with lead in the water, any lead in your lines, any
8 treatment or testing for that or replacements of your
9 lines, to also let the commission know about any of
10 those issues as well.

11 So that being said, I will begin by
12 asking Mr. Robert Vedder to please come on down.

13 Hello. Would you please raise your
14 right hand. Do you swear or affirm that the
15 statements you are about to give will be the truth,
16 the whole truth, and nothing but the truth?

17 MR. VEDDER: I do.

18 JUDGE BURTON: Would you please state
19 and spell your name for the court reporter.

20 MR. VEDDER: Robert C. Vedder,
21 V-E-D-D-E-R.

22 JUDGE BURTON: Thank you.

23 MR. VEDDER: My first thing is
24 covering flat rate. My question is why are we paying
25 flat rates still today. About six, seven years ago I

1 came to Sedalia and Aqua Missouri had the water
2 company then. And I said paying a flat rate, how
3 much would it be if I had a meter and what would be
4 the rate on the meter. I'm sure it would be less
5 than the flat rate in the month.

6 The second thing I have is Benton
7 County Sewer installed this system, American Water
8 bought it. Benton County Sewer never paid not one
9 red cent to a household for operating those pumps.
10 They have the electrical and they paid the electrical
11 to operate the pumps.

12 It's the same thing today with
13 American Water. Those pumps are operating with
14 household electric and anytime they might want to
15 consider compensating those households that have that
16 electric operating their pumps. That's all I have.

17 COMMISSIONER KENNEY: Thank you,
18 Mr. Vedder. Appreciate it.

19 JUDGE BURTON: Are there any questions
20 from any parties for Mr. Vedder? Thank you, sir.

21 COMMISSIONER KENNEY: Thank you, sir.

22 JUDGE BURTON: We have one more
23 individual, at least on the list. Kathy Sullins?

24 MS. SULLINS: My name is Kathryn
25 Sullins. I live at --

1 JUDGE BURTON: Would you please raise
2 your right hand. Do you swear or affirm that the
3 statements you are about to give will be the truth,
4 the whole truth, and nothing but the truth?

5 MS. SULLINS: Yes, I do.

6 JUDGE BURTON: Would you please state
7 and spell your name for the record?

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

10 JUDGE BURTON: Thank you.

11 MS. SULLINS: I live at 19038 Hoover
12 Road, which is the north part of White Branch. I
13 have a lot of questions on the sewer rates and are
14 they going to do anything about these seasonal folks.
15 There's a lady that lives next to me, Tonganoxie,
16 Kansas, she's down here two months a year. Where
17 she's at, she doesn't pay this for six months. She's
18 very concerned and if things don't change, she's
19 selling and I am.

20 I wish we could have these meetings at
21 a better time. These meetings are held at a time
22 when people cannot be here. You have property owners
23 that have to work. You have people that can't take
24 off work to come down here. Why can't they do the
25 meetings for all to come to the meetings? I think

1 it's very discriminatory.

2 Another thing, I'm one of the people
3 that they wanted to put new waterlines on my
4 property. According to my covenant where we live I
5 have 5 feet at the front of the property for sewer
6 lines. That is what goes with that.

7 In the back of my property on the
8 covenant I have 4 feet of a utility line to do
9 business whatever and I refuse to let them because
10 they were tearing up the people's property next to
11 me. They thought they found a water leak. There was
12 no water leak.

13 Jim with the water company said, I'm
14 putting new waterlines down. Not without an easement
15 you're not doing anything. It takes more than 4 feet
16 to tear up my yard to put down waterlines. So he
17 called the cops, the cops told him he had to leave
18 until he got an easement right.

19 I'll sell him an easement right for
20 another 4 feet, but you don't come and tear people's
21 property up because you want to put waterlines down
22 when I have a covenant and I have my rights. And
23 it's just like they do as they please and I'll stop
24 them from putting waterlines down again. That's my
25 property. I maintain it.

1 They made a big hole in the lady's
2 property next door. They thought they found a water
3 leak. They was there for hours, didn't find a water
4 leak. So until you buy easement from me to put this
5 down, I'm sorry, it's going to stay like it is. And
6 I'm still going to sell because I've had it.

7 COMMISSIONER KENNEY: Ma'am, can I
8 make a statement? Have you had a chance or you will
9 have a chance after this to talk with the staff and
10 the company about that issue. Also, the way we do
11 these public hearings because we have so many of
12 them, we try to stagger them. Like this afternoon or
13 this evening we start at 5:00 in Warrensburg. And
14 then the last two we had here we did in the evening
15 because I was at both of them. We did them at 6:00.

16 MS. SULLINS: At the other location?

17 COMMISSIONER KENNEY: Yes.

18 MS. SULLINS: We were there.

19 COMMISSIONER KENNEY: Because we have
20 so many of them, we try to stagger them.

21 MS. SULLINS: But you've got
22 weekenders down here too that pay into the system
23 that needs their voice heard and whatever. This lady
24 of mine is very frustrated.

25 COMMISSIONER KENNEY: I understand.

1 MS. SULLINS: And are they going to
2 put in meters? I heard at one time they were going
3 to put in water meters. Is that not true?

4 COMMISSIONER KENNEY: You'll have to
5 talk to them. We're not allowed to -- well, we
6 can't. We'll decide that in a case. We have a case
7 coming before us and all those issues will be
8 discussed and litigated.

9 MS. SULLINS: Well, that seasonal
10 lady, she's definitely going to sell and I'll
11 probably sell too.

12 COMMISSIONER KENNEY: Thank you,
13 ma'am.

14 MS. SULLINS: Thank you.

15 JUDGE BURTON: Are there any other
16 individuals that would like to offer their testimony?
17 Okay, sir. Would you please raise your right hand.
18 Do you swear or affirm that the statements you are
19 about to give will be the truth, the whole truth, and
20 nothing but the truth?

21 MR. BROSNAHAN: I do.

22 JUDGE BURTON: Would you please state
23 and spell your name for the record.

24 MR. BROSNAHAN: Alex Brosnahan,
25 A-L-E-X, B-R-O-S-N-A-H-A-N.

1 JUDGE BURTON: Thank you.

2 MR. BROSNAHAN: I'm here representing
3 myself who is a White Branch member as well as the
4 Knights of Columbus who is part of the commercial
5 property in White Branch. We both are very happy
6 with American Water. They have caused better service
7 and price decreases in this area. We enjoy the flat
8 rates and I just want to state that we are fully okay
9 with their proposed plan and we think it's great.
10 That's all.

11 COMMISSIONER KENNEY: Thank you very
12 much for your testimony.

13 JUDGE BURTON: Thank you. Is there
14 anyone else who would like to offer testimony for the
15 record? Please raise your right hand. Do you swear
16 or affirm that the statements you are about to give
17 will be the truth, the whole truth, and nothing but
18 the truth?

19 MR. ALLCORN: Yes, ma'am.

20 JUDGE BURTON: Please state and spell
21 your name for the record.

22 MR. ALLCORN: I'm Charles Allcorn,
23 A-L-L-C-O-R-N, and I too am very pleased with the
24 service. The guys are great. We had a little
25 trouble when you all first took over with the office,

1 I called with a problem, but that got wiped out.
2 They were there within minutes. We were getting
3 ready to have a problem with the lake and the grinder
4 pump quit.

5 One thing that just got brought up is
6 what we just talked about. The electricity comes off
7 of my breaker to a grinder pump that shares two
8 homes. One time that breaker tripped, so we had no
9 grinder pump working. If I was out of town for a
10 week, we'd have a problem.

11 So talking to them -- and there's two
12 of us, my neighbor and I, we're on the same grinder
13 pump. I'm paying the electricity. I think that was
14 addressed earlier. Might be something to think
15 about, I don't know. I just pay the price and there
16 you go. That's the thing you do when you live there,
17 you've got to pay the price.

18 But to fix the problem they said we
19 could put a switch in outside of where it's located
20 now and they'll hook into it. That way if that
21 problem ever did happen, that cost is on me to
22 install that wiring?

23 MR. WILLIAMS: Yeah.

24 MR. ALLCORN: I would have to install
25 the wiring to make your system work. You see what

1 I'm saying? So, okay, I've got a \$500 bill to save a
2 problem that our system has. I bet if you took a
3 survey across everything that you all own, you're
4 going to have that same problem.

5 It may not have happened, but it has
6 happened. That's what sparked through my mind. So I
7 would like to just put that in there that that is a
8 problem. It's probably more than just me and I've
9 got to bear the cost to ensure the system doesn't
10 stop and put waste into the Lake of the Ozarks.

11 COMMISSIONER KENNEY: Thank you very
12 much, sir.

13 JUDGE BURTON: Mr. Allcorn, I would
14 state for you or for any other individuals here if
15 you have any concerns, this might be something after
16 we're off the record and we conclude, the attorneys
17 and the representatives for the company, Missouri
18 American Water Company, we represent the commission,
19 staff and public counsel who represent the public
20 will be available and present for you to offer any
21 additional issues or comments.

22 MR. ALLCORN: This just came up. I
23 don't want to make it look like I ratted on them.

24 JUDGE BURTON: Like I said, anything
25 that's discussed earlier in the question and answers

1 isn't considered by us, but if it's something that
2 you would like to talk about later, give you contact
3 information to the parties if they don't have it.

4 MR. ALLCORN: Thank you.

5 JUDGE BURTON: Okay. Is there anyone
6 else that would like to offer their testimony?

7 Do you swear or affirm that the
8 statements you are about to give will be the truth,
9 the whole truth, and nothing but the truth?

10 MR. KLEPPE: Yes, I do.

11 JUDGE BURTON: Would you please state
12 and spell your name for the record.

13 MR. KLEPPE: Gene Kleppe, K-L-E-P-P-E.
14 I'd like to just comment along with Chuck that I'm
15 very, very pleased with the situation as it resolved
16 from the Benton County Sewer to American Water. I
17 cannot say enough good things about them either.
18 I've lived down here for 14 years and we've gone
19 through many situations with the other sewer district
20 and now it seems like everything has been resolved.
21 Yeah, we've got problems, but American Water works
22 with us and the customers. If people would give just
23 a little bit, see what the situation is, we'd all be
24 happier. I'm done.

25 COMMISSIONER KENNEY: Thank you very

1 much, sir.

2 JUDGE BURTON: Anyone else? Seeing no
3 hands we'll conclude the taking of testimony
4 portions, but I do want to remind everyone here if
5 you have a neighbor or someone else who would like to
6 have comments and they're not able to attend any of
7 the other hearings that we have, there is an
8 opportunity to go onto the Public Service
9 Commission's website and you can get the information
10 on the links from Mr. Williams or Mr. Luft and
11 Mr. Johnson afterwards, if you need those, to add
12 written comments for this case. And those will be
13 considered by the commission as well. If there's
14 something else that someone can't attend and let us
15 know, please let them know they can participate in
16 the process that way.

17 As Commissioner Kinney indicated, our
18 hearing is set to begin, the evidentiary hearing,
19 February 26th and will be two weeks and you will have
20 the opportunity, if you'd like, to watch it through
21 the Internet service.

22 I want to thank everyone for coming
23 out here today and participating and we are now going
24 to go off the record. Thank you.

25 (Hearing concluded at 12:56 p.m.)

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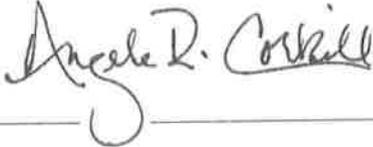
E X H I B I T S

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CERTIFICATE OF REPORTER

I, Angela R. Corkill, a Certified Court Reporter (MO), Certified Shorthand Reporter (KS), do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.



Angela R. Corkill

CCR No. 961, CRS No. 1387

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<p>A</p> <p>A-L-E-X 12:25 A-L-L-C-O-R-N 13:23 able 4:19 5:5 17:6 Acting 2:11 action 19:11 add 17:11 additional 15:21 addressed 6:25 14:14 affirm 7:14 9:2 12:18 13:16 16:7 afternoon 4:11 11:12 ago 7:25 ahead 4:3 al 1:14 4:4 Alaris 3:17 Alex 12:24 18:5 Allcorn 13:19,22 13:22 14:24 15:13,22 16:4 18:6 allowed 12:5 American 1:13 2:3 4:5,22 5:11,13 8:7,13 13:6 15:18 16:16,21 Angela 1:24 3:15 19:2,16 answer 5:5 answers 15:25 anybody 5:1 anytime 8:14 appearance 5:10 appreciate 5:3 8:18 approximately 4:9 Aqua 8:1 area 13:7</p>	<p>areas 1:18 4:8 6:25 asking 7:12 Assistant 3:3 attend 17:6,14 attorney 19:9,10 attorneys 6:14 15:16 authority 1:14 4:6 available 15:20</p> <p>B</p> <p>B 18:9 B-R-O-S-N-A- ... 12:25 back 10:7 bear 15:9 behalf 5:15,18 5:22,25 Benton 8:6,8 16:16 bet 15:2 better 9:21 13:6 big 11:1 bill 4:15 15:1 bit 16:23 bought 8:8 Box 2:16 3:8 Branch 9:12 13:3,5 breaker 14:7,8 briefly 6:22 Brosnahan 12:21,24,24 13:2 18:5 brought 14:5 Building 1:8 2:15 3:7 Burton 1:21 4:3 4:12 5:8,12,15 5:21 6:2 7:18 7:22 8:19,22 9:1,6,10 12:15 12:22 13:1,13 13:20 15:13,24 16:5,11 17:2</p>	<p>business 10:9 buy 11:4</p> <p>C</p> <p>C 2:1 4:1 7:20 19:1,1 call 6:6 called 10:17 14:1 case 6:12 7:1 12:6,6 17:12 caused 13:6 CCR 1:24 3:15 3:16 19:17 cent 8:9 Certified 19:2 certify 19:3 Chambers 1:8 chance 11:8,9 change 9:18 Charles 13:22 18:6 CHIEF 1:21 Chuck 16:14 City 2:17 3:9,18 Columbus 13:4 come 6:7 7:12 9:24,25 10:20 comes 14:6 coming 5:3,7 12:7 17:22 commenced 4:2 comment 16:14 comments 15:21 17:6,12 commercial 13:4 commission 1:2 3:1,6 4:13 5:16 5:19 6:10,19 6:23 7:1,4,9 15:18 17:13 Commission's 17:9 Commissioner 1:22 4:15,16 5:9,24 6:13</p>	<p>8:17,21 11:7,17 11:19,25 12:4 12:12 13:11 15:11 16:25 17:17 commissioners 4:14,18 Community 1:8 company 5:5,11 8:2 10:13 11:10 15:17,18 Company's 1:13 4:5 compensating 8:15 concerned 9:18 concerns 6:24 7:6 15:15 conclude 15:16 17:3 concluded 17:25 consider 6:10 6:19 7:1 8:15 considered 6:22 16:1 17:13 contact 6:1 16:2 cops 10:17,17 Corkill 1:24 3:15 19:2,16 cost 14:21 15:9 Council 1:8 counsel 2:9,11 2:14 3:3 5:5 5:22,25 15:19 19:9,10 County 8:7,8 16:16 court 3:15 4:18 5:13,19 6:1 7:19 19:2 covenant 10:4,8 10:22 covering 7:24 Craig 2:5 CSR 1:24 3:15 3:16 19:17</p>	<p>customers 16:22</p> <p>D</p> <p>D 4:1 18:1 decide 12:6 decreases 13:7 definitely 12:10 Department 2:13 3:5 DEPUTY 1:21 Development 2:13 3:5 direction 19:7 discriminatory 10:1 discussed 6:21 12:8 15:25 district 16:19 doing 10:15 door 11:2</p> <p>E</p> <p>E 2:1,1 4:1,1 18:1 18:9 19:1,1 earlier 14:14 15:25 easement 10:14 10:18,19 11:4 eastern 4:23 Economic 2:13 3:5 either 6:12 16:17 electric 8:14,16 electrical 8:10 8:10 electricity 14:6 14:13 employee 19:8 19:10 enjoy 13:7 ensure 15:9 enter 5:10 et 1:14 4:4 evening 11:13,14 evidentiary 4:25 17:18</p>
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