Page 1 1 STATE OF MISSOURI 2 PUBLIC SERVICE COMMISSION 3 4 TRANSCRIPT OF PROCEEDINGS 5 LOCAL PUBLIC HEARING 6 November 19, 2015 7 Ozark, Missouri 8 9 10 File No. WR-2015-0192 11 In the Matter of the) 12 Rate Increase Requests) of the Regulated Water) 13 and Sewer Utilities) Owned and Operated by) 14 Ozark International,) Inc.) 15) 16 17 18 DANIEL JORDAN, Presiding 19 SENIOR REGULATORY LAW JUDGE WILLIAM P. KENNEY, Commissioner 20 21 VOLUME 2 22 23 24 25 REPORTED BY: PAULA C. VOYLES, CCR, RPR, CRR

PUBLIC HEARING 11/19/2015

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Page 3 1 PROCEEDINGS 2 3 (Commencing at 6:30 o'clock p.m.) 4 5 JUDGE JORDAN: Good evening, everyone. 6 We're going to start the testimonial part of the 7 proceeding. We are now on the record. 8 The Commission is calling the action in file number WR-2015-0192. This is in relation to 9 10 the rate action for the entities owned by Ozark 11 International, Incorporated. 12 My name is Daniel Jordan. I'm the 13 Regulatory Law Judge assigned to this action. I 14 will be presiding over this proceeding. And with 15 us, to my right, is Commissioner William Kenney from his office in Jefferson City. Commissioner Kenney? 16 COMMISSIONER KENNEY: Yes. I'd like to 17 welcome everybody, and thank you for coming tonight. 18 I am one of five commissioners on the Public Service 19 20 Commission. And we have a court reporter here, and she's writing -- typing in everything that's said 21 tonight, so each of the other commissioners will be 22 23 able to read the testimony that's given tonight. 24 We always try -- we always have at least 25 one commissioner present. Many states don't do

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	1	that, but we've always done that in Missouri. So I	
	2	appreciate you coming out tonight. Look forward to	
	3	hearing what you have to say. I cannot answer any	
	4	questions, but I will listen to everything you have	
	5	to say. Thank you.	
	6	JUDGE JORDAN: Thank you, Commissioner.	
	7	And that is correct; not only do certain states not	
	8	only have commissioners attend these hearings, some	
	9	of them just don't have them at all. They just	
	10	don't do local public hearings. They just don't.	
	11	But we do, and we are here to listen to	
	12	your testimony, which as the Commissioner mentioned,	
	13	will be on the record.	
	14	I will administer an oath or	
	15	affirmation, if you prefer, for your testimony.	
	16	That is the purpose of this hearing. The Company is	
	17	not going to presenting evidence. Nobody else is	
	18	going to be presenting evidence. You will give your	
	19	testimony so that the commissioners can consider it.	
	20	Let's go to entries of appearance.	
	21	We'll start with the utility, holding company, Ozark	
	22	International. Is counsel for Ozark International	
	23	present?	
	24	(No audible response).	
	25	Not hearing any, counsel for Staff.	
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Page 5 MS. MERS: Nicole Mers, Staff counsel. 1 2 JUDGE JORDAN: For the Office of Public 3 Counsel. 4 MR. OPITZ: Thank you, Judge. My name is Tim Opitz. I'm an attorney with the Office of 5 6 Public Counsel. My address is P.O. Box 2230, 7 Jefferson City, Missouri 65102. 8 JUDGE JORDAN: Thank you. Since the 9 purpose of this is to hear what you have to say, 10 I've got a few tips on testifying. I'm going to go 11 from the sign-up sheet, which has names listed, and 12 I will call them in the order in which they are 13 written down. 14 When I call your name, come on up to the 15 podium. I will administer the oath. If someone has said something that you agree with already, feel 16 free to say that. We want to hear that. You don't 17 have to repeat what they have said already, but do 18 tell us what you think. 19 20 If something was said during the 21 preceding question-and-answer period, that's not on the record. The commissioners won't be able to read 22 23 that in the transcript. So come on up and say that. 24 Be concise, speak clearly so that other people can 25 hear you.

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1	I will probably get you started by	
2	asking you to state your name on the record, maybe	
3	spell it for the court reporter, and when you're	
4	done with what you have to say, counsel or I or the	
5	commissioner may have some questions for you to	
6	clarify your testimony. So stay until you're	
7	excused, if you please.	
8	This is not the only way to have input.	
9	You can also make comments online. You can contact	
10	the Office of Public Counsel, who represents the	
11	ratepayers. You can contact Staff.	
12	And as we begin this testimony, I hope	
13	that everybody has come to understand what a	
14	difficult job the Commission is, and that's why	
15	commissioners are appointed by the governor. They	
16	must balance everyone's interest. They must further	
17	the policy that everyone shall have good, clean	
18	water to drink and to bathe in, and that becomes an	
19	expensive process when an infrastructure becomes	
20	dilapidated and rates have not been examined for	
21	many, many years. So that's what's going on.	
22	The Commission wants to make the	
23	decision that is best for everyone, for everyone,	
24	and Staff works very hard to advise in that	
25	capacity, and the Office of Public Counsel advocates	
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Page 7 1 on behalf of the ratepayers. 2 My job will be to prepare a decision, a draft that the commissioners will vote on. They are 3 the ultimate decision makers. 4 So any questions about our procedure 5 6 before I start calling names for testimony? 7 (No audible response). 8 Okay. I'm not hearing any, so I'll go 9 to the first name on my list, which is Daniel Rock. 10 Daniel Rock, would you like to testify? MR. DANIEL ROCK: I'm Daniel Rock, down 11 at Moore Bend Water Company. 12 13 JUDGE JORDAN: Very good. Please raise 14 your right hand. 15 Do you solemnly swear that the testimony you are about to give will be the truth, the whole 16 truth, and nothing but the truth? 17 18 MR. DANIEL ROCK: I do. 19 JUDGE JORDAN: Thank you, sir. 20 MR. DANIEL ROCK: To the best of my 21 knowledge. JUDGE JORDAN: Fair enough. And what 22 23 would you like the Commission to know? 24 MR. DANIEL ROCK: At Moore Bend, they're 25 asking for over 200 percent water rate increase at

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1	one time, and I think that is just way out of line.	
2	JUDGE JORDAN: Okay. Anything else?	
3	MR. DANIEL ROCK: That's it.	
4	JUDGE JORDAN: Fair enough. Questions	
5	from counsel?	
6	COMMISSIONER KENNEY: Thank you, sir.	
7	JUDGE JORDAN: None for me.	
8	Robert Rock. The next name I have is	
9	Robert Rock.	
10	MR. ROBERT ROCK: Robert Rock. I do.	
11	JUDGE JORDAN: Do you solemnly swear	
12	that the testimony you are about to give will be the	
13	truth, the whole truth, and nothing but the truth?	
14	MR. ROBERT ROCK: Yes, I do.	
15	JUDGE JORDAN: Very good. Go ahead.	
16	MR. ROBERT ROCK: I noticed two years	
17	ago, we had a boil advisory, I believe, and we're	
18	wanting rate increases, and at two years if you	
19	can't take care of a problem, you shouldn't have	
20	this kind of, uh, something over the top of people,	
21	where, you know, it's not taken care of.	
22	And when water breaks are fixed down	
23	there, he tears up the road and then leaves a big	
24	pothole, and every once in a while, you got to drive	
25	your car, your boat I mean, we are, you know	

PUBLIC HEARING 11/19/2015

Page 9 it's a recreational place, and it's kinda hard on 1 2 things, you know, not repaving after a water break 3 or something. That would be it. 4 JUDGE JORDAN: Thank you. To clarify for the record, which water system? 5 6 MR. ROBERT ROCK: Moore Bend. 7 JUDGE JORDAN: You're Moore Bend. 8 Any questions? 9 COMMISSIONER KENNEY: Thank you, 10 Mr. Rock. 11 JUDGE JORDAN: Thank you, sir. 12 Earl W. Fruits? 13 MR. FRUITS: My name is Earl W. Fruits. 14 JUDGE JORDAN: Spelled just like it 15 sounds. MS. MERS: Spelled like it sounds. 16 JUDGE JORDAN: Do you solemnly swear 17 that the testimony you are about to give will be the 18 truth, the whole truth, and nothing but the truth? 19 20 MR. FRUITS: I do. 21 JUDGE JORDAN: Thank you. Go ahead. 22 23 MR. FRUITS: What I'm looking at here 24 is, as I said in an earlier meeting which you guys 25 weren't part of, is that I don't think there is any

PUBLIC HEARING 11/19/2015

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1	problem with an increase, but what I have a problem	
2	with is that it's larger than what the cost of	
3	living is currently in the United States.	
4	A lot of people in my Riverfork Company	
5	there are on fixed incomes, and I get a COLA every	
6	year. I'm retired. But now we're asking for	
7	10 percent. I don't get 10 percent every year. I	
8	don't mind paying according to the cost of living	
9	index.	
10	Now, because the water company doesn't	
11	have enough money is not my problem. The man	
12	purchased the business, and with that, he incurs the	
13	costs that go along with running a business. And	
14	it's not my position to subsidize it except for a	
15	cost of living increase, and I'm willing to pay	
16	that. I know I'm going to pay more because they've	
17	already had an agreement between the Public Service	
18	Commission and the water company and it's raising my	
19	rates 10 percent. Some people, it's 200 percent.	
20	And, you know, it's just the old thing	
21	that goes on that the little people are the one that	
22	end up paying the price for what has to happen in	
23	the government, and it doesn't work that way	
24	anymore. I think we all need to start speaking up	
25	when increases like this are proposed, because we	
1		

Page 11 don't get the raises, somebody else shouldn't get a 1 2 raise more than what we do. JUDGE JORDAN: Thank you. 3 4 Questions? 5 (No audible response). 6 COMMISSIONER KENNEY: No questions. 7 Thank you, sir. 8 JUDGE JORDAN: Thank you, sir. 9 John C. Hendricks. 10 MR. HENDRICKS: Your Honor, my question 11 has already been answered earlier. JUDGE JORDAN: Very good. Very good. 12 13 Then I'll go to Frank Delo. 14 MR. DELO: Frank Delo, D-E-L-O. I'm 15 with the Bilyeu Ridge subdivision. JUDGE JORDAN: Thank you. 16 Do you solemnly swear that the testimony 17 you are about to give will be the truth, the whole 18 19 truth, and nothing but the truth? MR. DELO: Yes, sir, I do. 20 21 We've lived there about 13 years, and 22 we've never had a problem with having our fire hoses 23 flushed out, but since Mr. Brower took it over, we have not seen it been flushed out at any time. And 24 25 so that gives us some concern that there's maybe

Page 12 some problems there, since none of the system has 1 been flushed. 2 3 This gentleman right over here, recently 4 back in the spring, lost his house. We cannot even use our fire hydrants because if we do, it shuts 5 6 down the water system completely is what the fire 7 department told us. So, therefore, we really have 8 nothing -- no fire protection other than volunteer 9 coming in or Nixa come in or some other district 10 come in and help us in that situation. So that's 11 one of our big concerns there. 12 JUDGE JORDAN: Thank you. To clarify, 13 you said someone lost their house. You mean they 14 lost their house --MR. DELO: Yes, sir. This gentleman 15 right here (indicating). 16 17 JUDGE JORDAN: -- to fire because of the 18 water? 19 MR. DELO: Yes. That's correct. COMMISSIONER KENNEY: I have a question. 20 You said they stopped flushing the fire hoses? 21 Would you explain that, please? 22 23 MR. DELO: Fire hydrants. 24 COMMISSIONER KENNEY: Thank you. That's what I needed. 25

Page 13 MR. DELO: We have not seen that done at 1 all since these people took it over. Mr. Bilyeu did 2 3 it regularly monthly, and since the sale has taken 4 place, it has never been taken care of since that time. 5 6 COMMISSIONER KENNEY: Thank you, sir. 7 MR. DELO: Yes, sir. 8 JUDGE JORDAN: Rob Reinke, R-E-I-N-K-E. 9 AUDIENCE VOICE: Ron Reinke? That was 10 the name? They left. 11 JUDGE JORDAN: Very good. Thank you. 12 The next name I have is Dan Hall. 13 MR. HALL: Dan Hall. Please raise your 14 right hand. 15 Do you solemnly swear that the testimony you are about to give will be the truth, the whole 16 truth, and nothing but the truth? 17 18 MR. HALL: I do. We're in the Riverfork Ranch 19 20 subdivision, and we've been there almost five years. Since we've been there, I'm not aware of any repairs 21 have been done. I've heard a lot of people say that 22 23 they've been promised but haven't been done. 24 Here probably a little more than a year 25 ago, we had a fire up on Highway M. The fire

Page 14 1 department came down to get water from us is what I 2 was told, and they couldn't get anything out of the 3 hydrant, so they give up. So they had to haul it 4 from Nixa. So that's a concern to us. If we don't 5 6 have pressure nor volume, all of us are in danger of 7 losing our properties, and that is concerning. 8 Our pressure at our home is not great. 9 We live with it, but it's not great. If I want to 10 water my garden, it doesn't have enough pressure to 11 push anything out of the sprinkler. So, you know, 12 it would be nice to have a little more pressure. I think that's all for right now. Thank 13 14 you. 15 JUDGE JORDAN: Thank you. Questions from counsel? 16 MS. MERS: Do you have an idea of what 17 18 your pressure is? MS. HALL: I don't right now, but I have 19 20 a meter at home. I'm going to go check it. 21 MS. MERS: Thank you so much, sir. 22 COMMISSIONER KENNEY: Thank you, sir. 23 JUDGE JORDAN: Thank you. 24 The next name I have is Janis Hall. 25 Okay. Please raise you right hand.

1 Very good. 2 Do you solemnly swear that the testimony 3 you're about to give will be the truth, the whole 4 truth, and nothing but the truth? 5 MS. HALL: Yes, your Honor. 6 I have two concerns. One is even though 7 I live in Nixa, in Stone County and in Riverfork 8 Ranch, I also serve on Springfield-Greene County 9 Emergency Management Executive Committee. So safety 10 is a big issue for me. When we moved to our home in Riverfork 11 Ranch five years ago, I was excited because we were 12 13 near a fire hydrant, and I thought, well, great, 14 we're in good shape here. But as my husband just 15 stated, about a year and a half ago or so, a house up the road was on fire. They came to Riverfork 16 They couldn't get water there. They had to 17 Ranch. truck in the water from elsewhere. They lost the 18 19 house. So that's concerning to me. Even though the 20 fire hydrant is right outside our front door, would 21 it serve us any good at that point? 22 Secondly, we've always been told by others, and I don't have statistics, but if we have 23 a power outage, we may have enough water for all of 24 25 the residents to last maybe 24 hours. And during a

Page 16 power outage, of course, then you run to the store 1 2 and the shelves are empty. 3 So my concern there is adequate water in 4 an emergency. And yes, we should all have our own supplies, but, you know, I would think there should 5 6 be some reserve somewhere for backup in an 7 emergency. Thank you. 8 JUDGE JORDAN: Questions from counsel? 9 (No audible response). 10 Commissioner? COMMISSIONER KENNEY: Thank you very 11 12 much, ma'am. No. 13 JUDGE JORDAN: Thank you for your 14 testimony. 15 The next name I have is Marilyn Cederwall. Is that correct, Cederwall? 16 17 MS. CEDERWALL: My concerns have been 18 answered, so I really don't need to speak now. 19 JUDGE JORDAN: Very good. Thank you for 20 coming out. 21 Tony Baggett? 22 MR. BAGGETT: Thank you. I am Tony 23 Baggett, Moore Bend. 24 JUDGE JORDAN: Do you solemnly swear 25 that the testimony you are about to give will be the

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1	truth, the whole truth, and nothing but the truth?	
2	MR. BAGGETT: I do.	
3	And I'm from Moore Bend. A lot of us	
4	are on fixed incomes now. I'm young, but yes, I'm	
5	retired. And we're seeing, in my calculations,	
6	almost a 300 percent increase in our water bill down	
7	here.	
8	It's been a pitiful system for quite	
9	some time. I've been an owner down there for almost	
10	20 years. And this is a crazy, crazy increase. We	
11	need something that's a little more reasonable, you	
12	know, a 10 percent, 20 percent, but not an increase	
13	like that for what we have. There's going to be a	
14	lot of us that will need to disconnect.	
15	We're only down there a few months out	
16	of the year. It's cheaper to just disconnect. So I	
17	hope there will be some consideration on the amount	
18	of increase he's asking for, and I really hope	
19	there's a cap on what he may charge for disconnect	
20	and reconnect fee, because it may get very expensive	
21	for folks like us. Okay. Thank you.	
22	JUDGE JORDAN: Thank you.	
23	Questions from counsel?	
24	(No audible response).	
25	COMMISSIONER KENNEY: Thank you, sir.	

Page 18 1 JUDGE JORDAN: Thank you. 2 Jim Heiman. And I hope I pronounced 3 that correctly. 4 MR. HEIMAN: Yes. Excuse me. When you get old, it's hard to get up and get everything 5 6 moving. 7 JUDGE JORDAN: Do you solemnly swear 8 that the testimony you're about to give will be the 9 truth, the whole truth, and nothing but the truth? 10 MR. HEIMAN: I do. 11 JUDGE JORDAN: Thank you. 12 MR. HEIMAN: H-E-I-M-A-N. Well, I live 13 in Riverfork Ranch subdivision, and I feel like my 14 problem is kind of pale compared to some of the 15 issues here. But I guess I have two issues: One is 16 17 the quality of the water that we get seems to vary 18 from drinkable to non-drinkable, and it just -- and it really varies by just, not only the smell but 19 also the taste. I've checked it for sediment, and I 20 can't seem to get any sediment out of it, but 21 22 sometimes it is so bad that when my wife does the 23 laundry, we can't even hardly use the clothes. She 24 has to rewash 'em and rewash 'em. In fact, she's 25 almost considered taking them to town several times

to try to get some good, clean water. 1 2 The other is just the low pressure that 3 we have to deal with. And I did measure my pressure 4 the other day, and it was -- turned out to be about 32 pounds, 34 pounds, somewhere in there, which as I 5 6 now understand, that is the legal limit. 7 But like everybody has said, it seems to 8 be pretty insignificant -- or pretty insufficient in 9 a case of a hose or any type of -- if you ever had 10 to put out any type of fire, it would be practically 11 negligible. The other thing is, going along with 12 13 what everybody else has said, I haven't seen 14 anything -- I've lived there about three years now, 15 and I've never seen anybody do any work with the fire hydrants or any type of maintenance. 16 17 And it looks like to me that -- I mean, when I drive by the tank every day, the fence around 18 it last year was dented in, and a car ran off the 19 20 road and dented the fence, and there's never even been a -- pretty -- insufficient funds to even 21 22 repair the fence around this thing. It's still 23 knocked down where anybody can walk into the -- to where the tower is and everything, let alone the 24 site of the tower. 25

Page 20 And that's about all I have. 1 2 JUDGE JORDAN: Thank you. Any questions 3 from counsel? 4 (No audible response). Commissioner? 5 6 COMMISSIONER KENNEY: Thank you, sir. 7 JUDGE JORDAN: Thank you for your 8 testimony. 9 Kelly Krauch? I hope I'm reading that 10 correctly. MS. KRAUCH: Hi. How are you? 11 12 JUDGE JORDAN: Do you solemnly swear that the testimony you are about to give will be the 13 14 truth, the whole truth, and nothing but the truth? 15 MS. KRAUCH: I do. JUDGE JORDAN: Thank you. Please spell 16 your name for the court reporter. 17 18 MS. KRAUCH: My name is Kelly Krauch, K-R-A-U-C-H. I live in Valley Woods, and I do 19 20 understand that there is not a proposed rate 21 increase, but there are many concerns that we have that we wanted to kind of address as the community 22 in itself. 23 24 One of the bigger problems we have is 25 that the -- there are -- I was informed tonight

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1	during the question-and-answer at least ten	
2	properties in our subdivision that do not pay for	
3	the sewer. So our sewer bill is \$59 a month, and	
4	ten people yes ten people in our subdivision	
5	who are on the sewer system utilize the sewer system	
6	and even have maintenance done at their homes, and I	
7	was just informed of this as well, the guys actually	
8	came out and did maintenance at these homes on the	
9	sewer systems, but they don't pay the \$59 for the	
10	sewer.	
11	So I find it very concerning that	
12	someone can say, oh, we need to we don't have	
13	enough money to maintain your system when they	
14	failed to collect what money they would need. If	
15	they would have collected the money for the sewer	
16	system, they would have had a surplus to possibly	
17	help these other folks out who are having other	
18	issues.	
19	Our septic tanks, we don't know if	
20	they're pumped ever. We don't know we're never	
21	told if they're pumped. When we call, I'm rudely	
22	hung up on, the staff is nasty. They when asked,	
23	I need proof, I need proof that you've done this	
24	because it will be my responsibility if something	
25	happens inside the home, we are told that, well, it	

was done. We can't give you proof. So I have 1 2 not -- I purchased my home in 2012, and I have not 3 seen one piece of paper saying that anything has 4 been pumped. Boilers. The boilers are a big one. 5 We 6 are not notified that there is a boil advisory. So 7 a little, tiny sign, probably no bigger than this 8 (indicating) is placed up at the very front of the 9 neighborhood. Now, my neighborhood is nice, little 10 windy area, and there's a restaurant, a hair salon, a gas station, all sorts of stuff in that -- that's 11 all connected. And the restaurant doesn't know 12 13 about the boil order because they place the sign 14 just at the stop sign in the very front where 15 there's also homes for that sale signs and other signs. So if you drive the back way in, you don't 16 see the sign. 17 18 We have been -- we were -- in 2014, we had over 90 days' worth of boil advisories because 19 20 this broke, that broke, this broke, that broke. And that's a huge problem, again, is nothing is fixed, 21 nothing is maintained. So it's not fixed until it's 22 23 broken, and then it puts us on a boil advisory. 24 Once the advisory is lifted and DNR says 25 okay, which takes some time -- I've actually had to

call DNR myself and say, what's going on? 1 I've 2 received a copy of our file, spoken to them. I've 3 had them come out personally and test my water at my house to tell me that there were issues with the 4 water and that they've had to contact Mr. Brower 5 6 since. 7 The system doesn't get flushed, so once 8 the system is fixed and they have to flush the 9 bleach through to make sure the water is clean, the 10 system is not flushed and it's not flushed properly. 11 So my street, Water Lane, which is right by the well, we have so much bleach and chlorine in 12 13 our water that it's causing our children to get 14 chemical burns. So we have one young lady down the 15 street who is severely allergic to it, and she can't bathe. So when we're on an 18-day boil order, we 16 have to take them somewhere else to bathe the kids 17 because the system isn't flushed. There is so much 18 chemical, it literally causes burns on her skin 19 20 which require medical attention. The broken material is not replaced 21 22 until the last second. The property is not 23 maintained. So we have a well system in this area that Mr. Brower owns. He's supposed to maintain 24 25 that, you know. Snakes, all sorts of nasty animals

1 can get in there. We live in the country. And the 2 grass will get as tall as me, 5, 6 feet before it's 3 trimmed, before it's cut, and then we have to call 4 and complain. 5 There is property that is nowhere near 6 the well or the septic system that Mr. Brower 7 recently bought from Lance, the developer. What is 8 that property for? What is it being used for? Am I 9 paying for it? Because I don't -- I shouldn't be 10 paying for property just to have, that isn't being 11 utilized for anything, that is taking more of my 12 money. 13 I mean, my -- between my sewer and my 14 water, I pay \$95 a month. I wasn't disclosed that 15 when I purchased the home. I didn't find out until I called and was told that I needed to come in, pay 16 a deposit, and I was only allowed to come in between 17 18 the hours of 9 and 12. Now, I'm a full-time mom, two small kids and, I work full time. So that made 19 20 my life a little bit difficult. 21 We, just like other people in here, we 22 have to buy water. We don't -- it's not safe. 23 Sometimes it's safe to drink, but for the most part, it tastes like bleach. So we buy our own bottled 24 25 water because we're afraid, what's going to happen

Page 25 if we drink it? Is it contaminated with something? 1 2 I think that's probably all I have. 3 Thank you, guys. 4 JUDGE JORDAN: Thank you. Questions from counsel? 5 6 (No audible response). 7 Commissioner? 8 COMMISSIONER KENNEY: I have a question. 9 Do those 11 homeowners that don't pay for their 10 sewer bills, are they on well water? 11 MS. KRAUCH: They are. They pay water. They just don't pay sewer. 12 13 COMMISSIONER KENNEY: Are they on their 14 own system? 15 MS. KRAUCH: No. No. We are --COMMISSIONER KENNEY: What does Staff 16 tell you about that? 17 18 MS. KRAUCH: I've been told it's being worked on and that some people need to come out 19 20 there, the city or Christian County needs to come out there and actually take a look to make sure that 21 22 they are into our system. 23 But prior to -- prior to Brower's owning this system, it was owned by a gentleman by the name 24 25 of Lance. Lance had everybody paying a certain

PUBLIC HEARING 11/19/2015

		Page 26
1	amount. He then did a rate increase, increased the	
2	rates, which those I know of one of the	
3	homeowners personally, they were paying that rate,	
4	the increased rate. Then when Brower bought it,	
5	their rate just dropped down to just the water rate	
6	and they no longer were paying the sewer rate.	
7	And I know that where my home is,	
8	there's, what, seven homes on my street. Three of	
9	them and I'm smack dab in the middle of 'em	
10	they don't pay for sewer at all. So they get a bill	
11	that's \$25 a month when mine is 90, 95.	
12	COMMISSIONER KENNEY: I'm curious the	
13	Office of Public Counsel and Staff will look into	
14	that for you if they already haven't. Thank you.	
15	MS. KRAUCH: You're welcome. Thank you.	
16	JUDGE JORDAN: Thank you.	
17	The next name on my list is Ethel	
18	Allison. Ethel Allison.	
19	MS. ALLISON: Ethel Allison, Riverfork	
20	Ranch.	
21	JUDGE JORDAN: Do you solemnly swear	
22	that the testimony you are about to give will be the	
23	truth, the whole truth, and nothing but the truth?	
24	MS. ALLISON: Yes.	
25	And my concerns have probably been	

PUBLIC HEARING 11/19/2015

		Page 27
1	spoken of already this evening. Mine is a	
2	particularly perceived attitude of the owner.	
3	We moved into Riverfork Ranch in 2002,	
4	and in January 29 of '13, there was somebody at my	
5	meter pit, and I went out to ask what it was about,	
б	and they said the meter needed to be switched out.	
7	Okay. We had a severe storm warning	
8	that day, and it seems unusual for January, but it	
9	must have been a warm one. We also were under a	
10	tornado threat. And I don't know if this is	
11	something that's contracted out to be done or if	
12	it's done by the water Company. I do not know that.	
13	This was done without any warning to me	
14	as a homeowner. My water was shut off at 10:30, and	
15	with multiple calls throughout the day, I did not	
16	get water until 7:15 that night.	
17	When I finally reached the owner of the	
18	water company at that time to let him know my	
19	situation, he said, "You have the River" and	
20	laughed. And that's my perceived attitude of the	
21	owner of the company. Thank you.	
22	JUDGE JORDAN: Thank you.	
23	Questions from counsel?	
24	COMMISSIONER KENNEY: Thank you, ma'am.	
25	JUDGE JORDAN: Thank you.	

Page 28 Carolina Kahl. 1 2 MS. KAHL: I have -- things have been 3 said that I wanted to say. I don't have to speak at 4 this time. 5 JUDGE JORDAN: Thank you. And thank you 6 for coming out. 7 Carolyn Delaney. MS. DELANEY: Carolyn Delaney, Riverfork 8 9 Ranch. 10 JUDGE JORDAN: Do you solemnly swear 11 that the testimony you are about to give will be the 12 truth, the whole truth, and nothing but the truth? 13 MS. DELANEY: Yes. 14 JUDGE JORDAN: Thank you. Go ahead and 15 tell the Commission what you want them to hear. MS. DELANEY: There are some things that 16 we talked about before, but you didn't hear this. 17 On January 21st, 2015 we received a letter from 18 Riverfork Water Company, and I just want to read 19 20 just a few -- I mean, if you can make a copy. I 21 don't know if you've seen this. 22 But one of the things on the first page 23 says, "We are also told by the Missouri Department 2.4 of Natural Resource that our boosters are illegal." 25 And then it goes on about putting in a new well and

1 so forth.

2	And then it says it goes through all
3	kinds of stuff about new wells, and he's going to
4	put in two and so forth. But in 2008 when he got
5	the rate increase, he was supposed to do certain
б	things, and he sent in an independent person to look
7	inside the well, and they said and I can't
8	remember the name of their some kind of steel and
9	some kind of liner or something, that it needed to
10	be replaced, that it was deteriorating. And that's
11	seven years ago.
12	Then on the last page, it said, "DNR is
13	threatening us with enforcement action if we do not
14	agree to reinstall a booster pump. This would be a
15	cheaper option than drilling a new well."
16	And then it goes on the next paragraph,
17	"We know that we take a chance in obtaining
18	recognition by the Missouri Public Service
19	Commission for the money spent by their granting
20	rate increases for the improvement."
21	"We're going to sign the DNR order," it
22	says. "We want to go on record as to the effort we
23	have made to finally implement a long-term solution
24	to supplying adequate water."
25	And then while the then it says,

PUBLIC HEARING 11/19/2015

		Page 30
1	"While all this was going on, Missouri Department of	
2	Natural Resources has been issuing violations for	
3	not being able to comply with their directives. We	
4	have been ordered to notify Riverfork Water	
5	customers that the water system has failed to	
6	address the significant deficiencies for widespread	
7	low pressure."	
8	The other thing is the increase.	
9	According to the federal government, there wasn't a	
10	cost of living increase. We're not getting one.	
11	I mean, if you'd like to have a copy of	
12	this, if it would make a difference.	
13	JUDGE JORDAN: If you'd like the	
14	Commission to examine that letter and use it in	
15	making its decision, we can put that into the	
16	record. I can mark it as an exhibit.	
17	MS. DELANEY: Okay. I kind of scribbled	
18	on it.	
19	JUDGE JORDAN: Let's take a look.	
20	MS. DELANEY: It's three pages. There	
21	are several letters.	
22	JUDGE JORDAN: Okay. So we have a	
23	couple letters. I'm looking at the first one, which	
24	is on the letterhead of Riverfork Water Company.	
25	And I see three pages, one side.	

Page 31 MS. DELANEY: And these are other 1 2 letters that we got, March 10th. JUDGE JORDAN: This looks like it ends 3 4 like in the middle of the sentence, so that's not the entire document. 5 MS. DELANEY: This is the last page. 6 7 JUDGE JORDAN: This is the page 3. And 8 There's no signature on it. okay. 9 MS. DELANEY: It's on the letterhead. 10 It's pretty difficult to read, but you have a nice, 11 neat one. 12 JUDGE JORDAN: Okay. Thank you, ma'am. 13 COMMISSIONER KENNEY: Thank you very 14 much. 15 MS. DELANEY: Thank you. JUDGE JORDAN: We'll mark that as this 16 hearing's Exhibit No. 1. 17 18 MS. DELANEY: We've been here -- well, we built our own home, and it took us a while to 19 build it. It's been nine years. I've never seen a 20 hydrant flushed. 21 22 JUDGE JORDAN: I'm going to enter 23 Exhibit 1 into the record. Do I hear any objection 24 to that? 25 (No audible response).

Page 32 1 Thank you. (Exhibit 1 marked and admitted.) 2 3 JUDGE JORDAN: The next name on my list 4 is Stephen Randall [sic]. Stephen Randall, would you like to come testify? 5 6 Do you solemnly swear that the testimony 7 you are about to give will be the truth, the whole 8 truth, and nothing but the truth? 9 MR. RANDOLPH: So help me God, I do. 10 JUDGE JORDAN: Thank you. 11 MR. RANDOLPH: My name is Steve Randolph. I am the president of the Riverfork Ranch 12 Homeowners Association, so I'm here to speak not 13 14 only on behalf of myself but also the victims of 15 Mr. Brower's mismanagement of his water system. We have submitted about a 60-page 16 objection to the rate increase to the Missouri 17 18 Public Service Commission in May. We also submitted a copy, both electronically and hard copy, to the 19 20 Office of Public Counsel. So to make things brief, I'll submit 21 this as an exhibit, if you wish. You already have a 22 copy, but if you don't, I'll be happy to give you 23 24 that. I also took the liberty of preparing a 25 PowerPoint presentation, which is a distillation of

the comments in the 60 pages, which are replete with 1 2 photographs. 3 Our first objection is that Riverfork 4 Water Company has failed to comply with item 18 in the Missouri Public Service agreement of 5 6 November 8th, 2008. As a part of that agreement, 7 Riverfork Water Company was required to conduct a 8 water storage tank inspection, which they did on and 9 submitted their report on July 29, 2008. 10 The objections and inspection comments 11 of the inspector were that there were numerous OSHA violations, primarily ladder and lack of railings, 12 inadequate roof venting, modifications that were 13 14 made that weakened the roof of the water tank 15 structurally. It has an inadequate overflow pipe, 16 which, to my own observation as to well as to 17 numerous residents, has resulted in Highway M-140 18 receiving overflows of water both in the summer and 19 20 the winter, which have frozen, and caused numerous traffic problems. 21 22 The inspection report in 2009 -- and let 23 me remind you, this is six years later -- pointed 24 out that the interior tank failing -- interior tank 25 lining had totally failed. Six years later, we know

1 it's worse because it's now resulting in iron oxide 2 sludge and mold in residents' water. The residents 3 of Davis Drive, being downhill and the street 4 closest to that, are most impacted, but we're starting to see the sludge move throughout the 5 6 subdivision slowly. 7 A lot of people know full well that the 8 exterior tank paint has totally failed with mold and 9 algae everywhere. The inspector pointed out that 10 there's an inappropriately dimensioned influent 11 pipe, which causes residual chlorine problems, and by the way, this has also been the subject of 12 13 numerous Missouri DNR inspection reports. There are 14 overgrown trees and a fence problem. Somebody ran 15 into the fence two years ago, and it has yet to be 16 corrected. 17 Riverfork Water Company has also failed to comply with item 20 in the Missouri Public 18 Service Commission agreement of November 8th, 2008. 19 20 These are all taken from appendix G in that report. They were required to establish an 8 to 5, Monday 21 through Friday office hours. They have failed to do 22 23 so as the lady previously testified. 24 They claim that they lock inactive 25 meters. Anyone who goes to any of the residents'

water meters in the subdivision knows that's not 1 2 true. 3 There have been numerous problems with 4 Riverfork Water Company falsely shutting off water service to its customers who have, in fact, paid 5 6 their bills. 7 Bookkeeping function, which was the 8 subject of some pages of discussion in that Missouri 9 Public Service Commission agreement, required better 10 bookkeeping. I'm here to tell you that as recently 11 as July of this year, when I went into the office to talk to the bookkeeper, even she admitted that their 12 13 accounting is in total disarray. 14 Appendix G required an emergency 15 telephone number to be established. It was. Unfortunately, no one, including myself, has ever 16 been able to do anything but leave a phone message. 17 More often than not, it just rings and rings. They 18 19 did get a number, but what they didn't tell the 20 Commission was they don't answer it. Appendix G also talked about customer 21 22 service. One of the most common complaints that Riverfork Ranch residents have -- and I have 23 interviewed about 80 percent of the 114 customers --24 25 are that the staff at Riverfork Water Company are

1	consistently rude. They almost always deny	
2	legitimate complaints.	
3	And in particular and, by the way,	
4	this was the second most common complaint that	
5	residents had this summer Mr. Brower, when you	
6	talk to him on the phone, is consistently profane.	
7	That's not only offensive to a lot of people, it is	
8	simply extremely poor business practice.	
9	Appendix G required written service	
10	applications for their customers. To the best of	
11	our knowledge, they still don't do it. I've talked	
12	to some residents of Riverfork Ranch who established	
13	some service, being new move-ins, in 2015. They had	
14	problems even getting bills from Riverfork Water	
15	company. They just established service. There was	
16	no indication that there was any sort of written	
17	format. Again, this is sloppy housekeeping.	
18	There's no customer rights and	
19	responsibilities documentation that I'm aware of,	
20	which was also required by Appendix G.	
21	A summary of Riverfork Water Company	
22	customer complaints are consistently low water	
23	pressure, erratic residual chlorine in the water,	
24	and I have two subpoints for that.	
25	Missouri DNR has, in fact, cited	
		Page 37
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1	Riverfork Water Company within the past couple years	
2	for excessive residual chlorine, and as you folks	
3	probably know, excessive residual chlorine is known	
4	to cause health problems. But Missouri DNR has	
5	admitted that it doesn't bother to test for low	
6	residual chlorine except when it receives	
7	complaints, and that's in violation of state law.	
8	I've taken it upon myself as by the	
9	way, I am a licensed professional engineer. I have	
10	taken it upon myself at my own expense to do various	
11	grab samples and test for residual chlorine.	
12	They're grab samples, yes. I've never found any	
13	residual chlorine, which also is a violation of	
14	state law.	
15	But I also know that they have a	
16	chlorination system, but in this document, which	
17	I've already submitted, one of Missouri DNR's	
18	consistent complaints is that the chlorination	
19	system that Riverfork Water Company has uses the	
20	wrong chlorine analyzer, and Riverfork Water Company	
21	has admitted that. It constantly overshoots and	
22	undershoots, so you either get very low residual	
23	chlorine or very high residual chlorine. Neither of	
24	which is acceptable nor legal.	
25	Mold, black sludge, and organics in	

		Page 38
1	water, as I've already said, are an increasing	
2	problem. We are well aware that hydrogen sulphide	
3	in groundwater is not regulated, so I'm not here to	
4	complain about hydrogen sulphide. The mold and	
5	algae have been noted in previous inspection	
6	reports, not only by the tank inspector in 2009, but	
7	Missouri DNR inspection reports generally mention	
8	this as well. It's getting worse because of the	
9	deteriorating water storage tank.	
10	Whenever anyone, including myself, talks	
11	to Riverfork Water Company, they consistently deny	
12	everything. There must be something wrong in your	
13	house. Not true.	
14	Gross lack of maintenance of facilities.	
15	This hearing is for Riverfork Ranch about an	
16	increase for maintenance costs. Gentlemen, we have	
17	yet to see that Riverfork Water Company does any	
18	maintenance at all. And like the other residents,	
19	we know that the water system has never had hydrant	
20	flushing. I've talked to some people who have lived	
21	there over 20 years. They can never recall fire	
22	hydrants being flushed.	
23	There's also a refusal or a dismissal by	
24	Riverfork Water Company to even assist construction	
25	contractors who want to build new houses and want to	

		Page 39
1	contact them about River hookups. Well, they claim	
2	they don't know anything about that.	
3	Eventually these hookups have been made,	
4	although there's one house in our subdivision that's	
5	presently under construction where the owner was so	
6	frustrated, they simply drilled their own well so	
7	they don't have to deal with Riverfork Water	
8	Company.	
9	Missouri DNR inspectors and water	
10	section managers, such as Marc Grater (ph), have	
11	told me point blank they're consistently frustrated	
12	with Riverfork Water Company's failure to comply	
13	with their many inspection reports over the years.	
14	It's my opinion that Mr. Brower has	
15	learned that Missouri DNR is, in fact, a toothless	
16	agency. Whenever I have talked to Missouri DNR,	
17	which is more than 13 times this year alone,	
18	sometimes in person, they're frustrated, claiming	
19	they're only partially responsible for enforcement	
20	and the real power lies with Missouri Public Service	
21	Commission. I've talked to Missouri Public Service	
22	Commission, and they claim it's Missouri DNR. So	
23	it's the old bureaucratic shuffle.	
24	I've also talked to four of our elected	
25	representatives, our two state senators and our two	

Page 40 representatives, because Riverfork Ranch is in a 1 different legislative district than the home office 2 of Ozark International. 3 4 And as an anecdote, I will tell you it's Senator Sater's office that told me point blank, 5 6 we're well aware of your systems' problems and all 7 of the companies that Mr. Brower owns. Our advice, 8 frankly, is that ultimately after all of these 9 hearings, your best advice is to file a class action 10 lawsuit against both the State and Mr. Brower. 11 We don't want to do that, but we're prepared to do so if that's what it takes. 12 13 Missouri DNR's Marc Grater's (ph) most 14 recent comment to me about a month ago was that as 15 long as Riverfork Water Company maintains 20 psi minimum pressure and it passes an annual water test 16 for safety, we don't care. Thanks, Mr. Grater (ph). 17 18 Missouri DNR has yet to agree to test 19 water quality more than either once a year or 20 whenever they get a complaint. So we're going to do 21 their testing for them. And you gentlemen will hear 22 deficiencies in the water quality from us. 23 Riverfork Water Company failed to comply 24 with items 18 and 20 of the Public Service 25 Commission agreement of November the 8th, 2008. It

1 consistently fails to do so. Even the most 2 rudimentary maintenance is ignored. 3 Our question to you, gentlemen, is why 4 should a rate increase for maintenance be granted when maintenance isn't performed? Neither Missouri 5 6 Public Service Commission nor Missouri DNR will 7 accept responsibility for doing much other than 8 writing reports. To be honest with you, we believe 9 that the reason is financial on both the State and 10 Riverfork Water Company's part. 11 We believe that not only is the rate increase requested by Riverfork Water Company is not 12 13 legitimate, but we also believe that Missouri Public 14 Service Commission should consider rescinding at 15 least part of the rate increase granted in 2008 since Riverfork Water Company has failed to comply 16 with the agreement. 17 18 If you would like more details, (indicating). I would like both documents to be in 19 20 the record. JUDGE JORDAN: I will mark those. I 21 22 have document -- (Applause). I have the Riverfork Homeowners 23 24 Association letterhead on the cover page of a 25 report, not report -- a letter addressed to the

Page 41

Page 42 Missouri Public Service Commission. It is dated May 1 2 16th, 2015. I am going to mark that Exhibit 2. 3 Any objections to entering this into the 4 record? (No audible response). 5 6 (Exhibit 2 marked and admitted.) 7 JUDGE JORDAN: And as Exhibit 3, that 8 will be the summary, the PowerPoint summary of what 9 I understand to be -- this is a summary -- number 3 10 will be the summary of number 2. Is that correct? MR. RANDOLPH: Yes. 11 12 JUDGE JORDAN: And I will enter that 13 into the record. Do I hear an objection? 14 (No audible response). 15 (Exhibit 3 marked and admitted.) JUDGE JORDAN: Very good. Questions 16 17 from counsel? 18 (No audible response). 19 JUDGE JORDAN: Commissioner? 20 COMMISSIONER KENNEY: Thank you, sir. 21 JUDGE JORDAN: Thank you. 22 The next name on my list is Tom Lovato. 23 Please raise your hand. 24 Do you solemnly swear that the testimony 25 you are about to give will be the truth, the whole

1 truth, and nothing but the truth? 2 MR. LOVATO: I do. 3 JUDGE JORDAN: Thank you. 4 MR. LOVATO: I'd like to make mention I'm from the Valley Woods subdivision, and there are 5 6 at least three families represented today in this 7 room from Valley Woods. I concur with what was 8 shared earlier concerning the many difficulties and 9 problems with the high-chlorinated water, as well as 10 the frequent and often water boils and contacting 11 the Valley Woods agency for clarification and not getting any satisfactory answers, as well as the 12 13 neglect to have the systems -- our systems serviced 14 on a regular basis. 15 I just happened to be home when it was most recently the filters were being cleaned, and it 16 was at that point that I got to see for myself who 17 was doing the work. They did tell me that they were 18 understaffed, and I asked about having the systems 19 20 pumped, and I was told that that would probably 21 happen every five years, three to five years. I don't know if that's adequate or not, but I have 22 23 actually lived in this subdivision for about eight years, and I don't know of it having been pumped at 24 25 all. And I also worked with Lance, who was

Page 43

Page 44 mentioned earlier, for a short time cleaning those 1 2 filters myself. So he was pretty good at doing 3 that. 4 We had some major increases over a short period of time, which I thought was ridiculous, and 5 6 as you know, not too long ago, those rate increases 7 were brought to the attention, I think, of some 8 counsel, and they ruled in favor of the 9 neighborhood. So it's not a rate increase I'm 10 referring to, but only that there's still a lot of 11 work that needs to be done and is not getting done on behalf of the residents, particularly here on 12 Water Lane, where I also live. 13 14 Just in reference to what has been 15 spoken today about hydrants, we don't even have a hydrant on Water Lane, not one. In fact, the only 16 one in the whole neighborhood I've ever seen is at 17 the top of Tolbert Hill. And so that's just a minor 18 issue to all the other complaints, but I'd like to 19 20 have that added to the record. 21 JUDGE JORDAN: Thank you. 22 Anything from counsel? 23 (No audible response). 24 COMMISSIONER KENNEY: Thank you, sir. 25 JUDGE JORDAN: Thank you for your

Page 45 1 testimony. The next name on my list is Allan Kulka. 2 Allan Kulka. I hope I said that right. 3 4 MR. KULKA: My name is Allan Kulka. JUDGE JORDAN: Do you solemnly swear 5 6 that the testimony that you are about to give will 7 be the truth, the whole truth, and nothing but the 8 truth? 9 MR. KULKA: I do. 10 JUDGE JORDAN: Go ahead. 11 MR. KULKA: Steve Randolph really has covered most of what I was going to bring to your 12 13 attention, but I think the one thing that I would 14 like to get on the books is that -- a memo that was submitted to the area residents of Riverfork Ranch 15 back in January of this year, and in that memo there 16 were a number of very disconcerting items that I 17 18 think reflect on the issue of raising rates. What I would like to mention is, is in 19 20 the Riverfork Ranch area, apparently there are 148 homes now, and that represents 370 people. So a 21 fair number of those have got to be kids, and that's 22 23 very disconcerting, when you consider that water quality can have a major impact on people. 24 25 The other thing that I wanted to bring

out is that in this January memo written by the 1 2 Riverfork Water Company, I would assume it was 3 Mr. Brower or somebody on his staff, they admit to 4 the fact that the existing facility lacks the capacity to handle the residents that now exist, and 5 6 yet more homes are being built and nothing is being 7 done to the water company -- by the water company to 8 their current service. Now, that doesn't make any 9 sense to me. 10 Like Steve Randolph a few minutes ago, I 11 am a chemical engineer. I was in the business for about 40-some-odd years building chemical plants all 12 13 over the country. And, you know, a lot of things 14 will jell and a lot of things don't, and that just 15 doesn't work. I mean, you don't ask for an increase without providing anything to your customer. 16 I mean, no customer in their right mind 17 is going to pay for something that he's not happy 18 with and the issue -- and the person that's selling 19 20 it is not going to do anything about it. I wrote a letter in 2008 when Mr. Brower 21 22 and his company requested a water increase for Riverfork Ranch, and at that time I summarized a 23 number of items. It's -- it was sent to the DNRC 24 25 and to the public service people, et cetera, and

Page 46

Page 47 1 again, I wrote a letter this year in which I, again, 2 summarized the issues that really need to be 3 addressed. 4 If the man wants or if the company wants an increase, which is not unreasonable, if a man 5 6 wants an increase, then do something to encourage 7 the people to be able to live with the increase, and 8 that's not happening. 9 Gentlemen, if you lived in Riverfork 10 Ranch, I guarantee you, you and your families would not tolerate this kind of nonsense. We're not in a 11 position that we can do anything about it. We have 12 13 to rely on folks in the government in Missouri, in 14 DNR and other agencies that handle this, to defend 15 us, to look after our needs. We're the public. We pay taxes. You know, why can't we get some kind of 16 action that will cause these folks, instead of 17 promises, start delivering. 18 In this memo that I've deviated from a 19 20 second ago, there is a mention in here that the Missouri Department of Natural Resources has been 21 22 issuing violations. 23 Now, this is DNRC -- or I mean, this is Riverfork Ranch that's writing this. They're 24 25 admitting to the fact that they're getting violation

1	orders from DNR. They're not doing a darn thing
2	about it. You know, what's wrong here?
3	Something you know, that's what I would call
4	convoluted logic.
5	The other issue is there's a mention in
6	here that the Riverfork Water Company is going to
7	sign an order, but there's has it ever been
8	signed? And if it has been signed, has anything
9	been done? You know, talking about needing
10	increases to add staff to the Riverfork Water
11	Company when the services are pathetic?
12	You've heard from Mr. Randolph and
13	others: water pressure, quality of water, condition
14	of equipment, the fact that a power failure will
15	knock out the service and we'll be without water for
16	as long as it takes for it to be restored. There's
17	no backup. There's nothing. You know, there's got
18	to be more to it than that, gentlemen, I'm sorry,
19	your Honor.
20	I can't say anything more than that. I
21	get a little upset over this whole issue because
22	I've been in the area for, like I say, 13 years, and
23	I've seen nothing, absolutely nothing.
24	You know, I mean there's been promises
25	after promises, and nothing has been done. So we

Page 48

		Page 49
1	just we need your help, folks. We really do. We	
2	need your help to get things done to the water	
3	system. And from what I understand, there are other	
4	water systems that are owned by the same company	
5	that are having similar problems. You don't reward	
6	people for poor performance. I'm sure you	
7	understand that. Nobody gets a raise in today's	
8	environment in the business world unless they	
9	perform.	
10	AUDIENCE VOICE: That's right.	
11	MR. KULKA: And that's what you need.	
12	If we get performance, then come to us and talk	
13	about an increase, but until you get the	
14	performance, forget it.	
15	Unfortunately, there's nothing, like I	
16	say, we as the people are able to do anything about	
17	it, but you gentlemen and others, your associates,	
18	can do something about it, and we need that done.	
19	That's all I have to say, and I thank	
20	you for allowing me.	
21	COMMISSIONER KENNEY: I will make one	
22	statement, since you brought it up. One of the most	
23	difficult things as a commission we have are the	
24	small water and sewer companies in the state of	
25	Missouri, because there are so few customers and	

		Page 50
1	things cost so much money, that rates would go up	
2	dramatically, and we don't have in place in our laws	
3	that we allow a company to borrow so much money or	
4	even for acquisitions. It's a very difficult I	
5	understand it doesn't you have this issue, and I	
6	thank the Office of Public Counsel for calling for	
7	us to have this hearing today. That's why we are	
8	here.	
9	But I know it's you have an issue in	
10	front of us that we will make a decision on, but	
11	it's a problem that we're dealing with around the	
12	entire state.	
13	MR. KULKA: I can appreciate that, but,	
14	you know, the legislature I assume that's the	
15	right terminology for Missouri has the ability to	
16	write rules and regulations, and if you don't do it	
17	now, it will never happen.	
18	If you're going to address the issue,	
19	you got to do something. Now, it's easy for me to	
20	say. I'm not in your position, and I'm certainly	
21	not in the government. But like I say, the public	
22	are the ones that you represent, and we need your	
23	help. We need to have these things resolved. We	
24	need to get things done, and the only way we're	
25	going to get things done is by making certain	

		Page 51
1	individuals do what they have promised.	
2	I have like I say, I was on that	
3	board Mr. Randolph is now president of. I was on it	
4	for years, and I have heard every promise you can	
5	imagine funnel down from the Riverfork Water	
6	Company. And, you know, they were going to do this,	
7	they were going to do that, they were going to do.	
8	Well, 13 years later, they haven't done anything,	
9	nothing. And they want more money.	
10	And it's my understanding that one of	
11	the reasons they want more money is to add more	
12	Staff. They don't need more Staff. Get what	
13	they've got out there and get the problem fixed.	
14	And if you can't get it fixed overnight, then work	
15	on it.	
16	You know, I've heard that, oh, gosh	
17	that's a long-term solution. Well, I got news for	
18	you. Every solution is completed by starting at the	
19	beginning and working through it, and that's what	
20	needs to be done. I don't need to sound like I'm	
21	lecturing or preaching or anything like that. I'm	
22	just trying to get the point across that you guys	
23	will do something.	
24	COMMISSIONER KENNEY: You've done a good	
25	job, and I appreciate it. Thank you very much.	

Page 52 1 JUDGE JORDAN: Thank you. Did you have 2 a document that you wanted entered into the record? 3 MR. KULKA: It's the same one that 4 you've got right there. 5 JUDGE JORDAN: So we've already got 6 this? 7 MR. KULKA: Yeah. You're welcome to 8 this one, but I've scribbled all over it. 9 JUDGE JORDAN: We don't need an extra 10 one. AUDIENCE VOICE: Allow me. 11 MR. KULKA: They don't work like they 12 13 used to, but that has nothing to do with the water. 14 (Applause). 15 JUDGE JORDAN: The last name on my list has two names: Ritt and Angie Enderson. 16 17 MS. ENDERSON: Hi. I'm Angie Enderson. 18 JUDGE JORDAN: Please raise your right hand. 19 20 Do you solemnly swear that the testimony you are about to give will be the truth, the whole 21 truth, and nothing but the truth? 22 MS. ENDERSON: I do. 23 24 These gentlemen obviously have all kinds 25 of information, which is incredible. I'm glad that

Page 53 1 they do. But I'm standing up here as a stay-at-home mom, and this is a quality of life -- this is kind 2 3 of a quality of life issue. 4 My kids can't shower in upstairs shower. 5 There's just not enough water pressure. You know, 6 you can't run the dishwasher or the washing machine 7 or take a shower or water outside, any of it. You 8 can only do one at a time because there's not enough 9 water pressure for more than one thing. 10 AUDIENCE VOICE: Right. 11 MS. ENDERSON: I did a load of laundry the other day, and I realized it was still in the 12 washer. It took two and a half hours for a whole 13 14 load of laundry to do, it took so long to fill with 15 water, for the wash cycle, for the rinse cycle, but it took two and a half hours for a load of laundry. 16 And I'm just saying, I guess that's that's not any 17 18 kind of legal thing or whatever. But I'm telling you, I don't want to 19 20 drink our water. I don't want our kids to drink our water. It goes from smelling so foul that it smells 21 22 like there are rotten eggs all around your home to 23 tasting so horrible that even if you make like a lemonade or an iced tea or something, you would 24 25 taste the bad taste through that.

1	It's and honestly, I don't have
2	confidence in the water quality even if the test
3	come back okay, and I know there's a lot more
4	information about that. But they've given us
5	nothing to have any confidence at all that they're
6	providing us with anything, because there's been
7	nothing. I mean, there has been nothing.
8	In our kitchen, you know, you have a
9	little square thing, and you pull this little thing
10	so the water squirts outside. We don't even have
11	enough water pressure for that to turn on. Like
12	doing dishes is a ridiculous, long process and stuff
13	because of this.
14	Riverfork Ranch, it's a nice
15	neighborhood, we take pride in it. And they told us
16	five to seven years ago that they were going to
17	and this is just cosmetic, but yes, they were going
18	to paint the water tower and clean up around it. It
19	looks horrible. It is that's the first thing you
20	see when you come into our neighborhood. Right to
21	our left is our water thing, and it is not
22	maintained at all. It's awful.
23	I actually shower at the gym because I
24	don't want to shower at home. I actually haul all
25	my stuff with me to the gym and shower there,

Page 54

1 because it's so much easier than showering at home because it takes forever to rinse and wash, 2 3 And it affects the housecleaning. 4 It's -- it's just really -- I mean, it really is -it's -- I believe it's a quality of life issue. It 5 6 affects the way that I can clean, that I can take 7 care of my family, the water that we drink. 8 It's -- and, you know, the rate 9 increase? You know what? If we were getting plenty of clean, fresh water, that's a whole other issue 10 11 but for what we're getting now, um, no, it's not. Also, I was wondering, is there somebody 12 13 that I could send -- I was thinking about doing an 14 email. I wanted to do video. 15 I can tell you our water checked out at 35 psi, which I realize now is above the minimum, 16 but I'd like for the people who are involved in this 17 to actually see how much water pressure that is when 18 19 just filling up the coffee pot or filling up the 20 dog's water bowl. I mean, it's crazy. It's not --21 it's not acceptable. 22 If I were to look at a home to purchase 23 in that area, I would not buy a house that had our 24 water. Never. It's horrible. And we moved into 25 Riverfork 12 years ago, and it's just slowly

Page 55

Page 56 1 declined. It's never been awesome, but it's been 2 going downhill rapidly, I think. It's pretty bad. 3 It's really -- really is a real life daily issue 4 that we're -- that many of us are living with. And I believe that's all I have to say. 5 6 JUDGE JORDAN: If you have materials 7 that you want the Commission to see and you don't 8 have them with you --9 MS. ENDERSON: Yes. 10 JUDGE JORDAN: -- Office of Public Counsel and Staff would be interested in seeing 11 12 those. 13 MS. ENDERSON: Okay. I will speak to 14 you after. 15 JUDGE JORDAN: Thank you very much. MS. ENDERSON: Thank you. 16 17 JUDGE JORDAN: That's the last line on 18 my list. Did anyone else want to testify? MS. McCROSKEY: I didn't get a chance to 19 20 sign in. I came in a little bit late. Do you mind? 21 JUDGE JORDAN: Well, then, come on up 22 and --23 MS. McCROSKEY: Okay. I won't take up much time. I just -- my concern --24 25 JUDGE JORDAN: Hang on one second.

		Page 57
1	First, let's get your name for the record.	
2	MS. McCROSKEY: Amber McCroskey. It's	
3	M-C-C-R-O-S-K-E-Y.	
4	JUDGE JORDAN: Thank you. And do you	
5	solemnly swear that the testimony you're about to	
6	give will be the truth, the whole truth, and nothing	
7	but the truth?	
8	MS. McCROSKEY: I do.	
9	JUDGE JORDAN: Go ahead.	
10	MS. McCROSKEY: My concern is that he's	
11	owned our water company for two to three years, and	
12	we're not that bad yet, but he's been a very poor	
13	steward of the companies he has had, and what's even	
14	more disconcerting is that the building very next	
15	door to our water company is a water purification	
16	company that I believe he also owns.	
17	So I believe he has the resources to fix	
18	some of these problems or maybe possibly even the	
19	knowledge, and he either doesn't through he just	
20	doesn't care or he has such poor management of his	
21	company that he can't.	
22	And many times I pay my water bill, I	
23	have to go pay it in person because if I mail it,	
24	they don't go to the post office box enough that	
25	it's not late and I have to call and ask them to	

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Page 58
     remove the late fee.
 1
                 If I call and pay it over the phone with
 2
 3
     my credit card, I watch my statement. Sometimes
 4
     it's not charged until seven or eight days later.
     When I call them about it, oh, we bet busy, and we
 5
 6
     write it down and put it in when we have time.
 7
                 I'm an insurance agent. If I did that,
 8
     I would lose my license for writing down a credit
 9
     card number. It's unacceptable. And his rate
10
     increase is unacceptable until he can learn how to
11
     professionally run his business.
12
                 Thank you.
13
                 JUDGE JORDAN: Thank you.
14
                 COMMISSIONER KENNEY: Thank you.
15
                 MS. MERS: What company are you with?
                 MS. McCROSKEY: Oh, I'm sorry. I'm with
16
     Rockaway Beach, Taney County Utilities.
17
18
                 MS. MERS: Thank you.
                 JUDGE JORDAN: Would anyone else like to
19
20
     testify tonight?
                 Come on forward and be sworn in. We'll
21
22
     start with your name, please.
23
                 MR. MANIS: I'm Danny Manis with Moore
24
     Bend Water Company.
25
                 JUDGE JORDAN: Can you spell that for
```

Page 59 the reporter? 1 2 MR. MANIS: Yeah. M-A-N-I-S. 3 JUDGE JORDAN: Please raise your right hand. 4 Do you solemnly swear that the testimony 5 6 you're about to give will be the truth, the whole 7 truth, and nothing but the truth? 8 MR. MANIS: I do. JUDGE JORDAN: Go ahead. 9 10 MR. MANIS: I guess my comments kind of 11 go along with a number of the people have already 12 talked. 13 We used to have prior owners, and we've 14 never really had that much trouble with the water 15 until Mr. Brower has taken it over. The comments about him not returning 16 phone calls, I can testify I called him. He's never 17 returned. I can't get ahold of him. I don't know 18 what the problem is. I don't know of anybody that 19 20 has. The road condition, when he comes down 21 and fixes something, he doesn't repair it. I mean, 22 23 it's still coming across. We develop pot holes. Ι know there's one spot there that if the county 24 25 hadn't come in and put chip and seal, it would still

Page 60 1 have cones setting around after nine months to a 2 year. 3 I was down there the other day for 4 another water line. It goes all the way across the road. The barriers on both sides, barely enough 5 6 room for a car to go through, and it's out in the 7 middle of the road as far as where you can turn 8 around. There's no place to turn around. So people 9 that come down there with boats or trailers or 10 something, they can't back up that far. 11 To me, these are simple things that if he was interested in being a good steward to the 12 13 water companies, these are easy things: making 14 phone calls, returning phone calls, fixing the 15 roads, taking care of the business. We had boil orders. I've never seen a 16 notice of boil order as long as he's owned it. 17 Other owners prior to that, when we would go down to 18 the lake, there would be a notice stuck in the door. 19 20 Every house around would get noticed. I've never 21 seen that. He says he puts up signs at the 22 beginning. I have never seen signs. I have never 23 heard of anybody that's said anything about signs. 24 These are simple things that he's not 25 doing, and so I'm concerned that we're going to be

Page 61 1 giving him this increase and nothing is going to 2 happen. It's not going to make him any better. 3 It's not going to make him any more reliable as far 4 as taking over the company and doing the right 5 thing. 6 He's asked for an increase to the third 7 highest rate of all the companies he has for a 8 thousand gallons of water usage for the Moore Bend. 9 A thousand gallons. The next highest up is in the 10 5,000-gallon range. 11 We have people living down there that are on very low fixed income. If they use \$2,000 --12 13 or 2,000 gallons, they're talking about \$40 -- or 14 \$80 a month water bill. To me, that's outrageous 15 for 2,000 gallons. That can't be right. You know, 5,000, 6,000 gallons at 37, 38, \$46, and then 1,000 16 gallons at \$38. Something's not right. Something's 17 18 definitely not right with this. If we could see something happening down 19 20 there. He's not doing the things that are free and easy. Why would I expect he's going to do something 21 22 when we give him this kind of money? 23 You know, it's very poor performance. 24 People have talked about that in other water 25 companies around. We did not have the problems

		Page 62
1	until he took that on. So I think it's relayed	
2	everything. I think somebody needs to make him	
3	stand up before he gets these kind of increases and	
4	prove himself more than just going out and spending	
5	the money and coming to the State and say, okay, I	
6	spent this money; now I need to be reimbursed for	
7	it. To me, that's not the way to do business. That	
8	may be how he does it as a public utility, but	
9	that's not the way you do business.	
10	Thank you.	
11	JUDGE JORDAN: Thank you.	
12	COMMISSIONER KENNEY: Thank you, sir.	
13	JUDGE JORDAN: Who else would like to	
14	testify today while we're here?	
15	(No audible response).	
16	Anyone?	
17	MS. GRAY: I do.	
18	Melanie Gray from Moore Bend.	
19	JUDGE JORDAN: And is that Gray,	
20	G-R-A-Y?	
21	MS. GRAY: Yes.	
22	JUDGE JORDAN: Please raise your right	
23	hand.	
24	Do you solemnly swear that the testimony	
25	you are about to give will be the truth, the whole	

Page 63 1 truth, and nothing but the truth? 2 MS. GRAY: I do. 3 JUDGE JORDAN: Thank you. 4 MS. GRAY: I attest, again, agree with everything everybody else has said. I have the same 5 6 issues. I do want to add that I did have my water 7 tested and the residual chlorine was .12, which is less than a tenth of what is recommended. I also 8 9 had trouble with the staff. 10 And the thing that I really want to 11 inject into your notes, though, is that if you would please reconsider the thousand gallon amount for 12 13 Moore Bend, because they said that that thousand 14 gallon was based on the average use, but there are 15 so many -- we have -- I was told there was over 300 meters, and a vast majority of those are 16 weekenders, and so that throws our average very low, 17 so that the people that are there full time that use 18 a normal amount of water, if they use the 19 20 6,000 gallons like the other companies, as he said, would be \$88 a month, and that's very unreasonable. 21 So I would appreciate if you would 22 reconsider that amount. So that's all. 23 24 JUDGE JORDAN: Thank you. 25 COMMISSIONER KENNEY: Thank you very

Page 64 1 much. 2 MR. OPITZ: I have one question. 3 Ms. Gray, that thousand gallon amount, is it your understanding that that's related to the amount of 4 the customer charge that? 5 6 MS. GRAY: Yes, they told us that that 7 was based on the average usage and that we would 8 only be allowed a thousand gallons before it would 9 increase every month as well. 10 MR. OPITZ: Thank you. 11 JUDGE JORDAN: Thank you for your testimony. Who else would like to testify tonight? 12 13 (No audible response). 14 I am not seeing anyone. Thank you for 15 speaking and for listening. Hard as Staff works, it's impossible to gather all the information that 16 it would like to have. That's part of why we do 17 18 what we do. Any closing remarks, Commissioner? 19 COMMISSIONER KENNEY: Just thank you. 20 JUDGE JORDAN: Then on behalf of the Commission and all the commissioners, thank you for 21 coming out tonight. I will adjourn this hearing and 22 we will go off the record. 23 24 25 (Concluded at 7:50 o'clock p.m.)

		Page 65
1	I N D E X	
2	Witness Page	
3	Daniel Rock8	
4	Robert Rock9	
5	Earl W. Fruits10	
6	Frank Delo12	
7	Dan Hall14	
8	Janis Hall16	
9	Tony Baggett18	
10	Jim Heiman19	
11	Kelly Krauch21	
12	Ethel Allison27	
13	Carolyn Delaney29	
14	Stephen Randolph33	
15	Tom Lovato	
16	Allan Kulka46	
17	Angie Enderson53	
18	Amber McCroskey58	
19	Danny Manis60	
20	Melanie Gray64	
21		
22		
23		
24	(Continued)	
25		

		Page 66
1	EXHIBITS	
2	Exhibit No. Page	
3	Exhibit 1 Letter dated January 21, 2015 33	
	from Riverfork Water Company	
4		
	Exhibit 2 Letter dated May 16, 2015 43	
5	to MO Public Service	
	Commission from Riverfork	
6	Homeowners Association	
7	Exhibit 3 Summary document for 43	
	Exhibit 2	
8		
9	(Exhibits retained by the Commission)	
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20	CERTIFICATE OF REPORTER67	,
21		
22	Phonetic spelling: (ph) Exactly as stated: [sic]	
23		
24		
25		

Page 67 1 CERTIFICATE OF REPORTER 2 STATE OF MISSOURI) 3) ss: COUNTY OF WEBSTER) 4 RE: STATE OF MISSOURI 5 PUBLIC SERVICE COMMISSION In the Matter of the Rate Increase Requests of the Regulated Water and Sewer Utilities Owned and 6 Operated by Ozark International, Inc. 7 File No. WR-2015-0192 8 Date Taken: NOVEMBER 19, 2015 9 I, Paula C. Voyles, a Registered Professional Reporter, 10 Certified Real-Time Reporter, Certified Court Reporter, 11 do hereby certify that the matter appearing in the foregoing transcript was recorded by me to the best of 12 13 my ability and was thereafter reduced to written form under my direction. 14 I further certify that I am not a relative or employee 15 of counsel of any of the parties, nor a relative or 16 17 employee of the parties involved in said action, nor a person financially interested in the action. 18 19 20 21 22 PAULA C. VOYLES, RPR, CRR, CCR No. 750 23 24 25 MLS-192525/PCV-15182

				2614
A	34:15 40:14	2:1	36:19 38:2 40:6	36:14
ability 50:15	44:6 46:10	appearing 67:11	awesome 56:1	Bilyeu 11:15 13:2
67:13	47:20 54:16	appendix 34:20	awful 54:22	bit 24:20 56:20
able 3:23 5:22	55:25	35:14,21 36:9	<u> </u>	black 37:25
30:3 35:17 47:7	agree 5:16 29:14	36:20	$\frac{\mathbf{B}}{\mathbf{B} 66:1}$	blank 39:11 40:5
49:16	40:18 63:4	Applause 41:22		bleach 23:9,12
absolutely 48:23	agreement 10:17	52:14	back 12:4 22:16 45:16 54:3	24:24
accept 41:7	33:5,6 34:19	applications	43.10 54.5 60:10	board 51:3
acceptable 37:24	35:9 40:25	36:10		boat 8:25
55:21	41:17	appointed 6:15	backup 16:6 48:17	boats 60:9
accounting 35:13	ahead 8:15 9:21	appreciate 4:2		boil 8:17 22:6,13
acquisitions 50:4	28:14 45:10	50:13 51:25	bad 18:22 53:25	22:19,23 23:16
action 3:8,10,13	57:9 59:9	63:22	56:2 57:12	60:16,17
29:13 40:9	ahold 59:18	area 22:10 23:23	Baggett 16:21,22 16:23 17:2 65:9	boilers 22:5,5
47:17 67:17,18	algae 34:9 38:5	45:15,20 48:22		boils 43:10
add 48:10 51:11	Allan 45:2,3,4	55:23	balance 6:16	bookkeeper
63:6	65:16	asked 21:22	barely 60:5	35:12
added 44:20	allergic 23:15	43:19 61:6	barriers 60:5	bookkeeping
address 5:6	Allison 26:18,18	asking 6:2 7:25	based 63:14 64:7	35:7,10
20:22 30:6	26:19,19,24	10:6 17:18	basis 43:14	books 45:14
50:18	65:12	assigned 3:13	bathe 6:18 23:16	booster 29:14
addressed 41:25	allow 50:3 52:11	assist 38:24	23:17	boosters 28:24
47:3	allowed 24:17	Assistant 2:12	Beach 58:17	borrow 50:3
adequate 16:3	64:8	associates 49:17	beginning 51:19	bother 37:5
29:24 43:22	allowing 49:20	Association	60:22	bottled 24:24
adjourn 64:22	Amber 57:2	32:13 41:24	behalf 7:1 32:14	bought 24:7 26:4
administer 4:14	65:18	66:6	44:12 64:20	bowl 55:20
5:15	amount 17:17	assume 46:2	believe 8:17 41:8	box 2:8,15 5:6
admit 46:3	26:1 63:12,19	50:14	41:11,13 55:5	57:24
admitted 32:2	63:23 64:3,4	attend 4:8	56:5 57:16,17	break 9:2
35:12 37:5,21	analyzer 37:20	attention 23:20	Bend 7:12,24 9:6	breaks 8:22
42:6,15	anecdote 40:4	44:7 45:13	9:7 16:23 17:3	brief 32:21
admitting 47:25	Angie 52:16,17	attest 63:4	58:24 61:8	bring 45:12,25
advice 40:7,9	65:17	attitude 27:2,20	62:18 63:13	broke 22:20,20
advise 6:24	animals 23:25	attorney 5:5	Bert 2:3	22:20,20
advisories 22:19	annual 40:16	audible 4:24 7:7	best 6:23 7:20	broken 22:23
advisory 8:17	answer 4:3 35:20	11:5 16:9 17:24	36:10 40:9	23:21
22:6,23,24	answered 11:11	20:4 25:6 31:25	67:12	brought 44:7
advocates 6:25	16:18	42:5,14,18	bet 58:5	49:22
affirmation 4:15	answers 43:12	44:23 62:15	better 35:9 61:2	Brower 2:3 11:23
afraid 24:25	anybody 19:15	64:13	big 8:23 12:11	23:5,24 24:6
agencies 47:14	19:23 59:19	AUDIENCE	15:10 22:5	26:4 36:5 39:14
agency 39:16	60:23	13:9 49:10	bigger 20:24 22:7	40:7,10 46:3,21
43:11	anymore 10:24	52:11 53:10	bill 17:6 21:3	59:15
agent 58:7	apparently 45:20	average 63:14,17	26:10 57:22	Brower's 25:23
ago 8:17 13:25	appearance 4:20	64:7	61:14	32:15
15:12,15 29:11	APPEARANC	aware 13:21	bills 25:10 35:6	build 31:20 38:25
, , , , , , , , , , , , , , , , , , ,			l	l

building 2:8	67:22	55:10	25:7,8,13,16	completely 12:6
46:12 57:14	Cederwall 16:16	cleaned 43:16	26:12 27:24	comply 30:3 33:4
built 31:19 46:6	16:16,17	cleaning 44:1	31:13 42:19,20	34:18 39:12
bureaucratic	certain 4:7 25:25	clearly 5:24	44:24 49:21	40:23 41:16
39:23	29:5 50:25	closest 34:4	51:24 58:14	concern 11:25
burns 23:14,19	certainly 50:20	closing 64:18	62:12 63:25	14:5 16:3 56:24
business 10:12	CERTIFICATE	clothes 18:23	64:18,19	57:10
10:13 36:8	66:20 67:1	coffee 55:19	commissioners	concerned 60:25
46:11 49:8	Certified 67:10	COLA 10:5	3:19,22 4:8,19	concerning 14:7
58:11 60:15	67:10	collect 21:14	5:22 6:15 7:3	15:19 21:11
62:7,9	certify 67:11,15	collected 21:15	64:21	43:8
busy 58:5	cetera 46:25	come 5:14,23	Committee 15:9	concerns 12:11
buy 24:22,24	chance 29:17	6:13 12:9,10	common 35:22	15:6 16:17
55:23	56:19	23:3 24:16,17	36:4	20:21 26:25
	charge 17:19	25:19,20 32:5	community	concise 5:24
$\frac{C}{C}$	64:5	49:12 54:3,20	20:22	Concluded 64:25
C 1:25 2:18 3:1	charged 58:4	56:21 58:21	companies 2:2	concur 43:7
11:9 67:9,22	cheaper 17:16	59:25 60:9	40:7 49:24	condition 48:13
calculations 17:5	29:15	comes 59:21	57:13 60:13	59:21
call 5:12,14 21:21	check 14:20	coming 3:18 4:2	61:7,25 63:20	conduct 33:7
23:1 24:3 48:3	checked 18:20	12:9 16:20 28:6	company 4:16,21	cones 60:1
57:25 58:2,5	55:15	59:23 62:5	7:12 10:4,10,18	confidence 54:2
called 24:16	chemical 23:14	64:22	27:12,18,21	54:5
59:17	23:19 46:11,12	Commencing 3:3	28:19 30:24	connected 22:12
calling 3:8 7:6	children 23:13	comment 40:14	33:4,7 34:17	consider 4:19
50:6	chip 59:25	comments 6:9	35:4,25 36:15	41:14 45:23
calls 27:15 59:17	chlorination	33:1,10 59:10	36:21 37:1,19	consideration
60:14,14	37:16,18	59:16	37:20 38:11,17	17:17
cap 17:19	chlorine 23:12	commission 1:2	38:24 39:8	considered 18:25
capacity 6:25	34:11 36:23	2:11,14 3:8,20	40:15,23 41:12	consistent 37:18
46:5	37:2,3,6,11,13	6:14,22 7:23	41:16 46:2,7,7	consistently 36:1
car 8:25 19:19	37:20,23,23	10:18 28:15	46:22 47:4 48:6	36:6,22 38:11
60:6	63:7	29:19 30:14	48:11 49:4 50:3	39:11 41:1
card 58:3,9	Christian 25:20	32:18 34:19	51:6 57:11,15	constantly 37:21
care 8:19,21 13:4	cited 36:25	35:9,20 39:21	57:16,21 58:15	construction
40:17 55:7	city 2:9,15 3:16	39:22 40:25	58:24 61:4 66:3	38:24 39:5
57:20 60:15 Carolina 28:1	5:7 25:20	41:6,14 42:1	Company's	contact 6:9,11
	claim 34:24 39:1	49:23 56:7	39:12 41:10	23:5 39:1
Carolyn 28:7,8 65:13	39:22	64:21 66:5,9	compared 18:14	contacting 43:10
case 19:9	claiming 39:18	67:5	complain 24:4	contaminated
	clarification	commissioner	38:4	25:1
cause 37:4 47:17 caused 33:20	43:11	1:19 3:15,16,17	complaint 36:4	Continued 65:24
caused 33:20 causes 23:19	clarify 6:6 9:4	3:25 4:6,12 6:5	40:20	contracted 27:11
	12:12	8:6 9:9 11:6	complaints 35:22	contractors
34:11 causing 23:13	class 40:9	12:20,24 13:6	36:2,22 37:7,18	38:25
CCR 1:25 2:18	clean 6:17 19:1	14:22 16:10,11	44:19	convoluted 48:4
UUN 1:25 2:18	23:9 54:18 55:6	17:25 20:5,6	completed 51:18	copy 23:2 28:20
	I	I	I	I

	•	•	•	•
30:11 32:19,19	cycle 53:15,15	28:23 30:1	documentation	employee 67:15
32:23	• · · · · · · · · · · · · · · · · · · ·	47:21	36:19	67:17
correct 4:7 12:19	D	deposit 24:17	documents 41:19	empty 16:2
16:16 42:10	D 3:1 65:1	details 41:18	dog's 55:20	encourage 47:6
corrected 34:16	D-E-L-O 11:14	deteriorating	doing 41:7 43:18	Enderson 52:16
correctly 18:3	dab 26:9	29:10 38:9	44:2 48:1 54:12	52:17,17,23
20:10	daily 56:3	develop 59:23	55:13 60:25	53:11 56:9,13
cosmetic 54:17	Dan 13:12,13	developer 24:7	61:4,20	56:16 65:17
cost 10:2,8,15	65:7	Development 2:7	door 15:20 57:15	ends 31:3
30:10 50:1	danger 14:6	2:13	60:19	enforcement
costs 10:13 38:16	Daniel 1:18 3:12	deviated 47:19	downhill 34:3	29:13 39:19
counsel 2:4,7,12	7:9,10,11,11,18	difference 30:12	56:2	engineer 37:9
4:22,25 5:1,3,6	7:20,24 8:3	different 40:2	draft 7:3	46:11
6:4,10,25 8:5	65:3	difficult 6:14	dramatically	enter 31:22 42:12
14:16 16:8	Danny 58:23	24:20 31:10	50:2	entered 52:2
17:23 20:3 25:5	65:19	49:23 50:4	drilled 39:6	entering 42:3
26:13 27:23	darn 48:1	difficulties 43:8	drilling 29:15	entire 31:5 50:12
32:20 42:17	Date 67:8	dilapidated 6:20	drink 6:18 24:23	entities 3:10
44:8,22 50:6	dated 42:1 66:3,4	dimensioned	25:1 53:20,20	entries 4:20
56:11 67:16	Davis 34:3	34:10	55:7	environment
country 24:1	day 19:4,18 27:8	direction 67:14	drinkable 18:18	49:8
46:13	27:15 53:12	directives 30:3	drive 8:24 19:18	equipment 48:14
county 15:7,8	60:3	disarray 35:13	22:16 34:3	erratic 36:23
25:20 58:17	days 58:4	disclosed 24:14	dropped 26:5	establish 34:21
59:24 67:3	days' 22:19	disconcerting		established 35:15
couple 30:23	deal 19:3 39:7	45:17,23 57:14	E	36:12,15
37:1	dealing 50:11	disconnect 17:14	E 3:1,1 65:1 66:1	et 46:25
course 16:1	decision 6:23 7:2	17:16,19	Earl 9:12,13 65:5	Ethel 26:17,18
court 3:20 6:3	7:4 30:15 50:10	discussion 35:8	earlier 9:24	26:19 65:12
20:17 67:10	declined 56:1	dishes 54:12	11:11 43:8 44:1	evening 3:5 27:1
cover 41:24	defend 47:14	dishwasher 53:6	easier 55:1	Eventually 39:3
covered 45:12	deficiencies 30:6	dismissal 38:23	East 2:19	everybody 3:18
crazy 17:10,10	40:22	distillation 32:25	easy 50:19 60:13	6:13 19:7,13
55:20	definitely 61:18	district 12:9 40:2	61:21	25:25 63:5
credit 58:3,8	Delaney 28:7,8,8	DNR 22:24 23:1	Economic 2:7,13	everyone's 6:16
CRR 1:25 2:18	28:13,16 30:17	29:12,21 34:13	effort 29:22	evelyone \$ 0.10 evidence 4:17,18
67:22	30:20 31:1,6,9	36:25 37:4 38:7	eggs 53:22	Exactly 66:22
curious 26:12	31:15,18 65:13	39:9,15,16,22	eight 43:23 58:4	examine 30:14
current 46:8	delivering 47:18	40:18 41:6	either 37:22	examined 6:20
currently 10:3	Delo 11:13,14,14	47:14 48:1	40:19 57:19	excessive 37:2,3
customer 35:21	11:20 12:15,19	DNR's 37:17	elected 39:24	excited 15:12
36:18,22 46:16	12:23 13:1,7	40:13	electronically	Excuse 18:4
46:17 64:5	65:6	DNRC 46:24	32:19	excused 6:7
customers 30:5	dented 19:19,20	47:23	em 18:24,24 26:9	Executive 15:9
35:5,24 36:10	deny 36:1 38:11	document 31:5	email 55:14	exhibit 30:16
49:25	department 2:7	37:16 41:22	emergency 15:9	31:17,23 32:2
cut 24:3	2:13 12:7 14:1	52:2 66:7	16:4,7 35:14	32:22 42:2,6,7
cut 24.3	<u> </u>	52.2 00.7	10.1,7 22.11	32.22 42.2,0,7
L	•	•	•	•

12.15 66.2.2.4	filling 55,10,10	65:6	8:12 9:18 11:18	10:23 30:9
42:15 66:2,3,4	filling 55:19,19 filters 43:16 44:2			
66:7,7		frankly 40:8	13:16 14:3 15:3	47:13 50:21
Exhibits 66:9	finally 27:17	free 5:17 61:20	16:25 18:8	governor 2:8
exist 46:5	29:23	frequent 43:10	20:13 22:1	6:15
existing 46:4	financial 41:9	fresh 55:10	26:22 28:11	grab 37:11,12
expect 61:21	financially 67:18	Friday 34:22	32:7,23 42:25	granted 41:4,15
expense 37:10	find 21:11 24:15	front 15:20 22:8	45:6 52:21 57:6	granting 29:19
expensive 6:19	fire 11:22 12:5,6	22:14 50:10	59:6 61:22	grass 24:2
17:20	12:8,17,21,23	frozen 33:20	62:25	Grater 39:10
explain 12:22	13:25,25 15:13	Fruits 9:12,13,13	given 3:23 54:4	40:17
exterior 34:8	15:16,20 19:10	9:20,23 65:5	gives 11:25	Grater's 40:13
extra 52:9	19:16 38:21	frustrated 39:6	giving 61:1	Gray 62:17,18,19
extremely 36:8	first 7:9 28:22	39:11,18	glad 52:25	62:21 63:2,4
F	30:23 33:3	full 24:19 34:7	go 4:20 5:10 7:8	64:3,6 65:20
	54:19 57:1	63:18	8:15 9:21 10:13	great 14:8,9
facilities 38:14	five 3:19 13:20	full-time 24:18	11:13 14:20	15:13
facility 46:4	15:12 43:21,21	function 35:7	28:14 29:22	Gross 38:14
fact 18:24 35:5	54:16	funds 19:21	45:10 50:1 57:9	groundwater
36:25 39:15	fix 57:17	funnel 51:5	57:23,24 59:9	38:3
44:16 46:4	fixed 8:22 10:5	further 6:16	59:11 60:6,18	guarantee 47:10
47:25 48:14	17:4 22:21,22	67:15	64:23	guess 18:16
failed 21:14 30:5	23:8 51:13,14		God 32:9	53:17 59:10
33:4,25 34:8,17	61:12	G	goes 10:21 28:25	guys 9:24 21:7
34:22 40:23	fixes 59:22	G 3:1 34:20	29:2,16 34:25	25:3 51:22
41:16	fixing 60:14	35:14,21 36:9	53:21 60:4	gym 54:23,25
failing 33:24	flush 23:8	36:20	going 3:6 4:17,18	
fails 41:1	flushed 11:23,24	G-R-A-Y 62:20	5:10 6:21 10:16	<u> </u>
failure 39:12	12:2 23:7,10,10	gallon 63:12,14	14:20 17:13	H 66:1
48:14	23:18 31:21	64:3	19:12 23:1	H-E-I-M-A-N
fair 7:22 8:4	38:22	gallons 61:8,9,13	24:25 29:3,21	18:12
45:22	flushing 12:21	61:15,16,17	30:1 31:22	hair 22:10
falsely 35:4	38:20	63:20 64:8	40:20 42:2	half 15:15 53:13
families 43:6	folks 17:21 21:17	garden 14:10	45:12 46:18,20	53:16
47:10	37:2 47:13,17	gas 22:11	48:6 50:18,25	Hall 13:12,13,13
family 55:7	49:1	gather 64:16	51:6,7,7 54:16	13:18 14:19,24
far 60:7,10 61:3	foregoing 67:12	generally 38:7	54:17 56:2	15:5 65:7,8
favor 44:8	forever 55:2	gentleman 12:3	60:25 61:1,2,3	hand 7:14 13:14
Fax 2:9,16,20	forget 49:14	12:15 25:24	61:21 62:4	14:25 42:23
federal 30:9	form 67:13	gentlemen 38:16	good 3:5 6:17	52:19 59:4
fee 17:20 58:1	format 36:17	40:21 41:3 47:9	7:13 8:15 11:12	62:23
feel 5:16 18:13	forth 29:1,4	48:18 49:17	11:12 13:11	handle 46:5
feet 24:2	forward 4:2	52:24	15:1,14,21	47:14
fence 19:18,20,22	58:21	getting 30:10	16:19 19:1	Hang 56:25
34:14,15	foul 53:21	36:14 38:8	42:16 44:2	happen 10:22
file 1:10 3:9 23:2	found 37:12	43:12 44:11	51:24 60:12	24:25 43:21
40:9 67:7	four 39:24	47:25 55:9,11	gosh 51:16	50:17 61:2
fill 53:14	Frank 11:13,14	give 4:18 7:16	government	happened 43:15
			-	

	1	1	1	1
happening 47:8	27:14	illegal 28:24	information	J
61:19	homeowners	imagine 51:5	52:25 54:4	Janis 14:24 65:8
happens 21:25	25:9 26:3 32:13	impact 45:24	64:16	January 27:4,8
happy 32:23	41:23 66:6	impacted 34:4	informed 20:25	28:18 45:16
46:18	homes 21:6,8	implement 29:23	21:7	46:1 66:3
hard 6:24 9:1	22:15 26:8	impossible 64:16	infrastructure	Jefferson 2:9,15
18:5 32:19	45:21 46:6	improvement	6:19	3:16 5:7
64:15	honest 41:8	29:20	inject 63:11	jell 46:14
haul 14:3 54:24	honestly 54:1	inactive 34:24	input 6:8	Jim 18:2 65:10
health 37:4	Honor 11:10	inadequate 33:13	inside 21:25 29:7	job 6:14 7:2
hear 5:9,17,25	15:5 48:19	33:16	insignificant	51:25
28:15,17 31:23	hookups 39:1,3	inappropriately	19:8	John 11:9
40:21 42:13	hope 6:12 17:17	34:10	inspection 33:8	Jordan 1:18 3:5
heard 13:22	17:18 18:2 20:9	including 35:16	33:10,22 34:13	3:12 4:6 5:2,8
48:12 51:4,16	45:3	38:10	38:5,7 39:13	7:13,19,22 8:2
60:23	horrible 53:23	income 61:12	inspector 33:11	8:4,7,11,15 9:4
hearing 1:5 4:3	54:19 55:24	incomes 10:5	34:9 38:6	9:7,11,14,17,21
4:16,25 7:8	hose 19:9	17:4	inspectors 39:9	11:3,8,12,16
38:15 50:7	hoses 11:22	Incorporated	insufficient 19:8	12:12,17 13:8
64:22	12:21	3:11	19:21	13:11 14:15,23
hearing's 31:17	hours 15:25	increase 1:12	insurance 58:7	16:8,13,19,24
hearings 4:8,10	24:18 34:22	7:25 10:1,15	interest 6:16	17:22 18:1,7,11
40:9	53:13,16	17:6,10,12,18	interested 56:11	20:2,7,12,16
Heiman 18:2,4	house 12:4,13,14	20:21 26:1 29:5	60:12 67:18	25:4 26:16,21
18:10,12 65:10	15:15,19 23:4	30:8,10 32:17	interior 33:24,24	27:22,25 28:5
help 12:10 21:17	38:13 39:4	38:16 41:4,12	International	28:10,14 30:13
32:9 49:1,2	55:23 60:20	41:15 44:9	1:14 3:11 4:22	30:19,22 31:3,7
50:23	housecleaning	46:15,22 47:5,6	4:22 40:3 67:6	31:12,16,22
Hendricks 11:9	55:3	47:7 49:13 55:9	interviewed	32:3,10 41:21
11:10	housekeeping	58:10 61:1,6	35:24	42:7,12,16,19
Hi 20:11 52:17	36:17	64:9 67:5	involved 55:17	42:21 43:3
high 37:23	houses 38:25	increased 26:1,4	67:17	44:21,25 45:5
high-chlorinated	huge 22:21	increases 8:18	iron 34:1	45:10 52:1,5,9
43:9	hung 21:22	10:25 29:20	issue 15:10 44:19	52:15,18 56:6
highest 61:7,9	husband 15:14	44:4,6 48:10	45:18 46:19	56:10,15,17,21
Highway 13:25	hydrant 14:3	62:3	48:5,21 50:5,9	56:25 57:4,9
33:18	15:13,20 31:21	increasing 38:1	50:18 53:3 55:5	58:13,19,25
Hill 44:18	38:19 44:16	incredible 52:25	55:10 56:3	59:3,9 62:11,13
holding 4:21	hydrants 12:5,23	incurs 10:12	issues 18:15,16	62:19,22 63:3
holes 59:23	19:16 38:22	independent	21:18 23:4 47:2	63:24 64:11,20
home 14:8,20	44:15	29:6	63:6	Judge 1:19 3:5
15:11 21:25	hydrogen 38:2,4	index 10:9	issuing 30:2	3:13 4:6 5:2,4,8
22:2 24:15 26:7		indicating 12:16	47:22	7:13,19,22 8:2
31:19 40:2	<u> </u>	22:8 41:19	item 33:4 34:18	8:4,7,11,15 9:4
43:15 53:22	iced 53:24	indication 36:16	items 40:24	9:7,11,14,17,21
54:24 55:1,22	idea 14:17	individuals 51:1	45:17 46:24	11:3,8,12,16
homeowner	ignored 41:2	influent 34:10		12:12,17 13:8
	I	I	I	

13:11 14:15,23	61:22 62:3	larger 10:2	52:15 56:18	Lovato 42:22
16:8,13,19,24	kinda 9:1	late 56:20 57:25	listed 5:11	43:2,4 65:15
17:22 18:1,7,11	kinds 29:3 52:24	58:1	listen 4:4,11	low 19:2 30:7
20:2,7,12,16	kitchen 54:8	laughed 27:20	listening 64:15	36:22 37:5,22
25:4 26:16,21	knock 48:15	laundry 18:23	literally 23:19	61:12 63:17
27:22,25 28:5	knocked 19:23	53:11,14,16	LITIGATION	
28:10,14 30:13	know 7:23 8:21	law 1:19 3:13	2:18	M
30:19,22 31:3,7	8:25 9:2 10:16	37:7,14	little 10:21 13:24	M 13:25
31:12,16,22	10:20 14:11	laws 50:2	14:12 17:11	M-140 33:18
32:3,10 41:21	16:5 17:12	lawsuit 40:10	22:7,9 24:20	M-A-N-I-S 59:2
42:7,12,16,19	21:19,20 22:12	learn 58:10	48:21 54:9,9	M-C-C-R-O-S
42:21 43:3	23:25 26:2,7	learned 39:15	56:20	57:3
44:21,25 45:5	27:10,12,18	leave 35:17	live 14:9 15:7	ma'am 16:12
45:10 52:1,5,9	28:21 29:17	leaves 8:23	18:12 20:19	27:24 31:12
52:15,18 56:6	33:25 34:7 37:3	lecturing 51:21	24:1 44:13 47:7	machine 53:6
56:10,15,17,21	37:15 38:19	left 13:10 54:21	lived 11:21 19:14	Madison 2:14
56:25 57:4,9	39:2 43:22,24	legal 19:6 37:24	38:20 43:23	Madrid 2:19
58:13,19,25	44:6 46:13	53:18	47:9	mail 57:23
59:3,9 62:11,13	47:16 48:2,3,9	legislative 40:2	living 10:3,8,15	maintain 21:13
62:19,22 63:3	48:17,24 50:9	legislature 50:14	30:10 56:4	23:24
63:24 64:11,20	50:14 51:6,16	legitimate 36:2	61:11	maintained
July 33:9 35:11	53:5 54:3,8	41:13	load 53:11,14,16	22:22 23:23
	55:8,9 59:18,19	lemonade 53:24	local 1:5 4:10	54:22
K	59:24 61:15,23	let's 4:20 30:19	lock 34:24	maintains 40:15
K-R-A-U-C-H	knowledge 7:21	57:1	logic 48:4	maintenance
20:19	36:11 57:19	letter 28:18	long 40:15 44:6	19:16 21:6,8
Kahl 28:1,2	known 37:3	30:14 41:25	48:16 53:14	38:14,16,18
Kelly 20:9,18	knows 35:1	46:21 47:1 66:3	54:12 60:17	41:2,4,5
65:11	Krauch 20:9,11	66:4	long-term 29:23	major 44:4 45:24
Kenney 1:19	20:15,18,18	letterhead 30:24	51:17	majority 63:16
3:15,16,17 8:6	25:11,15,18	31:9 41:24	longer 26:6	makers 7:4
9:9 11:6 12:20	26:15 65:11	letters 30:21,23	look 4:2 25:21	making 30:15
12:24 13:6	Kulka 45:2,3,4,4	31:2	26:13 29:6	50:25 60:13
14:22 16:11	45:9,11 49:11	liberty 32:24	30:19 47:15	man 10:11 47:4,5
17:25 20:6 25:8	50:13 52:3,7,12	license 58:8	55:22	management
25:13,16 26:12	65:16	licensed 37:9	looking 9:23	15:9 57:20
27:24 31:13		lies 39:20	30:23	managers 39:10
42:20 44:24	L	life 24:20 53:2,3	looks 19:17 31:3	Manis 58:23,23
49:21 51:24	lack 33:12 38:14	55:5 56:3	54:19	59:2,8,10 65:19
58:14 62:12	lacks 46:4	lifted 22:24	lose 58:8	Marc 39:10
63:25 64:19	ladder 33:12	limit 19:6	losing 14:7	40:13
kids 23:17 24:19	lady 23:14 34:23	line 8:1 56:17	lost 12:4,13,14	March 31:2
45:22 53:4,20	lake 60:19	60:4	15:18	Marilyn 16:15
kind 8:20 18:14	Lance 24:7 25:25	liner 29:9	lot 10:4 13:22	mark 30:16
20:22 29:8,9	25:25 43:25	lining 33:25	17:3,14 34:7	31:16 41:21
30:17 47:11,16	Lane 23:11 44:13	list 7:9 26:17	36:7 44:10	42:2
53:2,18 59:10	44:16	32:3 42:22 45:2	46:13,14 54:3	marked 32:2
	l	I	I	I

42:6,15	Missouri 1:1,7	name 3:12 5:4,14	38:25	offensive 36:7
material 23:21	2:6,11,13 4:1	6:2 7:9 8:8 9:13	news 51:17	office 2:4,7,8
materials 56:6	5:7 28:23 29:18	13:10,12 14:24	nice 14:12 22:9	3:16 5:2,5 6:10
matter 1:11 67:5	30:1 32:17 33:5	16:15 20:17,18	31:10 54:14	6:25 26:13
67:11	34:13,18 35:8	25:24 26:17	Nicole 2:12 5:1	32:20 34:22
McCROSKEY	36:25 37:4,17	29:8 32:3,11	nicole.mers@p	35:11 40:2,5
56:19,23 57:2,2	38:7 39:9,15,16	42:22 45:2,4	2:12	50:6 56:10
57:8,10 58:16	39:20,21,22	42.22 43.2,4 52:15 57:1	night 27:16	57:24
65:18	40:13,18 41:5,6	58:22	nine 31:20 60:1	oh 21:12 51:16
mean 8:25 12:13	41:13 42:1	names 5:11 7:6	Nixa 12:9 14:4	58:5,16
19:17 24:13	47:13,21 49:25	52:16	15:7	okay 7:8 8:2
28:20 30:11	50:15 67:2,4	nasty 21:22	non-drinkable	14:25 17:21
46:15,17 47:23	MLS-192525/P	23:25	18:18	22:25 27:7
48:24 54:7 55:4	67:25	Natural 28:24	nonsense 47:11	30:17,22 31:8
55:20 59:22	MO 2:9,15,19	30:2 47:21	normal 63:19	31:12 54:3
measure 19:3	66:5	near 15:13 24:5	noted 38:5	56:13,23 62:5
medical 23:20	modifications	neat 31:11	notes 63:11	old 10:20 18:5
meeting 9:24	33:13	need 10:24 16:18	notice 60:17,19	39:23
Melanie 62:18	mold 34:2,8	17:11,14 21:12	noticed 8:16	once 8:24 22:24
65:20	37:25 38:4	21:14,23,23	60:20	23:7 40:19
memo 45:14,16	mom 24:18 53:2	25:19 47:2 49:1	notified 22:6	ones 50:22
46:1 47:19	Monday 34:21	49:2,11,18	notify 30:4	online 6:9
mention 38:7	money 10:11	50:22,23,24	November 1:6	Operated 1:13
43:4 45:19	21:13,14,15	51:12,20 52:9	33:6 34:19	67:6
47:20 48:5	24:12 29:19	62:6	40:25 67:8	opinion 39:14
mentioned 4:12	50:1,3 51:9,11	needed 12:25	number 3:9	Opitz 2:5 5:4,5
44:1	61:22 62:5,6	24:16 27:6 29:9	35:15,19 42:9	64:2,10
Mers 2:12 5:1,1	month 21:3	needing 48:9	42:10 45:17,22	option 29:15
9:16 14:17,21	24:14 26:11	needs 25:20	46:24 58:9	order 5:12 22:13
58:15,18	40:14 61:14	44:11 47:15	59:11	23:16 29:21
message 35:17	63:21 64:9	51:20 62:2	numerous 33:11	48:7 60:17
meter 14:20 27:5	monthly 13:3	neglect 43:13	33:18,20 34:13	ordered 30:4
27:6	months 17:15	negligible 19:11	35:3	orders 48:1 60:16
meters 34:25	60:1	neighborhood		organics 37:25
35:1 63:16	Moore 7:12,24	22:9,9 44:9,17	0	OSHA 33:11
middle 26:9 31:4	9:6,7 16:23	54:15,20	O 3:1	outage 15:24
60:7	17:3 58:23 61:8	Neither 37:23	o'clock 3:3 64:25	16:1
MIDWEST 2:18	62:18 63:13	41:5	oath 4:14 5:15	outrageous 61:14
mind 10:8 46:17	move 34:5	never 11:22 13:4	objection 31:23	outside 15:20
56:20	move-ins 36:13	19:15,20 21:20	32:17 33:3	53:7 54:10
mine 26:11 27:1	moved 15:11	31:20 37:12	42:13	overflow 33:16
minimum 40:16	27:3 55:24	38:19,21 50:17	objections 33:10	overflows 33:19
55:16	moving 18:6	55:24 56:1	42:3	overgrown 34:14
minor 44:18	multiple 27:15	59:14,17 60:16	observation	overnight 51:14
minutes 46:10		60:20,22,22	33:17	overshoots 37:21
mismanagement	<u> </u>	new 28:25 29:3	obtaining 29:17	owned 1:13 3:10
32:15	N 3:1 65:1	29:15 36:13	obviously 52:24	25:24 49:4
	I			I

57.11.60.17	24.0.10.25.25	10 00 50 10	40 12 52 5 0	00.1
57:11 60:17	24:9,10 25:25	42:23 52:18	48:13 53:5,9	22:1
67:6	26:3,6	58:22 59:3	54:11 55:18	properly 23:10
owner 17:9 27:2	people 5:24 8:20	62:22 63:12	pretty 19:8,8,21	properties 14:7
27:17,21 39:5	10:4,19,21 13:2	plenty 55:9	31:10 44:2 56:2	21:2
owners 59:13	13:22 21:4,4	podium 5:15	previous 38:5	property 23:22
60:18	24:21 25:19	point 15:21	previously 34:23	24:5,8,10
owning 25:23	34:7 36:7 38:20	39:11 40:5	price 10:22	proposed 10:25
owns 23:24 40:7	45:21,24 46:25	43:17 51:22	pride 54:15	20:20
57:16	47:7 49:6,16	pointed 33:23	primarily 33:12	protection 12:8
oxide 34:1	55:17 59:11	34:9	prior 25:23,23	prove 62:4
Ozark 1:7,14	60:8 61:11,24	policy 6:17	59:13 60:18	providing 46:16
3:10 4:21,22	63:18	poor 36:8 49:6	Pro 2:3	54:6
40:3 67:6	perceived 27:2	57:12,20 61:23	probably 6:1	psi 40:15 55:16
P	27:20	position 10:14	13:24 22:7 25:2	public 1:2,5 2:4,7
P 1:19 3:1	percent 7:25 10:7	47:12 50:20	26:25 37:3	2:11,14 3:19
	10:7,19,19 17:6	possibly 21:16	43:20	4:10 5:2,6 6:10
p.m 3:3 64:25	17:12,12 35:24	57:18	problem 8:19	6:25 10:17
P.O 2:8,15 5:6	perform 49:9	post 57:24	10:1,1,11 11:22	26:13 29:18
page 28:22 29:12	performance	pot 55:19 59:23	18:14 22:21	32:18,20 33:5
31:6,7 41:24	49:6,12,14	pothole 8:24	34:14 38:2	34:18 35:9
65:2 66:2	61:23	pounds 19:5,5	50:11 51:13	39:20,21 40:24
pages 30:20,25	performed 41:5	power 15:24 16:1	59:19	41:6,13 42:1
33:1 35:8	period 5:21 44:5	39:20 48:14	problems 12:1	46:25 47:15
paid 35:5	person 29:6	PowerPoint	20:24 33:21	50:6,21 56:10
paint 34:8 54:18	39:18 46:19	32:25 42:8	34:11 35:3	62:8 66:5 67:5
pale 18:14	57:23 67:18	practically 19:10	36:14 37:4 40:6	pull 54:9
paper 22:3	personally 23:3	practice 36:8	43:9 49:5 57:18	pump 29:14
paragraph 29:16	26:3	preaching 51:21	61:25	pumped 21:20,21
part 3:6 9:25	ph 39:10 40:13	preceding 5:21	procedure 7:5	22:4 43:20,24
24:23 33:6	40:17 66:22	prefer 4:15	proceeding 3:7	purchase 55:22
41:10,15 64:17	phone 35:17 36:6	prepare 7:2	3:14	purchased 10:12
partially 39:19	58:2 59:17	prepared 40:12	PROCEEDIN	22:2 24:15
particular 36:3	60:14,14	preparing 32:24	1:4	purification
particularly 27:2	Phonetic 66:22	present 3:25 4:23	process 6:19	57:15
44:12	photographs	presentation	54:12	purpose 4:16 5:9
parties 67:16,17	33:2	32:25	profane 36:6	push 14:11
passes 40:16	piece 22:3	presenting 4:17	professional 37:9	put 19:10 29:4
pathetic 48:11	pipe 33:16 34:11	4:18	67:9	30:15 58:6
Paula 1:25 2:18	pit 27:5	presently 39:5	professionally	59:25
67:9,22	pitiful 17:8	president 32:12	58:11	puts 22:23 60:21
pay 10:15,16	place 9:1 13:4	51:3	promise 51:4	putting 28:25
21:2,9 24:14,16	22:13 50:2 60:8	presiding 1:18	promised 13:23	0
25:9,11,12	placed 22:8	3:14	51:1	$\frac{\mathbf{Q}}{\mathbf{Q}}$
26:10 46:18	plants 46:12	pressure 14:6,8	promises 47:18	quality 18:17
47:16 57:22,23	please 6:7 7:13	14:10,12,18	48:24,25	40:19,22 45:24
58:2	12:22 13:13	19:2,3 30:7	pronounced 18:2	48:13 53:2,3
paying 10:8,22	14:25 20:16	36:23 40:16	proof 21:23,23	54:2 55:5
	I	I	I	I

question 11:10	44:9 55:8 58:9	Registered 67:9	46:22	rewash 18:24,24
12:20 25:8 41:3	61:7 67:5	regular 43:14	Requests 1:12	Ridge 11:15
64:2	ratepayers 6:11	regularly 13:3	67:5	ridiculous 44:5
question-and-a	7:1	regulated 1:12	require 23:20	54:12
5:21 21:1	rates 6:20 10:19	38:3 67:6	required 33:7	right 3:15 7:14
questions 4:4 6:5	26:2 45:18 50:1	regulations 50:16	34:21 35:9,14	12:3,16 13:14
7:5 8:4 9:8 11:4	reached 27:17	Regulatory 1:19	36:9,20	14:13,19,25
11:6 14:16 16:8	read 3:23 5:22	3:13	rescinding 41:14	15:20 23:11
17:23 20:2 25:4	28:19 31:10	reimbursed 62:6	reserve 16:6	45:3 46:17
27:23 42:16	reading 20:9	Reinke 13:8,9	residents 15:25	49:10 50:15
quite 17:8	real 39:20 56:3	reinstall 29:14	33:18 34:2	52:4,18 53:10
	Real-Time 67:10	related 64:4	35:23 36:5,12	54:20 59:3 61:4
R	realize 55:16	relation 3:9	38:18 44:12	61:15,17,18
R 3:1	realized 53:12	relative 67:15,16	45:15 46:5	62:22
R-E-I-N-K-E	really 12:7 16:18	relayed 62:1	residents' 34:2	rights 36:18
13:8	17:18 18:19	reliable 61:3	34:25	rings 35:18,18
railings 33:12	45:11 47:2 49:1	rely 47:13	residual 34:11	rinse 53:15 55:2
raise 7:13 11:2	55:4,4 56:3,3	remarks 64:18	36:23 37:2,3,6	Ritt 52:16
13:13 14:25	59:14 63:10	remember 29:8	37:11,13,22,23	River 27:19 39:1
42:23 49:7	reason 41:9	remind 33:23	63:7	Riverfork 10:4
52:18 59:3	reasonable 17:11	remove 58:1	resolved 50:23	13:19 15:7,11
62:22	reasons 51:11	repair 19:22	Resource 28:24	15:16 18:13
raises 11:1	recall 38:21	59:22	resources 30:2	26:19 27:3 28:8
raising 10:18	received 23:2	repairs 13:21	47:21 57:17	28:19 30:4,24
45:18	28:18	repaving 9:2	response 4:24 7:7	32:12 33:3,7
ran 19:19 34:14	receives 37:6	repeat 5:18	11:5 16:9 17:24	34:17 35:4,23
Ranch 13:19	receiving 33:19	replaced 23:21	20:4 25:6 31:25	35:25 36:12,14
15:8,12,17	recognition	29:10	42:5,14,18	36:21 37:1,19
18:13 26:20	29:18	replete 33:1	44:23 62:15	37:20 38:11,15
27:3 28:9 32:12	recommended	report 33:9,22	64:13	38:17,24 39:7
35:23 36:12	63:8	34:20 41:25,25	responsibilities	39:12 40:1,15
38:15 40:1	reconnect 17:20	Reported 1:25	36:19	40:23 41:10,12
45:15,20 46:23	reconsider 63:12	2:17	responsibility	41:16,23 45:15
47:10,24 54:14	63:23	reporter 3:20 6:3	21:24 41:7	45:20 46:2,23
Randall 32:4,4	record 3:7 4:13	20:17 59:1	responsible	47:9,24 48:6,10
Randolph 32:9	5:22 6:2 9:5	66:20 67:1,9,10	39:19	51:5 54:14
32:11,12 42:11	29:22 30:16	67:10	restaurant 22:10	55:25 66:3,5
45:11 46:10	31:23 41:20	reports 34:13	22:12	road 8:23 15:16
48:12 51:3	42:4,13 44:20	38:6,7 39:13	restored 48:16	19:20 59:21
65:14	52:2 57:1 64:23	41:8	resulted 33:18	60:5,7
range 61:10	recorded 67:12	represent 50:22	resulting 34:1	roads 60:15
rapidly 56:2	recreational 9:1	representatives	retained 66:9	Rob 13:8
rate 1:12 3:10	reduced 67:13	39:25 40:1	retired 10:6 17:5	Robert 8:8,9,10
7:25 8:18 20:20	reference 44:14	represented 43:6	returned 59:18	8:10,14,16 9:6
26:1,3,4,5,5,6	referring 44:10	represents 6:10	returning 59:16	65:4
29:5,20 32:17	reflect 45:18	45:21	60:14	Rock 7:9,10,11
41:4,11,15 44:6	refusal 38:23	requested 41:12	reward 49:5	7:11,18,20,24
	I	I	l	I

9.2 9 0 10 10	43:17 54:20	shower 52.4 4 7	20:12 26:21	standing 52.1
8:3,8,9,10,10		shower 53:4,4,7		standing 53:1 start 3:6 4:21 7:6
8:14,16 9:6,10	55:18 56:7	54:23,24,25	28:10 32:6	
65:3,4	61:19	showering 55:1	42:24 45:5	10:24 47:18
Rockaway 58:17	seeing 17:5 56:11	shuffle 39:23	52:20 57:5 59:5	58:22
Ron 13:9	64:14	shut 27:14	62:24	started 6:1
roof 33:13,14	seen 11:24 13:1	shuts 12:5	solution 29:23	starting 34:5
room 43:7 60:6	19:13,15 22:3	shutting 35:4	51:17,18	51:18
rotten 53:22	28:21 31:20	sic 32:4 66:22	somebody 11:1	state 1:1 2:6,13
RPR 1:25 2:18	44:17 48:23	side 30:25	27:4 34:14 46:3	6:2 37:7,14
67:22	60:16,21,22	sides 60:5	55:12 62:2	39:25 40:10
rude 36:1	selling 46:19	sign 22:7,13,14	Something's	41:9 49:24
rudely 21:21	Senator 40:5	22:17 29:21	61:17,17	50:12 62:5 67:2
rudimentary	senators 39:25	48:7 56:20	sorry 48:18 58:16	67:4
41:2	send 55:13	sign-up 5:11	sort 36:16	stated 15:15
ruled 44:8	SENIOR 1:19	signature 31:8	sorts 22:11 23:25	66:22
rules 50:16	sense 46:9	signed 48:8,8	sound 51:20	statement 49:22
run 16:1 53:6	sent 29:6 46:24	significant 30:6	sounds 9:15,16	58:3
58:11	sentence 31:4	signs 22:15,16	speak 5:24 16:18	states 3:25 4:7
running 10:13	septic 21:19 24:6	60:21,22,23	28:3 32:13	10:3
<u> </u>	serve 15:8,21	similar 49:5	56:13	station 22:11
	service 1:2 2:11	simple 60:11,24	speaking 10:24	statistics 15:23
S 3:1 66:1	2:14 3:19 10:17	simply 36:8 39:6	64:15	stay 6:6
safe 24:22,23	29:18 32:18	sir 7:19 8:6 9:11	spell 6:3 20:16	stay-at-home
safety 15:9 40:17	33:5 34:19 35:5	11:7,8,20 12:15	58:25	53:1
sale 13:3 22:15	35:9,22 36:9,13	13:6,7 14:21,22	Spelled 9:14,16	steel 29:8
salon 22:10	36:15 39:20,21	17:25 20:6	spelling 66:22	Stephen 32:4,4
samples 37:11,12	40:24 41:6,14	42:20 44:24	spending 62:4	65:14
Sater's 40:5	42:1 46:8,25	62:12	spent 29:19 62:6	Steve 32:11
satisfactory	48:15 66:5 67:5	site 19:25	spoken 23:2 27:1	45:11 46:10
43:12	serviced 43:13	situation 12:10	44:15	steward 57:13
saying 22:3 53:17	services 2:18	27:19	spot 59:24	60:12
says 22:24 28:23	48:11	six 33:23,25	spring 12:4	Stone 15:7
29:2,22,25	setting 60:1	skin 23:19	Springfield 2:19	stop 22:14
60:21	seven 26:8 29:11	sloppy 36:17	Springfield-Gr	stopped 12:21
scribbled 30:17	54:16 58:4	slowly 34:6 55:25	15:8	storage 33:8 38:9
52:8	severe 27:7	sludge 34:2,5	sprinkler 14:11	store 16:1
Se 2:3	severely 23:15	37:25	square 54:9	storm 27:7
seal 59:25	sewer 1:13 21:3,3	smack 26:9	squirts 54:10	street 2:14,19
second 23:22	21:5,5,9,10,15	small 24:19 49:24	ss 67:3	23:11,15 26:8
36:4 47:20	24:13 25:10,12	smell 18:19	staff 2:12 4:25	34:3
56:25	26:6,10 49:24	smelling 53:21	5:1 6:11,24	structurally
Secondly 15:22	67:6	smells 53:21	21:22 25:16	33:15
section 39:10	shape 15:14	Snakes 23:25	26:13 35:25	stuck 60:19
sediment 18:20	shared 43:8	solemnly 7:15	46:3 48:10	stuff 22:11 29:3
18:21	sheet 5:11	8:11 9:17 11:17	51:12,12 56:11	54:12,25
see 22:17 30:25	shelves 16:2	13:15 15:2	63:9 64:15	subdivision
34:5 38:17	short 44:1,4	16:24 18:7	stand 62:3	11:15 13:20
	Ì	l	l	l

	1	1	1	1
18:13 21:2,4	43:13,13,19	tenth 63:8	62:10,11,12	2:6
34:6 35:1 39:4	49:4	terminology	63:3,24,25	tiny 22:7
43:5,23	systems' 40:6	50:15	64:10,11,14,19	tips 5:10
subject 34:12		test 23:3 37:5,11	64:21	today 43:6 44:15
35:8	T	40:16,18 54:2	Thanks 40:17	50:7 62:14
submit 32:21	T 66:1	tested 63:7	thing 10:20	today's 49:7
submitted 32:16	take 8:19 23:17	testified 34:23	19:12,22 30:8	Tolbert 44:18
32:18 33:9	25:21 29:17	testify 7:10 32:5	45:13,25 48:1	told 12:7 14:2
37:17 45:15	30:19 53:7	56:18 58:20	53:9,18 54:9,9	15:22 21:21,25
subpoints 36:24	54:15 55:6	59:17 62:14	54:19,21 61:5	24:16 25:18
subsidize 10:14	56:23	64:12	63:10	28:23 39:11
Suite 2:8,14	taken 8:21 13:3,4	testifying 5:10	things 9:2 28:2	40:5 43:20
sulphide 38:2,4	34:20 37:8,10	testimonial 3:6	28:16,22 29:6	54:15 63:15
summarized	59:15 67:8	testimony 3:23	32:21 46:13,14	64:6
46:23 47:2	takes 22:25 40:12	4:12,15,19 6:6	49:2,23 50:1,23	tolerate 47:11
summary 36:21	48:16 55:2	6:12 7:6,15	50:24,25 60:11	Tom 42:22 65:15
42:8,8,9,10	talk 35:12 36:6	8:12 9:18 11:17	60:13,24 61:20	tonight 3:18,22
66:7	49:12	13:15 15:2	think 5:19 8:1	3:23 4:2 20:25
summer 33:19	talked 28:17	16:14,25 18:8	9:25 10:24	58:20 64:12,22
36:5	35:21 36:11	20:8,13 26:22	14:13 16:5 25:2	Tony 16:21,22
supplies 16:5	38:20 39:16,21	28:11 32:6	44:7 45:13,18	65:9
supplying 29:24	39:24 59:12	42:24 45:1,6	56:2 62:1,2	toothless 39:15
supposed 23:24	61:24	52:20 57:5 59:5	thinking 55:13	top 8:20 44:18
29:5	talking 48:9	62:24 64:12	third 61:6	tornado 27:10
sure 23:9 25:21	61:13	testing 40:21	thought 15:13	total 35:13
49:6	talks 38:10	thank 3:18 4:5,6	44:5	totally 33:25 34:8
surplus 21:16	tall 24:2	5:4,8 7:19 8:6	thousand 61:8,9	tower 19:24,25
swear 7:15 8:11	Taney 58:17	9:4,9,11,21	63:12,13 64:3,8	54:18
9:17 11:17	tank 19:18 33:8	11:3,7,8,16	threat 27:10	town 18:25
13:15 15:2	33:14,24,24	12:12,24 13:6	threatening	traffic 33:21
16:24 18:7	34:8 38:6,9	13:11 14:13,15	29:13	trailers 60:9
20:12 26:21	tanks 21:19	14:21,22,23	three 19:14 26:8	transcript 1:4
28:10 32:6	taste 18:20 53:25	16:7,11,13,19	30:20,25 43:6	5:23 67:12
42:24 45:5	53:25	16:22 17:21,22	43:21 57:11	trees 34:14
52:20 57:5 59:5	tastes 24:24	17:25 18:1,11	throws 63:17	trimmed 24:3
62:24	tasting 53:23	20:2,6,7,16	Tim 5:5	trouble 59:14
switched 27:6	taxes 47:16	25:3,4 26:14,15	time 8:1 11:24	63:9
sworn 58:21	tea 53:24	26:16 27:21,22	13:5 17:9 22:25	truck 15:18
system 9:5 12:1,6	tears 8:23	27:24,25 28:5,5	24:19 27:18	true 35:2 38:13
17:8 21:5,5,13	Tel 2:9,16,20	28:14 31:12,13	28:4 44:1,5	truth 7:16,17,17
21:16 23:7,8,10	telephone 35:15	31:15 32:1,10	46:23 53:8	8:13,13,13 9:19
23:18,23 24:6	tell 5:19 23:4	42:20,21 43:3	56:24 58:6	9:19,19 11:18
25:14,22,24	25:17 28:15	44:21,24,25	63:18	11:19,19 13:16
30:5 32:15	35:10,19 40:4	49:19 50:6	times 18:25	13:17,17 15:3,4
37:16,19 38:19	43:18 55:15	51:25 52:1	39:17 57:22	15:4 17:1,1,1
49:3	telling 53:19	56:15,16 57:4	TIMOTHY 2:5	18:9,9,9 20:14
systems 21:9	ten 21:1,4,4	50.10 12 14 10	timethy onity	20.14 14 26.22
systems 21.9	U II 21.1, 4 , 4	58:12,13,14,18	timothy.opitz	20:14,14 26:23

26:23,23 28:12	30:14 61:12	warm 27:9	34:12 36:3 37:9	working 51:19
28:12,12 32:7,8	63:14,18,19	warning 27:7,13	50:24 55:6 60:4	works 6:24 64:15
32:8 42:25 43:1	uses 37:19	wash 53:15 55:2	62:7,9	world 49:8
43:1 45:7,7,8	Utilities 1:13	washer 53:13	we'll 4:21 31:16	worse 34:1 38:8
52:21,22,22	58:17 67:6	washing 53:6	48:15 58:21	worth 22:19
57:6,6,7 59:6,7	utility 4:21 62:8	wasn't 24:14	we're 3:6 8:17	WR-2015-0192
59:7 62:25 63:1	utilize 21:5	30:9	10:6 13:19	1:10 3:9 67:7
63:1	utilized 24:11	watch 58:3	15:14 17:5,15	write 50:16 58:6
try 3:24 19:1	V	water 1:12 6:18	21:20 23:16	writing 3:21 41:8
trying 51:22	· · · · · · · · · · · · · · · · · · ·	7:12,25 8:22	24:25 29:21	47:24 58:8
turn 54:11 60:7,8	Valley 20:19 43:5	9:2,5 10:10,18	30:10 34:4 40:6	written 5:13 36:9
turned 19:4	43:7,11	12:6,18 14:1,10	40:11,20 47:11	36:16 46:1
two 8:16,18 15:6	varies 18:19	15:17,18,24	47:15 50:11,24	67:13
18:16 24:19	various 37:10	16:3 17:6 18:17	55:11 56:4	wrong 37:20
29:4 34:15	vary 18:17	19:1 23:3,5,9	57:12 60:25	38:12 48:2
36:24 39:25,25	vast 63:16	23:11,13 24:14	62:14	wrote 46:21 47:1
52:16 53:13,16	venting 33:13	24:22,25 25:10	we've 4:1 11:21	X
57:11	victims 32:14 video 55:14	25:11 26:5	11:22 13:20,21	$\frac{\mathbf{X}}{\mathbf{X}65:166:1}$
type 19:9,10,16		27:12,14,16,18	15:22 31:18	A 03:1 00:1
typing 3:21	violation 37:7,13 47:25	28:19 29:24	52:5 59:13	<u> </u>
U	violations 30:2	30:4,5,24 32:15	weakened 33:14	Yeah 52:7 59:2
$\frac{\mathbf{U}}{\mathbf{uh} 8:20}$	33:12 47:22	33:4,7,8,14,19	WEBSTER 67:3	year 10:6,7 13:24
ultimate 7:4	VOICE 13:9	34:2,17 35:1,4	weekenders	15:15 17:16
ultimately 40:8	49:10 52:11	35:4,25 36:14	63:17	19:19 35:11
um 55:11	53:10	36:21,22,23	welcome 3:18	39:17 40:19
unacceptable	volume 1:21 14:6	37:1,19,20 38:1	26:15 52:7	45:16 47:1 60:2
58:9,10	volunteer 12:8	38:9,11,17,19	wells 29:3 went 27:5 35:11	years 6:21 8:16
undershoots	vote 7:3	38:24 39:7,9,12 40:15,16,19,22	weren't 9:25	8:18 11:21
37:22	Voyles 1:25 2:18	40:13,10,19,22	widespread 30:6	13:20 15:12
understaffed	67:9,22	40:23 41:10,12	wife 18:22	17:10 19:14
43:19		44:13,16 45:23	William 1:19	29:11 31:20
understand 6:13	W	46:2,7,7,22	3:15	33:23,25 34:15
19:6 20:20 42:9	W 9:12,13 65:5	48:6,10,13,13	willing 10:15	37:1 38:21
49:3,7 50:5	walk 19:23	48:15 49:2,4,24	windy 22:10	39:13 43:21,21
understanding	want 5:17 14:9	51:5 52:13 53:5	winter 33:20	43:24 46:12
51:10 64:4	28:15,19 29:22	53:7,9,15,20,21	wish 32:22	48:22 51:4,8
Unfortunately	38:25,25 40:11	54:2,10,11,18	Witness 65:2	54:16 55:25
35:16 49:15	51:9,11 53:19	54:21 55:7,10	wondering 55:12	57:11
United 10:3	53:20 54:24	55:15,18,20,24	Woods 20:19	young 17:4 23:14
unreasonable	56:7,18 63:6,10	57:11,15,15,22	43:5,7,11	Z
47:5 63:21	wanted 20:22	58:24 59:14	work 10:23 19:15	
unusual 27:8	28:3 45:25 52:2	60:4,13 61:8,14	24:19 43:18	0
upset 48:21	55:14	61:24 63:6,19	44:11 46:15	
upstairs 53:4	wanting 8:18	66:3 67:6	51:14 52:12	1
usage 61:8 64:7	wants 6:22 47:4	way 6:8 8:1	worked 25:19	1 31:17,23 32:2
use 12:5 18:23	47:4,6	10:23 22:16	43:25	66:3
			Į	l

1,000 61:16	27 65:12	6:30 3:3	
10 10:7,7,19	29 27:4 33:9	60 33:1 65:19	
17:12 65:5	65:13	60-page 32:16	
10:30 27:14		64 65:20	
10th 31:2	3	650 2:8	
11 25:9	3 31:7 42:7,9,15	65102 2:9,15 5:7	
114 35:24	66:7	65804 2:19	
12 24:18 55:25	300 17:6 63:16	67 66:20	
63:7 65:6	32 19:5		
13 11:21 27:4	33 65:14 66:3	7	
39:17 48:22	34 19:5	7:15 27:16	
51:8	35 55:16	7:50 64:25	
14 65:7	360 2:15	750 2:18 67:22	
148 45:20	37 61:16		
16 65:8 66:4	370 45:21	8	
16th 42:2	38 61:16,17	8 34:21 65:3	
18 33:4 40:24	4	80 35:24 61:14	
65:9		800 2:14	
18-day 23:16	40 61:13	88 63:21	
19 1:6 65:10 67:8	40-some-odd	8th 33:6 34:19	
	46:12	40:25	
2	417.877.9700 2:20	9	
2 1:21 42:2,6,10		9 24:18 65:4	
66:4,7	417.877.9704	90 22:19 26:11	
2,000 61:12,13	2:20	95 24:14 26:11	
61:15	43 66:4,7 44 65:15	20.11	
20 17:10,12	46 61:16 65:16		
34:18 38:21	40 01.10 05.10		
40:15,24	5		
200 2:14 7:25	5 24:2 34:21		
10:19	5,000 61:16		
2002 27:3	5,000-gallon		
2008 29:4 33:6,9	61:10		
34:19 40:25 41:15 46:21	53 65:17		
2009 33:22 38:6	573.751.5324 2:9		
2009 55:22 58:0 2012 22:2	573.751.5472		
2012 22:22 2014 22:18	2:16		
2014 22.18 2015 1:6 28:18	573.751.5562 2:9		
36:13 42:2 66:3	573.751.9285		
66:4 67:8	2:16		
21 65:11 66:3	58 65:18		
21 05.11 00.5 21st 28:18	59 21:3,9		
2230 2:8 5:6			
2230 2.8 5.0 24 15:25	6		
	6 24:2		
24222.19			1
2422 2:19 25 26:11	6,000 61:16 63:20		