In the Matter of Missouri-American Water Company
Hearing before:
John Clark
January 26, 2023
Vol 8
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BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing

Thursday, January 26, 2023 6:45 p.m. - 7:44 p.m.

WebEx

VOLUME 8 Pages 1 - 46

In the Matter of Missouri-American) Water Company's Request for) Authority to Implement General Rate) File No. Increase for Water and Sewer) WR-2022-0303 Service Provided in Missouri) Service Areas)

> JOHN CLARK, Presiding SENIOR REGULATORY LAW JUDGE

JASON R. HOLSMAN, Commissioner GLEN KOLKMEYER, Commissioner

Stenographically Reported By: Beverly Jean Bentch, RPR, CCR No. 640

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Page 2 1 **APPEARANCES:** On behalf of Missouri-American Water Company: 2 3 737 Craig Road St. Louis, MO 63141 4 RACHEL NIEMEIER, ESQ. BY: rachel.niemeier@amwater.com 5 On behalf of the Staff of the 6 Public Service Commission: 7 Missouri Public Service Commission 200 Madison Street, Suite 800 8 PO Box 360 9 Jefferson City, MO 65102 10 BY: ERIC VANDERGRIFF, ESQ. Eric.Vandergriff@psc.mo.gov 11 On behalf of the Office of the Public Counsel: 12 Office of the Public Counsel 200 Madison Street, Suite 650 13 PO Box 2230 14 Jefferson City, MO 65102 15 BY: LINDSAY VanGERPEN lindsay.vangerpen@opc.mo.gov 16 17 18 19 20 21 22 23 24 25

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1	Page 4 The following proceedings began at 6:45 p.m.:
2	JUDGE CLARK: Let's go ahead and go on the
3	record. Today is January 26th, 2023, and the current
4	time is 6:45 p.m. As I indicated off the record, the
5	question and answer portion of the public hearing just
6	ended. And if you had questions about this rate case, I
7	hope you were able to get answers.
8	Now, the Missouri Public Service Commission
9	has set aside this time for a local public hearing in
10	File No. WR-2022-0303, which is captioned as In the
11	Matter of Missouri-American Water Company's Request for
12	Authority to Implement General Rate Increase for Water
13	and Sewer Service Provided in Missouri Service Areas.
14	My name is John Clark, and I'm the Regulatory
15	Law Judge overseeing this hearing tonight. Now, the
16	Missouri Public Service Commission regulates the rates
17	charged by investor-owned utilities in Missouri to
18	ensure that those rates are just and reasonable.
19	The Commission also regulates the quality of
20	service and safety of operations of investor-owned
21	utilities. Now, the Commission is made up of five
22	Commissioners: Chairman Scott Rupp and Commissioners
23	Maida Coleman, Jason Holsman and Glen Kolkmeyer. One
24	Commission seat is vacant at the moment. The
25	Commissioners are appointed by the Governor to a fixed

Page 5 1 term and are confirmed by the Senate. Now, the 2 Commission employs a staff of engineers, accountants, 3 attorneys, financial analysts and other specialists in the field of utility regulation. With me tonight so far 4 5 you've heard Commissioner Holsman. He's in attendance. 6 And as I indicated, we may have other Commissioners join 7 us.

8 Now, the court reporter is transcribing the 9 hearing so that the Commissioners that are not present 10 will be able to review and read your comments later. If you are not speaking, because this is a WebEx local 11 12 public hearing, if you're not speaking, I'm going to ask that you mute yourself. If you're participating by 13 14 phone and you need to unmute yourself at any time, please dial *6. And I'm just going to say now I've got 15 one person signed up to offer comments so far. 16 Ιf 17 you're on the fence about offering comments to the 18 Commission, I would encourage you to lean towards doing 19 so.

The Commission will have an opportunity to hear the arguments of the parties, as well as see the evidence at the evidentiary hearing and in briefs that are filed by the parties. But this is the Commission's opportunity to hear from the public. And the Commission is genuinely interested in what you have to say about

1	Page 6 this case. And we want to know how this case affects
2	you and your community. If you're on the fence about
3	offering comments, again I would lean towards offering
4	them, although at the end of the hearing I will provide
5	another outlet to offer comments if you wish to provide
6	written comments to the Commission.
7	Now, at this time I'm going to ask counsel to
8	enter their appearance for the record starting with
9	Missouri-American Water Company. I'm going to have to
10	ask you to unmute yourself. I can't hear you. Ms.
11	Niemeier, I was unable to hear you. I will come back to
12	Missouri-American Water Company. On behalf of the
13	Commission Staff.
14	MS. NIEMEIER: Can you hear me, Judge?
15	JUDGE CLARK: I can hear you now. Go ahead.
16	On behalf of Missouri-American Water Company.
17	MS. NIEMEIER: Sorry about that. Technical
18	difficulties. My name is Rachel Niemeier on behalf of
19	Missouri-American Water Company.
20	JUDGE CLARK: Thank you, Ms. Niemeier. On
21	behalf of the Commission Staff.
22	MR. VANDERGRIFF: Good evening. I'm Eric
23	Vandergriff on behalf of the Staff of the Missouri
24	Public Service Commission.
25	JUDGE CLARK: Thank you, Mr. Vandergriff. On

Page 7 behalf of the Office of the Public Counsel. 1 2 MS. VanGERPEN: Good evening, everyone. 3 Lindsay VanGerpen on behalf of the Office of the Public 4 Counsel. JUDGE CLARK: Thank you, Ms. VanGerpen. There 5 6 are a number of intervenors. Are there any parties I 7 haven't called? 8 Okay. I don't hear anybody. So we're going 9 to move on. For those who would like to provide 10 comments today, I will call the names listed on the 11 sign-up sheet in the order they appear. As I indicated, right now that's just one person. When I call your 12 13 name, I'm going to ask you to state and spell your name for the record. I'll also place you under oath. At 14 15 that time I will ask you to offer your comments to the Commission. 16 17 And after you offer your comments, don't just 18 immediately log off. I might have questions for you. I 19 might not. Generally I don't but sometimes I do. And 20 if the attorneys have any questions for anybody who's 21 offering comments tonight, don't use the hold up your 22 hand feature in WebEx. Please just say something to get 23 my attention. That's a lot easier and ensures that I 24 don't miss you. 25 Now, the Commission, myself included, will not

1	Page 8 be able to answer your questions today. That's because
2	they have to remain impartial until the evidence is
3	presented at the evidentiary hearing. If you have
4	questions, please speak to the parties that spoke to you
5	earlier: Representatives of the Company, the Commission
6	Staff or the Office of the Public Counsel. And if
7	you're listening to people speak today, I'm going to ask
8	that you be polite and courteous and remember that
9	people are here to offer comments and treat them as you
10	would like to be treated. With that in mind, I'm going
11	to call the first witness to offer comments.
12	Is there a Jon Stambaugh?
13	MR. STAMBAUGH: Yes, this is Jon Stambaugh,
14	Jon, J-o-n, Stambaugh, S-t-a-m-b-a-u-g-h, from out in
15	Wardsville, Missouri.
16	JUDGE CLARK: Thank you very much. I'm going
17	to say that because of the Commission's confidentiality
18	rules, which does not allow us to disclose customer
19	specific information, if you want to tell me a general
20	area you're from or a city, that's fine. Please do not
21	give me any more information than that in regard to
22	where you live.
23	Mr. Stambaugh, would you raise your right hand
24	to be sworn.
25	MR. STAMBAUGH: Yes.

Page 9 1 Do you swear that the testimony JUDGE CLARK: 2 you're about to give at this local public hearing is the 3 truth? MR. STAMBAUGH: 4 Yes. JUDGE CLARK: And what would you like to tell 5 6 the Commission this evening? 7 MR. STAMBAUGH: Yes. A couple concerns I have 8 with this rate increase more so on the wastewater charge 9 for out in our area. It is a flat fee type of fee 10 structure versus a volumetric usage fee structure. And 11 like in our household for what they're even using as an 12 average usage, it's just my wife and I, and therefore we 13 use substantially less water than probably the average 14 household but yet we're charged the exact same rate. So if we use 2,500 gallons a month and 15 16 somebody uses 25,000 gallons a month, we're charged the 17 same fee in the amount of effect that our usage is on 18 the plant and plant operation is significantly less than 19 somebody that's, you know, using 25,000 gallons, you 20 know, a month. To me that is a very unfair fee 21 structure for, you know, our wastewater, and out in our 2.2 area as a general rule my sewer bill under the flat fee 23 structure is basically two times my water charge which to me again is pretty ludicrous in itself but because of 24 that flat rate charge, you know, that's just the way it 25

	Page 10
1	works out, you know, for our household. To me it's kind
2	of like I can give a scenario on how would, you know,
3	one of the Commissioners like it that, you know, you
4	pull up to the gas station in your Prius and you put in,
5	you know, 5 or 10 gallons of gas and I pull up in a
6	great big SUV and put in 50 gallons of gas but yet at
7	the end of the day we pay the same charge. To me it's
8	just kind of an unfair type fee structure.
9	I talked with the individual from
10	American-Water earlier on how they, you know, on the
11	volumetric side they do it and that's the way the
12	village in which we live. When we used to run it
13	ourselves, they used that same structure basically use
14	like three months through the winter to calculate your
15	average water usage and then use that for your monthly
16	charge for your sewer fee because, you know, once you
17	get into the spring and summer months you're using a lot
18	more water that doesn't go into the sewer system in
19	which you shouldn't be charged for.
20	But you know, like I said, I would like to see
21	more of a volumetric type charge. That way it's equal
22	for everybody because you're paying for what, you know,
23	for the usage that you're using the sewer plant for.

You know, and also the overall 25.7 percent rate increase, that seems a little bit exorbitant to me.

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Page 11 kind of understand a lot of times in these proceedings, 1 2 you know, they'll ask for the world and accept something less. I'm quite sure that the Public Service Commission 3 will do something similar to that, you know, in this 4 situation. But like I say, on the sewer end that was my 5 biggest concern and biggest complaint on the flat fee 6 7 versus just your pay for what you use. Thank you very 8 much.

Thank you, Mr. Stambaugh. 9 JUDGE CLARK: Т 10 appreciate your comments. I don't have any questions for you at this time. At this time since I indicated 11 12 before that's the only name I had listed to speak. Is there anybody else at this point who would like to offer 13 comments to the Commission? I see one person with their 14 15 Would you please give me your name? hand up. MS. BARNES: Good evening. My name is Latasha 16

17 Barnes. I'm an attorney with Legal Services of Eastern 18 Missouri. Would you like our address for the record?

19JUDGE CLARK: I don't need your address for20the record. Thank you very much. Would you please --21Ms. Barnes, would you please raise your right hand to be22sworn. Do you swear or affirm that the testimony you're23about to give at this local public hearing is the truth?24MS. BARNES: Yes.

JUDGE CLARK: Okay, Ms. Barnes, go ahead. I

	Dage 12
1	Page 12 believe I remember you from a previous public hearing;
2	is that correct?
3	MS. BARNES: Yes, sir.
4	JUDGE CLARK: Please, I'd love to hear what
5	you have to say.
6	LATASHA BARNES,
7	having been first duly sworn, testified as follows:
8	MS. BARNES: Thank you, Your Honor, and to the
9	Commission, thank you for allowing me an opportunity to
10	speak. My name again is Latasha Barnes. I'm an
11	attorney with Legal Services of Eastern Missouri. I
12	work in our senior law program. Legal Services is a
13	nonprofit organization that provides free legal help to
14	low income Missourians for over 60 years.
15	We partner with the community to improve
16	lives, promote fairness and create opportunities for
17	those in need. Our core values are action, justice and
18	hope. Through our work we advocate with and for clients
19	that are most often underrepresented by many of the
20	infrastructure systems in place to benefit all of us.
21	Historically many of the urban and rural and
22	low income communities, as well as communities of colors
23	that we serve have been excluded from improvements to
24	water and sewer infrastructure while other communities
25	have almost nearly exclusively benefited from these

Page 13 1 improvements. Because of these disparities, any utility 2 rate increase will result in environmental, social and economic harm for the Missourians that we serve, and we 3 cover 21 counties in eastern Missouri. 4 Water is essential to the life of our clients. 5 6 Despite this fact, access to water and other services 7 have steadily risen over the past 10 years by an average 8 of approximately 80 percent while federal aid to public water utilities has plummeted. 9 The Low Income Water 10 Household Assistance Program was introduced to support 11 households during COVID but is expected to end shortly. 12 Inability to pay for water leads to shutoff and often snowballs into chronic health problems, 13 housing crises and family and community disruption. 14 For 15 instance, we spoke to a senior couple that live in Florissant, Missouri. They're both in their 70s and 16 17 retired veterans. Their income is extremely fixed. We 18 were told that they pay -- that after they pay their 19 monthly bills and medical expenses they barely have 20 enough money left to buy food. If the water bills 21 increase, I do not know how we'll be able to continue to 2.2 live in our home which happens to be down the street 23 from our church where we volunteer. 24 Ms. Matlock specifically stated these types of 25 increases hurt seniors and folks like us the most. We

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also spoke to Ms. Graves who was a single mother who works two jobs just to make ends meet. Her medical expenses are rapidly increasing, and she does not know what she will do if she cannot pay for both water and medical care.

6 Lastly, we heard from Ms. Ingram who's the 7 mother of a child with a disability. She stated that 8 she's already struggling to make ends meet and does not 9 know where she will get the extra money to pay for the 10 increased rate. Here at LSCM our clients' health and 11 welfare is paramount to us. We emphasize the necessity 12 of access to water as a fundamental right and we urge the Commission to reject the request for a water rate 13 increase. We also urge American Water to consider 14 15 creating additional sustainable water affordability 16 programs that can be adjusted for income and includes 17 protection to our most vulnerable populations. Thank 18 you.

JUDGE CLARK: Thank you, Ms. Barnes. I don't mean to put you on the spot. I'm going to ask you one thing that occurred to me. You said early on you said that it would cause environmental, social and economic harm. I'm curious about the environmental aspect of that.

MS. BARNES: That's a great question, Your

1	Page 15 Honor. We actually have research that we have attached
2	to our formal letter of opposition that goes into a lot
3	of that detail. I can't say that I'm qualified to
4	explain it in a way that would clearly articulate it and
5	make sure that it's understandable but we did attach
б	that research to our formal opposition so that it would
7	be a part of the public record and available for
8	everyone to review.
9	JUDGE CLARK: This letter of opposition, what
10	did you do with that?
11	MS. BARNES: We electronically filed it in the
12	case.
13	JUDGE CLARK: Okay. So it's filed with the
14	comments?
15	MS. BARNES: Yes.
16	JUDGE CLARK: Okay. I just wanted to be sure
17	if we didn't have it that we somehow got it.
18	MS. BARNES: Sure, and we're happy to submit
19	it. We can email it directly to the Office of the
20	Public Counsel or to the Commission if that would be
21	helpful.
22	JUDGE CLARK: I will leave that up to you if
23	you would like me to attach that as an exhibit, as a
24	hearing exhibit to this local public hearing transcript,
25	I'd be happy to do so.

Page 16 MS. BARNES: That would be wonderful. We will 1 2 email it over this evening. JUDGE CLARK: Okay. And Ms. VanGerpen, you 3 4 will get that to me? 5 MS. VanGERPEN: Yes, Your Honor. As soon as 6 we receive it, we'll get it over to you. 7 JUDGE CLARK: I appreciate that. I'm sorry to 8 rely on you as the intermediary for this. I will label 9 that opposition letter of Legal Aid Services, Hearing 10 Exhibit 1. 11 (HEARING EXHIBIT 1 WILL BE MARKED AS AN 12 EXHIBIT WHEN IT IS RECEIVED BY THE COMMISSION.) 13 JUDGE CLARK: Ms. Barnes, did you have any other comments? 14 15 MS. BARNES: No further comments. Thank you 16 for your time. 17 JUDGE CLARK: Thank you for your comments. Is 18 there anybody else at this time that would like to offer 19 comments to the Commission? I see a hand. 20 MS. OXFORD: I would, Mr. Clark. 21 JUDGE CLARK: Go ahead. 22 MS. OXFORD: I'm sorry I'm running late. I 23 had to work late this evening. 24 JUDGE CLARK: Ms. Oxford; is that correct? 25 MS. OXFORD: Yes.

Page 17 1 Okay. Would you please state JUDGE CLARK: 2 and spell your name for the record. 3 MS. OXFORD: It's Jeanette, J-e-a-n-e-t-t-e, Mott, M-o-t-t, no hyphen, Oxford, O-x-f-o-r-d. 4 JUDGE CLARK: Would you raise your right hand 5 to be sworn. Do you swear or affirm that the testimony 6 7 you're about to give at this public hearing is the 8 truth? 9 MS. OXFORD: I do. 10 JUDGE CLARK: What would you like to tell the Commission this evening? 11 12 JEANETTE MOTT OXFORD, having been first duly sworn, testified as follows: 13 14 Thank you for this opportunity. MS. OXFORD: 15 I'm sorry to arrive late. I had a late-day meeting at work that went a little long. 16 17 I presently work at Paraquad, which is an 18 independent living center for people living with 19 disabilities, and I've had a long career of working in public policy, especially with very vulnerable 20 21 populations, those with low incomes, those with 2.2 disabilities and those that have a number of structural 23 barriers in their way when it comes to securing basic 24 human needs. 25 JUDGE CLARK: I'm sorry. Could you back up

1	Page 18 one sentence, Ms. Oxford. Our court reporter was having
2	a hard time hearing.
3	MS. OXFORD: Sure. I don't have a manuscript,
4	so I don't know exactly what I said. But I said I've
5	worked in public policy with vulnerable populations for
б	about 40 years, including people living in poverty,
7	people with disabilities and others that have barriers
8	in the way of them succeeding or securing their basic
9	human needs.
10	So when I see that there is a rate request by
11	American Water that could raise water bills by \$150 a
12	year, I know that there's a lot of my neighbors that
13	cannot afford that. There's a study that MIT produces
14	each year. It's called the Living Wage Study. And
15	rather than being a minimum wage study of, you know,
16	what does the minimum wage pay, it's a study of what
17	does it really cost to have the basics in life, not an
18	extravagant lifestyle, not a lifestyle where you can
19	take expensive vacations but to have a decent level of
20	housing, transportation, adequate supply of food, so
21	just to cover your basics. And that includes some
22	things like some money for health care, some money set
23	aside for retirement, so things that would be really
24	basic for you. And that study shows here in St. Louis
25	City a family of four, two parents and two children,

Page 19 would need more than \$76,000 a year to live. 1 I can put 2 in the chatbox for you the link to the study when I'm 3 finished speaking in case you'd like to save that. JUDGE CLARK: Please don't put anything into 4 5 the chatbox. That kind of goes for everybody. That's 6 not a part of the hearing record. 7 MS. OXFORD: Okay. 8 JUDGE CLARK: If you want to verbally give it 9 to me at the end of your comments, I'll be happy to 10 write it down. 11 MS. OXFORD: Okay. Very good. I'll be glad 12 to give you that web address. 13 JUDGE CLARK: You were saying a family of four would need 76,000? 14 15 MS. OXFORD: Yeah. Let me pull it up right in 16 front of me here so I can tell you the exact amount. They've got it expressed in an hourly wage. So let me 17 18 multiply it quickly here. It's actually more than 19 78,000, \$78,457.60 if you were going to have a decent level of housing, food, transportation, other very basic 20 21 needs in the City of St. Louis. 22 Now, there's a whole lot of people in St. 23 Louis and throughout our state that are American Water customers who don't have those kind of incomes. 24 The 25 median income in Missouri, these figures are a little

1	Page 20 bit out of date. But let me pull that up real quick
2	here.
3	JUDGE CLARK: Are all of these things you're
4	telling me now from the MIT Living Wage Study?
5	MS. OXFORD: No, the newest study the
6	newest numbers I was going to tell you is actually from
7	the Institute on Taxation and Economic Policy has a
8	report on incomes in the state of Missouri and how much
9	people pay in taxes. And they publish something, a
10	report periodically. Let me pull that up real quickly.
11	Here we go. This was based on which tax year. Well,
12	it's dated October 2018, so I'm guessing this is either
13	tax year 2017 or 2018, that the median income in
14	Missouri at that point was \$43,500 meaning half of
15	Missourians make less than \$43,500 a year.
16	When you go up to the fourth quintile, you get
17	to an average income for that group of \$72,800. That
18	would mean, you know, that a whole lot of Missourians,
19	more than half of Missourians, have less than what it
20	costs to secure those basic human needs. So I believe,
21	as was said earlier, water is an absolute essential in
22	life and people can't bear a \$150, a whole lot of our
23	neighbors cannot bear a \$150 a year increase.
24	When I served in the Missouri House of
25	Representatives from 2005 to 2012, I was a part of the

Page 21 National Caucus of Environmental Legislators and we 1 2 studied how outdated water systems are around our 3 country and what a desperate need there is there. So I do understand that this is something that has not been 4 attended to by our society and that it's really 5 6 important that we bring our water system up to modern 7 standards for safety sake, for health sake, for security sake around matters of national security when there are 8 9 people that sometimes like to try to harm others through 10 things like attacking water supplies or electric grids, We have to think about things like that. 11 et cetera. Somehow we have to balance that all out so that we don't 12 create hardships for families that are really struggling 13 to make it. 14

15 So I think that this is a larger increase than the public can bear. So I hope that the Public Service 16 17 Commission will significantly reduce it and that for the 18 poorest of my neighbors some type of public assistance, 19 you know, grants or reductions, some type of aid program 20 to reduce the bill would be available for those that 21 are, you know, say in the bottom fifth of income earners in the state of Missouri. They are truly already very 2.2 23 transient in their housing because they can't afford to pay and often utility bills including water bills create 24 25 a chain of events in their lives where they may have

Page 22 1 spells of homelessness or miss being able to renew 2 prescriptions and other things that are really desperate 3 situations in their lives. I'm very concerned about this having worked with families that are very, very 4 5 poor for a long time and currently working with people with disabilities who often have inadequate incomes from 6 7 either the jobs that they can secure or from public 8 assistance programs. And I thank you for letting me enter at the last minute. As I said, I had to work late 9 10 and I hustled home to get my computer booted up and onto 11 this call. 12 JUDGE CLARK: I'm very happy you were able to attend. You said you were going to give me the web 13 14 address for the MIT study. 15 MS. OXFORD: Yeah. The MIT study is at 16 livingwage, that's l-i-v-i-n-g-w-a-g-e, 17 .mit.edu/counties/29510 gives you the St. Louis City 18 information. If you use that same address 19 livingwage.mit.edu/states/29/locations, you can look at every county in the state of Missouri to see what it 20 21 truly costs for a family to have an adequate level of income to meet their needs. 22 23 JUDGE CLARK: Thank you very much for your 24 comments, Ms. Oxford. 25 MS. OXFORD: You're welcome.

1	Page 23 JUDGE CLARK: And I have no questions for you
2	beyond what I've already asked. I saw a hand up earlier
3	from Ms. Bradley. Ms. Bradley, did you have comments
4	you wanted to offer to the Commission this evening?
5	MS. BRADLEY: Yes, Commissioner.
6	JUDGE CLARK: We're getting feedback.
7	MS. BRADLEY: I'm so sorry.
8	JUDGE CLARK: Would you please state and spell
9	your name for the court reporter.
10	MS. BRADLEY: I apologize, Commissioner. I
11	could not hear anything. Could you repeat?
12	JUDGE CLARK: Yes, of course. I said can you
13	please state and spell your name for the court reporter.
14	MS. BRADLEY: Yes. My name is Nyree Bradley.
15	My name is spelled N-y-r-e-e, last name B-r-a-d-l-e-y.
16	JUDGE CLARK: And Ms. Bradley, would you raise
17	your right hand to be sworn.
18	MS. BRADLEY: Yes.
19	JUDGE CLARK: Do you swear or affirm that the
20	testimony you're about to give at this local public
21	hearing is the truth?
22	MS. BRADLEY: Yes.
23	JUDGE CLARK: Okay. What comments would you
24	like to offer for the Commission?
25	NYREE BRADLEY,

Page 24 having been first duly sworn, testified as follows: 1 2 MS. BRADLEY: I wanted to first start off by 3 introducing myself. My name is Nyree Bradley, and I'm a 4 resident of St. Louis County. I'm a student at St. 5 Louis University School of Law and I'm also a single parent of three small children. It's July 1, 2022, it 6 7 looks like filing, American Water included a description of the impact its proposal would have on residential 8 customers in each district utilizing 3,000, 5,000 and 9 10 7,000 gallons monthly usage levels identified as it looks like Appendix B reflecting an increase of 37.9 to 11 12 39 percent change in present rates. Most notably its description illustrates that households with higher 13 utilizations will be impacted the most if its rate 14 15 request is approved. 16 I urge the Commissioners to consider this 17 information before making its determination, as research 18 supports that approving this increase will disproportionately affect single parent and 19 20 multi-generational households in St. Louis County. 21 The American Community Survey reported that at 2.2 least 28.1 percent of St. Louis County households are 23 comprised of single parent family households.

households similar to my own typically have limited 24 25 It is estimated by the water industry that an income.

Those

Page 25 average person uses 3,000 gallons of water monthly. 1 So 2 a family of four like my family would use 12,000 gallons for bathing, cooking, washing, recreation and watering. 3 It goes without saying that it would be an 4 5 injustice to allow American Water to impose a significant additional financial burden on single parent 6 7 families like my own in comparison to a household 8 comprising of one single adult. Moreover, multi-generational households would 9 10 also be unjustly burdened if American Water's rate 11 increase is approved. Multi-generational households are defined as households that include two or more adult 12 generations or a skip generation which consists of 13 grandparents and their grandchildren younger than the 14 age of 25. Research provided by the Pew Research Center 15 shows that financial issues top the list of reasons 16 17 adults live in multi-generational homes. Parents living with adult children and adults living with parents are 18 about equally likely to say finances are a major reason 19 20 for their living arrangements. 21 It is important to note that households 2.2 comprised of multiple adults do not necessarily equate 23 with increased income capability. What many multi-generational households are comprised of senior 24 25 citizens who are unable to work and receive a fixed

1	Page 26 income. I noted that the latest increase, which was 8.7
2	percent of Social Security Income federal payments for
3	seniors became effective this month, January 2023, and
4	are \$914 worth of payments for an eligible individual.
5	That amount alone would not be enough to meet basic
б	living expenses for one person let alone senior citizens
7	that also have to pay for additional expenses such as
8	health care and necessary prescription costs.
9	So therefore I urge the Commission to consider
10	this information and deny American Water's request for a
11	rate increase. Thank you for this opportunity for
12	giving me a chance to speak.
13	JUDGE CLARK: Thank you, Ms. Bradley. I've
14	got a couple questions just because I was writing slow
15	enough I didn't catch the number. The Social Security
16	increase percentage you gave, you said it was 9; is that
17	correct?
18	MR. BRADLEY: So I have it noted as 8.7
19	percent. So it's not quite 9 percent yet, but it looks
20	like it became effective January of 2023.
21	JUDGE CLARK: And just because I don't have
22	the case file open in front of me on my computer, you
23	had referenced me to in regard to the 3, 5 and 7,000
24	gallon usage to Appendix B of one of Missouri-American's
25	pleadings, and is that in their petition?

Page 27 1 MS. BRADLEY: Yes. 2 JUDGE CLARK: Okay. When was it filed? Just 3 so I can qo reference it later. 4 MS. BRADLEY: It looks like it was filed on 5 July 1 of 2022. 6 Okay. So this is the pleading JUDGE CLARK: 7 opening the case? 8 MS. BRADLEY: Yes. 9 JUDGE CLARK: Okay. All right. Thank you 10 very much, Ms. Bradley, for your comments. I appreciate 11 your time. 12 MS. BRADLEY: No problem. Thank you. Is there anybody else at this time who would like to offer 13 comments to the Commission on Missouri-American? 14 MS. EFFMAN: Hi, this is Nicolle Effman. 15 16 Hello? 17 JUDGE CLARK: Yes, I can hear you. I'm sorry. 18 Would you please state your name again, I'm sorry I 19 didn't catch your last name, and then spell your name 20 for the record. 21 MS. EFFMAN: Sure. My name is Nicolle Effman. 2.2 That's N-i-c-o-l-l-e Effman, E-f-f-m-a-n. 23 JUDGE CLARK: And Ms. Effman, would you raise 24 your right hand and be sworn. 25 MS. EFFMAN: Yes, sir.

1	Page 28 JUDGE CLARK: I'm sorry?
2	MS. EFFMAN: I said yes, sir.
3	JUDGE CLARK: Thank you. Do you swear or
4	affirm that the testimony you're about to give at this
5	local public hearing is the truth?
6	MS. EFFMAN: I do.
7	JUDGE CLARK: What would you like to tell the
8	Commission this evening?
9	NICOLLE EFFMAN,
10	having been first duly sworn, testified as follows:
11	MS. EFFMAN: I have spoke with the Office of
12	the Public Counsel and they felt that I should be here
13	today to speak. I received the water report from
14	Missouri-American Water and I have health issues from
15	the water. I have Hashimoto's hypothyroidism. I live
16	east of Westport but grew up in Chesterfield. The
17	endocrinologist stated it was from the chemicals in the
18	water why I have this autoimmune disease.
19	I also am a cancer survivor. My mother is a
20	four-time cancer survivor. The rates of cancer, I could
21	go on and on. My best friend's mom, my aunt has two
22	kinds of cancer, her daughter is recovering from a
23	lymphoma. The things that are in the water are causing
24	cancer. Every hospital has a cancer center. The rates
25	of cancer are unbelievable. We have to protect our

1	Page 29
1	youth. Missouri children have a right to healthy, clean
2	water, and they deserve a starting chance. With the
3	chemicals we inhale through showering and bathing,
4	washing dishes, being a stay-at-home mom, you know, I
5	know that this is being absorbed through the skin.
6	I have invested in a Kangen Water Machine to
7	help with the drinking water and how I clean and take
8	care of my home to reduce toxins and exposure to what is
9	in the water.
10	My father built I live near the
11	headquarters. My father built a lot of Creve Coeur. I
12	feel we can do better for some Missourians here.
13	JUDGE CLARK: You had indicated that your
14	doctor told you that your health issues in regard to the
15	Hashimoto's, and I'm getting some feedback so I'm going
16	to remind everybody once again if you're not currently
17	testifying, please mute yourself. You had indicated
18	that your health issues in regard to the Hashimoto's
19	thyroid disease, your doctor had indicated that that had
20	been caused by chemicals in the water?
21	MS. EFFMAN: That's correct. Chlorine and one
22	other chemical. I have a multinodular thyroid which
23	means that there's a lot of scar tissue from my body
24	rejecting the chemicals in the water.
25	JUDGE CLARK: And you don't know what the
<u>ل</u> لک	obbe charter And you don't know what the

Page 30 other chemical your doctor indicated besides chlorine? 1 2 MS. EFFMAN: I believe she said chloride. I 3 could be mistaken though. JUDGE CLARK: Chloride. 4 MS. EFFMAN: I'm familiar with the water plant 5 in the Missouri bottoms also. 6 7 JUDGE CLARK: Would you care to expound on 8 that or explain the significance of that? MS. EFFMAN: Well, I just have seen how the 9 10 water is treated and I feel like we should do better for the future of the state and, you know, our children 11 12 deserve a fighting chance and I know that it's been 13 brought up a lot about people not being able to pay for 14 the water if there's an increase, and I feel that the 15 people who have spoke have exhausted that topic. But 16 one thing I feel is that maybe it should go to a ballot 17 or that there should be federal money given to 18 Missouri-American Water and not expecting Missourians to 19 pay this. 20 JUDGE CLARK: And I don't mean to put you on 21 the spot again but I'm going to ask you. You said you 2.2 had seen how they treat the water. What specifically 23 have you observed? 24 MS. EFFMAN: Just where it goes through the 25 tubes and that. I haven't seen inside the plant or

Page 31 anything like that. 1 2 JUDGE CLARK: Okay. So just from the outside 3 of the plant? Right. I know they do get some 4 MS. EFFMAN: 5 of their chemicals from the state of Florida. That's all I know. 6 7 JUDGE CLARK: I don't have any further 8 questions for you. Did you have any other comments you 9 wanted to offer? I think that covers it. 10 MS. EFFMAN: I'll qo 11 ahead and contact the Department of Natural Resources for further information about all this. 12 13 JUDGE CLARK: Ms. Effman, thank you very much. 14 I appreciate your time and I appreciate the comments 15 you've offered the Commission tonight. 16 MS. EFFMAN: Thank you, sir. 17 JUDGE CLARK: Is there anybody else who would 18 like to offer comments to the Commission tonight about 19 Missouri-American's rate case? Okay. I'm not hearing 20 -- I'm sorry? 21 MR. KINDIG: I do have something. Sorry, I 2.2 have something. 23 JUDGE CLARK: Yes, sir. What's your name? 24 MR. KINDIG: My name is Derek Kindig. That is 25 D-e-r-e-k K-i-n-d-i-q.

Page 32 1 JUDGE CLARK: K-i-n-d-i-q? 2 MR. KINDIG: Yes. JUDGE CLARK: And would you raise your right 3 4 hand to be sworn. Do you swear or affirm that the 5 testimony you're about to give at this local public 6 hearing is the truth? 7 MR. KINDIG: Yes. 8 JUDGE CLARK: And what would you like -- What 9 comments would you like to offer to the Commission this 10 evening? 11 DEREK KINDIG, 12 having been first duly sworn, testified as follows: 13 MR. KINDIG: In the first half of this call I was encouraged to voice my question in the second half. 14 15 That's why I'm speaking now. There I asked about the 16 percentage of revenue that was put into a savings account or if there was a savings account of some kind 17 18 within American Water's company to put forth against 19 these types of projects. And that's when it was 20 explained that process is more retrospective. So as 21 they put funds towards these projects they then seek the funds afterwards. So it was brought up that I should 22 23 bring that up here and I feel that that would be worth a That was a question I had actually whether 24 discussion. 25 or not there were questions, conversations, so on and so

Page 33 1 That way -- sorry, I'm hearing forth happening. 2 feedback. I don't know if --3 JUDGE CLARK: I was catching you earlier, but I'm hearing you clearly now. It was just one incident. 4 MR. KINDIG: Sorry. Okay. Sorry. 5 So the 6 thought is if there were some sort of savings accounts 7 or discussion toward that I think that could be an 8 opportunity to try to avoid these types of situations. I understand that there are a multitude of other issues 9 10 that come with this whether it's affordability, and so 11 on and so forth, but it's a little surprising to me that 12 there wouldn't be some sort of reserve funds to try to get ahead of these situations, and I just really wanted 13 to offer that up as why is that really not in place type 14 15 of thing has to be a topic of conversation to see if it's an option to try to avoid an increase every three 16 or four months. And then as someone else mentioned 17 18 earlier regarding their bill, it could just be a line 19 item there, right, saying, you know, 2 percent, 3 20 percent, whatever it is, goes towards this type of 21 maintenance. I think that would provide more to 2.2 customers. That's really just where my head is at on 23 that. 24 JUDGE CLARK: Just to summarize to see that 25 I've got this right, you're wondering whether there had

1	Page 34 been discussions about some sort of whether
2	Missouri-American had some sort of reserve fund for the
3	purpose of dealing with infrastructure; is that correct?
4	MR. KINDIG: Essentially, yes, it would be
5	similar to an individual having emergency fund, right,
6	like we're kind of expected to save for any kind of
7	emergency that may happen for us. I guess it's
8	surprising to me that an organization such as
9	Missouri-American Water wouldn't have that and it was
10	kind of indicated that it wasn't allowed to. Whether
11	that's the case or not, I don't know. But that's kind
12	of where that was going, and I was encouraged to bring
13	this up during this call.
14	JUDGE CLARK: Thank you for bringing that to
15	my attention. I appreciate that. As I indicated
16	earlier, the Commission can't answer questions, because
17	we have to remain impartial until after such times as
18	the Commission has heard all the evidence and had an
19	opportunity to make its decision. But thank you for
20	bringing that to my attention. I've got no further
21	questions for you, Mr is it Kindig; is that correct?
22	MR. KINDIG: Yes, Kindig, yep.
23	JUDGE CLARK: Thank you very much for your
24	time and thank you for attending tonight.
25	MR. KINDIG: Yes, thank you.

Page 35 1 Is there anybody else at this JUDGE CLARK: 2 time that would like to offer their comments or thoughts 3 to the Commission? MS. VALDEZ: This is Susanne Valdez. 4 JUDGE CLARK: Ms. Valdez, would you please 5 spell your name for the court reporter. 6 7 MS. VALDEZ: Yes. Susanne, S-u-s-a-n-n-e, 8 Franza, F-r-a-n-z-a, Valdez, V-a-l-d-e-z. 9 JUDGE CLARK: Ms. Valdez, would you raise your 10 right hand to be sworn. 11 MS. VALDEZ: Yes, sir. 12 JUDGE CLARK: Do you swear or affirm that the testimony you're about to give at this local public 13 hearing is the truth? 14 15 MS. VALDEZ: It is, yes. 16 JUDGE CLARK: What would you like to tell the 17 Commission this evening? 18 SUSANNE FRANZA VALDEZ, 19 having been first duly sworn, testified as follows: 20 MS. VALDEZ: Well, this is more to you, sir. 21 JUDGE CLARK: If you could speak just a little 2.2 bit louder, I'm having just a touch. 23 MS. VALDEZ: Yes. Can you hear me now? 24 JUDGE CLARK: I can. Thank you. Go ahead. 25 MS. VALDEZ: I am now involved in this

Page 36 practice that the Commission has and that you so 1 2 wonderfully serve because of a horrible destruction of 3 my next door neighbor's home when water flowed out of a 1940 pipe for over an hour. Had that not happened, I 4 5 don't think I would have ever thought about our Public Service Commission or rate increases from 6 7 Missouri-American Water, Ameren, Spire, any of those 8 companies. The bills come and I pay them. Okay. And I quess I'm one of those people who has the benefit of an 9 10 income that allows me to pay those bills not unlike others who have been introduced to you this evening. 11 My 12 concern is a failure to communicate, and I believe that failure to communicate is with our utility companies and 13 with our Commission. 14

I learned today that I cannot pick up the phone and call Maida Coleman and talk to her about what my concerns are. Something seems to be amiss for me when a resident of the state of Missouri cannot speak to the members of the Board of Commission who are appointed by our Governor. That's a critical issue for me as a taxpaying resident.

I'm a resident of University City, I'm a resident of St. Louis County, and I'm a resident of the state of Missouri. As a resident taxpayer, it seems to me like I should have access to all of those individuals

1	$_{\rm Page\ 37}$ because they are in those positions to serve me as a
2	resident. My concern now is, again, I have learned so
3	much since the first weekend of October about how the
4	process works.
5	And like so many other people who have
6	addressed you this evening, there are probably hundreds
7	of thousands of people in the state of Missouri who have
8	no idea of what's going on with this system.
9	And water is basic. Heating is basic.
10	Communication is basic. I believe we are at the point
11	where we need to be telling people in these
12	neighborhoods when a pipe bursts and the water flows for
13	an hour, somebody needs to be here in our neighborhood
14	talking to us. We shouldn't have to second guess about
15	what's going on.
16	I made two calls to Missouri-American Water
17	soon after that accident occurred. I was assured that I
18	was going to receive a call back. And Your Honor, we
19	are now at the end of January 2023, and never once has
20	Missouri-American Water called me back to answer my
21	questions. That is a failure in the business of
22	providing us with water.
23	My comment to you this evening is how, or the
24	question, how can we within the state of Missouri do a
25	much better job of having those elected and appointed

officials talk to us, let us know what's happening. We have a full block of people right now who are waiting to see when the third piece of that pipe breaks, because when that third piece breaks, Your Honor, it's probably going to affect the house that I live in and I don't want to wait to see that happen.

7 When they were out here repairing the work that happened in October, it took them until the end of 8 9 December, sir, to complete the job, and never once did I 10 see the same group of people working on that problem. 11 It was a company after a company after a company and they were all doing work on behalf of Missouri-American 12 They all just came out, did hit or miss as far 13 Water. as I'm concerned, reconstruction of that problem and 14 that just spelled to us in this neighborhood another 15 problem is going to happen and none of us, none of us 16 has received any information from Missouri-American 17 18 Water about the problem and how they're addressing it 19 and how they were going forward. And so this evening I 20 had the opportunity to ask that direct question to the 21 president, and he assured me that I send them an email 22 and they'll let me know where my street rests with the 23 next action that can be taken to complete the process of taking a 1940 piping system to completion so we don't 24 25 have to worry about the next problem. So for me, sir,

1	Page 39 it's not a matter of paying what I have to pay to have
2	the water. It's a matter of saying if you're
3	responsible for the water system, you need to fix it,
4	you need to let us know what's happening, and no more
5	guesswork. If I call Missouri-American Water and ask to
6	speak with someone, I believe they have an obligation to
7	call me back and answer my questions. That's my
8	comment. Thank you.
9	JUDGE CLARK: Okay. Ms. Valdez, thank you for
10	your comments. I can certainly hear the frustration in
11	your voice. As I indicated earlier, the Commission
12	can't answer questions at this public comment. What I
13	will say is at least in regard to the Commission is that
14	the Commissioners have to follow very specific
15	regulations that set out what kind of communications
16	they can have outside of the case.
17	The Public Service Commission has a consumer
18	services department. And if you don't have that number,
19	I would be more than happy to give it to you. I will

20 also tell you that the Missouri Public Service

21 Commission has a complaint process by which both

22 informal complaints are made and investigated and formal

23 complaints can be made and adjudicated before the

24 Commission. Would you be interested in that consumer

25 services number?

1	Page 40 MS. VALDEZ: Let me offer you this
2	information. Since October, I have gone through the
3	online information about the Commission, who the staff
4	are, and as of today I have names and phone numbers for
5	three or four people. So thank you for offering that,
6	but I've done a lot of online research and it's there.
7	I guess the unfortunate thing, sir, though is that in
8	order to have that information you have to go online and
9	do a lot of research to get to that. It would be good
10	if maybe it was a more easily available piece of
11	information for all of us.
12	I do understand the process. I've studied it
13	in quite a bit of detail and I understand what the
14	process is. Thank you.
15	JUDGE CLARK: I apologize. I did not mean to
16	imply that you didn't understand the process. I was
17	just trying to offer.
18	MS. VALDEZ: No, sir, you did not, I did not
19	take it that way. I greatly appreciate your willingness
20	to offer the assistance. Yeah, it's just taken me
21	I've lived here for a long time, but it took me a few
22	months to get a better understanding of what the
23	Commission is and how the procedures that it follows.
24	Thank you for your service to the state of Missouri. I
25	greatly appreciate that.

1	Page 41 JUDGE CLARK: Thank you again for showing up
2	tonight and taking the time out of your day to offer
3	comments. I will certainly take back to the Commission
4	your comments and concerns regarding communication
5	issues. I do have one question because you had said at
б	least two times to my noting that it was a 1940s pipe
7	you believe that ruptured. I'm just curious how you
8	came to that number. Is it based on the age of the
9	house or did you receive that information from
10	elsewhere?
11	MS. VALDEZ: We, my next door neighbor and I,
12	have received that information from elsewhere. We live
13	in University City. We know that the street on which we
14	reside that those pipes were laid in 1940. Yes, we've
15	done background on that, yes.
16	JUDGE CLARK: You indicated it was a pipe
17	inside the house that burst?
18	MS. VALDEZ: No, sir. It's the piping that
19	runs down the street. So in two different spots on the
20	street there have been breakages. The first one was
21	fixed pretty quickly. The second one unfortunately the
22	water flowed for over an hour.
23	JUDGE CLARK: You said it took from October to
24	December to get that repaired?
25	MS. VALDEZ: Yes, sir, that's correct.

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1	JUDGE CLARK: Again, thank you very much for
2	your comments. I appreciate them.
3	MS. VALDEZ: Yes, thank you.
4	MS. NIEMEIER: Judge, may I ask a clarifying
5	question?
6	JUDGE CLARK: I'm sorry. Is that Ms.
7	Niemeier?
8	MS. NIEMEIER: Yes.
9	JUDGE CLARK: Okay. Missouri-American, go
10	ahead.
11	MS. NIEMEIER: Ms. Valdez, I just want to
12	confirm you're the individual that we spoke to on the
13	Q&A and we asked that you send us an email? I just
14	wanted to confirm we have that correct.
15	JUDGE CLARK: Ms. Valdez? Ms. Valdez, are you
16	still there?
17	MS. VALDEZ: Hello.
18	JUDGE CLARK: Yes. Missouri-American asked if
19	you, in fact, talked to them during the Q&A and you
20	provided the email; is that correct?
21	MS. VALDEZ: Yes, I am the person, correct,
22	yes.
23	JUDGE CLARK: Okay. Thank you. You had a
24	follow up? Go ahead.
25	MS. NIEMEIER: Thank you for clarifying.

1	Page 43 MS. VALDEZ: Yes, and thank you.
2	JUDGE CLARK: Is there anybody else this
3	evening that wanted to offer comments to the Commission
4	about Missouri-American's rate case? Okay. I'm hearing
5	nobody. I'm going to check just for my own record right
б	now. I know that Commissioner Holsman is in attendance.
7	Do we have any other Commissioners on tonight that I did
8	not get?
9	COMMISSIONER KOLKMEYER: Yes, Judge, this is
10	Commissioner Kolkmeyer. I'm in attendance.
11	JUDGE CLARK: Thank you, Commissioner
12	Kolkmeyer. I appreciate it.
13	COMMISSIONER HOLSMAN: I'm still here, Judge.
14	JUDGE CLARK: Thanks, Commissioner Holsman.
15	Did either of you wish to offer a closing comment today?
16	COMMISSIONER HOLSMAN: Sure. Thank you,
17	Judge. We just want to thank everybody for taking their
18	time to share their opinions with us. We do listen and
19	we do take them into consideration when making
20	decisions. I believe this is the last hearing that
21	we're going to have on this issue. So I want to thank
22	all the people who took their time over the course of
23	this last week to testify and just appreciate you as
24	well, Judge. Thank you for being part of this and we'll
25	talk to you soon.

Page 44 1 Thank you very much. Ι JUDGE CLARK: 2 appreciate your closing remarks today. I am going to say while this was originally scheduled to be the last 3 public hearing for this, because we did convert the one 4 the other day in St. Louis to a WebEx hearing, because 5 6 of the forecast weather at that time, we are currently 7 looking about rescheduling an in-person hearing in St. 8 Louis. So you may want to watch the media outlets, because there may be something in relation to that. 9 Т 10 don't believe it's been determined when that's going to be rescheduled for. We're looking at available times 11 12 and venues.

I'd like to thank everyone who participated 13 today and for all of those that took the time out of 14 15 their day to get their questions answered as well as offer comments to the Commission. If you have 16 17 additional comments that you want to make or you know 18 someone who was unable to attend tonight who would like 19 to offer their comments and thoughts to the Commission 20 about this rate case, they may do so, offer written 21 comments by going to either the Commissions's web page 2.2 which has a link I believe to offer comments. You will 23 need to know the case number for that which is, I 24 believe, WR-2022-0303. You can also email comments to 25 pscinfo@psc.mo.gov or by contacting the Office of the

1	Page 45 Public Counsel. They are also willing to see that your
2	comments are appropriately filed with the Commission.
3	Again I would like to thank everybody for
4	taking time to participate tonight and this hearing is
5	now adjourned. We will go off the record.
6	COMMISSIONER KOLKMEYER: Thank you, Judge.
7	JUDGE CLARK: Thank you, Commissioner.
8	COMMISSIONER HOLSMAN: Thank you, Judge.
9	JUDGE CLARK: Thank you, Commissioner.
10	(The proceedings concluded at 7:44 p.m.)
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1	Page 46 CERTIFICATE OF REPORTER
2	STATE OF MISSOURI)
3	COUNTY OF COLE)
4	I, Beverly Jean Bentch, RPR, CCR No. 640, do
5	hereby certify that I was authorized to and did
6	stenographically report the foregoing Public Service
7	Commission local public hearing and that the transcript,
8	pages 1 through 45, is a true record of my stenographic
9	notes.
10	I FURTHER CERTIFY that I am not a relative,
11	employee, attorney, or counsel of any of the parties,
12	nor am I a relative or counsel connected with the
13	action, nor am I financially interested in the action.
14	Dated this 14th day of February, 2023.
15	Beverly Jean Bentch
16	Georg Jean Denien
17	Beverly Jean Bentch, RPR, CCR No. 640
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