

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
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6 TRANSCRIPT OF PROCEEDINGS
7 Hearing
8 August 6, 2007
9 Jefferson City, Missouri
Volume 13

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12 In the Matter of Missouri-American)
Water Company's Request for)
13 Authority to Implement a General) Case No. WR-2007-0216
Rate Increase for Water Service) et al.
14 Provided in Missouri Service Areas)

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HAROLD STEARLEY, Presiding,
17 REGULATORY LAW JUDGE

18

19 JEFF DAVIS, Chairman,
STEVE GAW,
20 ROBERT M. CLAYTON III,
LINWARD "LIN" APPLING,
21 COMMISSIONERS.

22

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24 KELLENE K. FEDDERSEN, CSR, RPR, CCR
MIDWEST LITIGATION SERVICES

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

2 JUDGE STEARLEY: Let's bring this hearing
3 to order. Good afternoon. Today is Monday, August 6,
4 2007, and we are here for an evidentiary hearing in
5 Case No. WR-2007-0216, et al, in the matter of
6 Missouri-American Water Company's request for authority to
7 implement a general rate increase for water service
8 provided in Missouri's service areas.

9 My name is Harold Stearley. I'll be the
10 Regulatory Law Judge presiding over this hearing. The
11 court reporter today is Kellene Feddersen. And we will
12 begin by taking entries of appearance, starting with
13 Missouri-American Water Company.

14 MR. ENGLAND: Thank you, your Honor. Let
15 the record reflect the appearance of W.R. England and
16 Dean L. Cooper, on behalf of the Applicant,
17 Missouri-American Water Company. We're with the firm of
18 Brydon, Swearngen & England, Post Office Box 456,
19 Jefferson City, Missouri 65102.

20 JUDGE STEARLEY: Thank you, Mr. England.
21 Staff of the Missouri Public Service Commission?

22 MR. THOMPSON: Thank you, your Honor.
23 Kevin Thompson for the Staff of the Missouri Public
24 Service Commission, Post Office Box 360, Jefferson City,
25 Missouri 65102.

1 JUDGE STEARLEY: Thank you, Mr. Thompson.
2 The Office of the Public Counsel?

3 MS. BAKER: Thank you, your Honor,
4 Christina Baker, Assistant Public Counsel, P.O. Box 2230,
5 Jefferson City, Missouri 65102, appearing for the Office
6 of the Public Counsel and the ratepayers.

7 JUDGE STEARLEY: Thank you, Ms. Baker.
8 UWUA Local 335? Let the record reflect we have no
9 appearance from UWUA.

10 City of Joplin, Missouri?

11 MR. ELLINGER: Marc Ellinger, Jim Deutsch
12 and Jane Smith on behalf of the City of Joplin, with the
13 law firm of Blitz, Bardgett & Deutsch, 308 East High,
14 Suite 301, Jefferson City, Missouri 65101.

15 JUDGE STEARLEY: Thank you, Mr. Ellinger.
16 Ag Processing, Incorporated?

17 MR. CONRAD: For Intervenor Ag Processing,
18 please let the record reflect the appearance of Stuart W.
19 Conrad with the law firm of Finnegan, Conrad & Peterson,
20 3100 Broadway, Suite 1209, Kansas City, Missouri 64111.

21 JUDGE STEARLEY: Thank you, Mr. Conrad.
22 Missouri Energy Group? Let the record reflect we have no
23 appearance from Missouri Energy Group.

24 City of Warrensburg?

25 MR. FINNEGAN: Your Honor, on behalf of the

1 City of Warrensburg, I am entering Leland B. Curtis'
2 entry, Curtis, Heinz, Garrett & O'Keefe, PC, 130 South
3 Bemiston, Suite 220, Clayton, Missouri 63105. I believe
4 he cleared this with Ms. Cully Dale, and also he is --
5 he's been ill. He's just recovering from heart surgery.

6 JUDGE STEARLEY: And that's Mr. Heinz; is
7 that correct?

8 MR. FINNEGAN: No. It's Leland B. Curtis.

9 JUDGE STEARLEY: Leland B. Curtis. Okay.
10 Thank you, Mr. Curtis.

11 MR. FINNEGAN: No. I'm Mr. Finnegan.

12 JUDGE STEARLEY: Who's on first?

13 (Laughter.)

14 MR. FINNEGAN: I'm coming up.

15 JUDGE STEARLEY: I have a tiny bit of a
16 hearing deficit. If I confuse your identities today --

17 MR. FINNEGAN: That was a complex one.

18 JUDGE STEARLEY: You might want to confuse
19 your identities today.

20 Public Water District No. 1 of DeKalb
21 County and Districts 1 and 2 of Andrew County?

22 MR. DORITY: Thank you, your Honor.

23 Larry W. DORITY and James M. Fischer, Fischer & DORITY,
24 PC, appearing on behalf of the Public Water Supply
25 District Nos. 1 and 2 of Andrew County and Water Supply

1 District No. 1 for DeKalb County. Our address is
2 101 Madison, Suite 400, Jefferson City, Missouri 65101.

3 JUDGE STEARLEY: Thank you, Mr. Dority.
4 The Missouri Industrial Energy Consumers?

5 MS. ILES: Your Honor, Carole Iles and
6 Diana Vuylsteke with Bryan Cave, LLP, for the Missouri
7 Industrial Energy Consumers. Sorry about that.

8 JUDGE STEARLEY: Thank you, Ms. Iles. City
9 of St. Joseph?

10 MR. STEINMEIER: Thank you, your Honor.
11 Please let the record reflect the appearance of William D.
12 Steinmeier and Mary Ann (Garr) Young of William D.
13 Steinmeier, PC, on behalf of the City of St. Joseph.

14 JUDGE STEARLEY: Thank you, Mr. Steinmeier.
15 Metropolitan St. Louis Sewer District?

16 MR. LOWRY: Thank you, your Honor. Would
17 the record reflect the appearance of Byron Francis, and my
18 name is J. Kent Lowry of the firm of Armstrong Teasdale,
19 LLP, on behalf of the Metropolitan Sewer District.

20 JUDGE STEARLEY: Thank you, Mr. Lowry.
21 City of Jefferson? Let the record reflect we have no
22 appearance for the City of Jefferson.

23 City of Parkville?

24 MR. FINNEGAN: On behalf of the City of
25 Parkville, Jeremiah D. Finnegan -- that's me -- Finnegan,

1 Conrad & Peterson, LC, 3100 Broadway, Suite 1209,
2 Kansas City, Missouri 64111.

3 JUDGE STEARLEY: Thank you, Mr. Finnegan.
4 The Home Builders Association of Greater St. Louis?

5 MS. LLORENTE: Yes, your Honor. Laura
6 Llorente from Husch & Eppenberger, here on behalf of the
7 Home Builders Association of St. Louis and Eastern
8 Missouri, Inc. Address is P.O. Box 1251, Jefferson City,
9 Missouri 65102. My last name's spelled L-l-o-r-e-n-t-e.
10 First name is Laura, L-a-u-r-a, from Husch & Eppenberger.

11 JUDGE STEARLEY: Thank you, Ms. Llorente.
12 All right. Just as an initial matter, I
13 would like to caution you all to please turn off all cell
14 phones, Blackberrys, electronic devices. Turn them
15 completely off, not just in the silence mode, as those
16 devices unfortunately do interfere with our recording and
17 our webcasting.

18 At this time I know we have a number of
19 procedural matters we need to take up. Very briefly, we
20 have three motions pending for the late filing of
21 prehearing briefs from the Office of Public Counsel, Staff
22 and the City of Warrensburg. Those motions are granted
23 and the briefs are deemed admitted.

24 And now I would need to ask the parties,
25 it's my understanding that there's possibly been a

1 Stipulation & Agreement in the works here. If you would
2 kindly update me as to the status of that.

3 MR. ENGLAND: Judge, I'll take a crack at
4 that. You are partially correct. We have a Nonunanimous
5 Stipulation & Agreement among all, I believe, of the
6 parties, with the exception of Joplin. We are in the
7 process of trying to reduce that to writing. Hopefully we
8 will have that filed, if not late today, more likely
9 tomorrow.

10 We've also been in discussions with the
11 City of Joplin who, as I indicated, has some issues that
12 they want to pursue outside the -- not outside, but that
13 they want to pursue since they're not a party to the
14 Stipulation & Agreement, and we've talked about
15 rescheduling the hearing to accommodate those issues and
16 the witnesses that are relevant to those issues.

17 And right now it appears that next Tuesday
18 and Wednesday would probably be sufficient to do that, and
19 those dates appear to be convenient for the -- for the
20 parties and as well as for the witnesses, but I'll let
21 Mr. Ellinger address that as well.

22 MR. ELLINGER: Judge, that -- Judge, that's
23 correct. We have -- we will be objecting to the
24 stipulation that has been agreed to by the other parties
25 and seeking a hearing on that. To that accord, we've

1 discussed and met with the other parties today, and we
2 would agree to start the hearing Tuesday morning, the
3 14th, at 9 a.m. and just start the hearing from there and
4 deal with the issues that are in dispute between the City
5 of Joplin and the other parties that prohibit us from
6 agreeing to the stipulation.

7 JUDGE STEARLEY: Just so I am clear, are
8 you opposing the entire stipulation?

9 MR. ELLINGER: We haven't seen the final
10 terms of the stipulation. At this point, we are objecting
11 to the stipulation, and obviously we can't formally object
12 until it's filed, but that is our intent.

13 JUDGE STEARLEY: All right. I guess
14 perhaps for clarity, if we reset for next Tuesday, the
15 parties can at that time initially clarify as far as the
16 stipulation goes if there are agreements that -- or
17 portions of that stipulation that you will all unanimously
18 agree to, or if the issues that you're opposing are going
19 to affect the entire stipulation where we would need to
20 have an entire evidentiary hearing on all the issues.

21 MR. ELLINGER: Again, I can't speak on
22 behalf of what the stipulation would say. We certainly
23 are going to have objections to certain parts thereof, and
24 the effect of those parts may be to have impact upon the
25 general matters of the stipulation, but we can certainly

1 clarify that after the stipulation is filed.

2 JUDGE STEARLEY: Okay. Any other of the
3 other parties want to weigh in on this?

4 MR. LOWRY: Your Honor, if I may. Kent
5 Lowry on behalf of the Metropolitan Sewer District. We
6 have a very small piece that we intervened to protect and
7 have reached agreement with and filed a stipulation with
8 Missouri-American Water, and we -- to our knowledge, there
9 is no objection to that portion. And we wouldn't propose
10 to burden the Commission with our appearance any further
11 unless there is some reason why we need to be here for
12 those hearings.

13 JUDGE STEARLEY: All right. Very good.
14 Anyone else? Are any of the parties opposed, then, to
15 rescheduling for us to convene next Tuesday at 9 a.m.?

16 (No response.)

17 JUDGE STEARLEY: All right. And I would
18 ask, then, assuming the stipulation you say could be filed
19 perhaps by the end of today?

20 MR. ENGLAND: That's maybe overly
21 optimistic. We're certainly pushing for that, but I
22 suspect tomorrow would be more realistic.

23 JUDGE STEARLEY: All right. I would also
24 expect shortly thereafter for the City of Joplin to file a
25 pleading identifying any specific issues it's taking

1 objection to. I would also like you to identify the
2 specific witness list for us in terms of other parties'
3 witnesses you're going to want to appear for
4 cross-examination. I assume you're going to be presenting
5 one witness, is it Ms. Jones?

6 MR. ELLINGER: That's correct, Judge. We
7 would prepare a witness list. I think we've actually
8 worked it out as a general statement with the parties as
9 to what witnesses would appear on these issues.

10 JUDGE STEARLEY: All right. Very good.
11 Well, are there any other matters we need to take up,
12 then, at this point today?

13 MR. ENGLAND: There are, Judge. Due to the
14 scheduling of one of our witnesses, Ms. Pauline Ahern, she
15 is only available the first two days of this week. As a
16 consequence, we feel it necessary to offer her at this
17 time. My understanding is there is no questions for her
18 either by the signatory parties to the Nonunanimous
19 Stipulation & Agreement or by Joplin, who will be
20 objecting.

21 But my goal here is to, if she is needed
22 for purposes of this hearing, I want to make her
23 available, and then assuming no one needs to speak with
24 her, I'd like to have her excused for the purposes of the
25 remainder of the proceeding.

1 JUDGE STEARLEY: All right. Are there any
2 objections from any other parties to proceeding in that
3 fashion?

4 MR. CONRAD: We have no objection, your
5 Honor. At some point we have a housekeeping matter that
6 we might like to bring up, but we can deal with that after
7 counsel's witness has come and gone.

8 JUDGE STEARLEY: All right. Very good.
9 And, Mr. England, I believe we should have all our
10 exhibits premarked; is that correct?

11 MR. ENGLAND: Well, I think that may be the
12 housekeeping matter that we --

13 JUDGE STEARLEY: In terms of testimony
14 today, though, we don't have a great deal of exhibits we
15 need to worry about?

16 MR. ENGLAND: In an abundance of caution, I
17 did bring a copy of Ms. Ahern's, she has direct, rebuttal,
18 surrebuttal testimony. There are proprietary versions of
19 her rebuttal and surrebuttal. If you wanted to mark them
20 today, we could and take that, and then with all of the
21 other prefiled testimony, we were waiting to get some
22 instruction from you as to how you wanted us to prefile
23 that for purposes of the rest of the case.

24 JUDGE STEARLEY: All right. Very good. In
25 terms of the witnesses that the parties are not going to

1 want for the issues that remain in dispute, we can
2 offer -- that testimony's been prefiled. It can be
3 offered. I can entertain any objections. If we're not
4 going to be putting those witnesses on the stand, though,
5 I will have to assume that there's not going to be any
6 corrections to that testimony as filed.

7 MR. ENGLAND: I think that's generally
8 true, with the exception of Mr. Weeks, company witness
9 Greg Weeks who filed direct testimony in the ancillary
10 case involving the capacity charge for Cedar Hill and
11 Warren County Sewer Districts. There were some revisions
12 that we alerted the parties to and sent out an e-mail, but
13 we intended to make those revisions at the time we offered
14 his testimony. So I would offer his testimony either as
15 revised or as supplemented by those revisions.

16 JUDGE STEARLEY: Have those revisions been
17 filed at this point?

18 MR. ENGLAND: No, they haven't. They were
19 just distributed among the parties.

20 JUDGE STEARLEY: Okay. Well, we can
21 certainly take it as revised. At this point, I guess what
22 we'll do is we'll take a very short recess. You can mark
23 those exhibits we're going to enter today. I can take up
24 the remainder of the prefiled testimony, and I will see if
25 any of the Commissioners would wish to have any questions

1 for Ms. Ahern.

2 MR. CONRAD: If your Honor please, the
3 other part of that housekeeping thing, kind of going that
4 direction, it was going to be a suggestion that we would
5 make -- some judges have done this in their preliminary
6 orders or some kind of scheduling orders -- just to assign
7 blocks of numbers and then let the parties premark their
8 materials, which at least in some experience that I've
9 had, has shortened up that process quite a bit. That
10 wouldn't help us today, admittedly.

11 JUDGE STEARLEY: I believe the original
12 order instructed the parties to mark their exhibits
13 sequentially by, for example, Missouri-American Water
14 Company's MAWC-1 sequentially. If that's an acceptable
15 method, we can stick with that, unless you'd rather have
16 numbering blocks.

17 MR. CONRAD: That's your call. You're up
18 there. I'm down here.

19 MR. ENGLAND: The only other question I
20 would have is, for example, on those few pieces of
21 testimony that have proprietary information, would you
22 like a separate exhibit number or is it simply sufficient
23 to say Missouri-American Water Company Exhibit
24 2-proprietary and 2-nonproprietary?

25 JUDGE STEARLEY: Yes. Just the dash

1 proprietary and nonproprietary is fine.

2 All right. Very well. We'll take a very
3 short recess, five to ten minutes. I'll see if there's
4 any other Commissioners. If you're ready to go,
5 Mr. Chairman, we'll send them an e-mail. We're only going
6 to take testimony from one witness today.

7 CHAIRMAN DAVIS: Well, let's get it on.

8 JUDGE STEARLEY: All right. Very good.
9 You've heard the Chairman speak. Very well. Mr. England,
10 you may call your witness.

11 MR. ENGLAND: Our first and only witness
12 today is Pauline Ahern. Judge, the first exhibit under
13 the marking order would be MAWC Exhibit No. 1, the direct
14 testimony of Pauline M Ahern.

15 (MAWC EXHIBIT NO. 1 WAS MARKED FOR
16 IDENTIFICATION BY THE REPORTER.)

17 MR. ENGLAND: The next exhibit would be
18 MAWC 2-NP, which is the nonproprietary version of
19 Ms. Ahern's rebuttal testimony.

20 (MAWC EXHIBIT NO. 2-NP WAS MARKED FOR
21 IDENTIFICATION BY THE REPORTER.)

22 MR. ENGLAND: And then we have a
23 proprietary version, which I guess would be MAWC-2-P.

24 (MAWC EXHIBIT NO. 2-P WAS MARKED FOR
25 IDENTIFICATION BY THE REPORTER.)

1 MR. ENGLAND: MAWC 3-NP is the
2 nonproprietary version of Ms. Ahern's surrebuttal
3 testimony.

4 (MAWC EXHIBIT NO. 3-NP WAS MARKED FOR
5 IDENTIFICATION BY THE REPORTER.)

6 MR. ENGLAND: And MAWC 3-P would be the
7 proprietary version of that same testimony.

8 (MAWC EXHIBIT NO. 3-P WAS MARKED FOR
9 IDENTIFICATION BY THE REPORTER.)

10 JUDGE STEARLEY: All right. Ms. Ahern, let
11 me swear you in.

12 (Witness sworn.)

13 JUDGE STEARLEY: Thank you very much.
14 Mr. England, you may proceed.

15 MR. ENGLAND: Thank you, your Honor.

16 PAULINE AHERN testified as follows:

17 DIRECT EXAMINATION BY MR. ENGLAND:

18 Q. Would you please state your full name for
19 the record, please.

20 A. It's Pauline M. Ahern, A-h-e-r-n.

21 Q. And, Ms. Ahern, by whom are you employed
22 and in what capacity?

23 A. I am a principal with AUS Consultants.

24 Q. And have you been retained by
25 Missouri-American Water Company for purposes of this case?

1 A. Yes, I have.

2 Q. Could you briefly explain the nature of
3 that retention?

4 A. I was retained by -- sorry. I was retained
5 by Missouri-American to perform a rate of return study,
6 with the purpose of developing a recommended common equity
7 cost rate for Missouri-American Water's water operations
8 and sewer operations in Missouri.

9 Q. In that capacity, did you cause to be
10 prepared and prefiled with the Commission three pieces of
11 testimony which have been designated direct, rebuttal and
12 surrebuttal?

13 A. Yes.

14 Q. And I believe they've also now been marked
15 as MAWC 1, which is the direct, MAWC 2 and 2-P, which is
16 your rebuttal, and MAWC 3 and 3-P, which is your
17 surrebuttal; is that right?

18 A. Correct.

19 Q. Are there any changes or corrections that
20 need to be made to the testimony at this time?

21 A. I have one change to the direct testimony,
22 MAWC-1. It is on page 12, line 23, the word significantly
23 should be struck.

24 Q. Could you give me that page and line again,
25 please?

1 A. It's page 12, line 23, the word
2 significantly.

3 Q. Thank you. Any other changes?

4 A. I have one change to the rebuttal
5 testimony, and I believe it appears in both the
6 proprietary and nonproprietary versions at the same place.
7 I didn't bring a nonproprietary version. It would be on
8 page 22, line 16, where it says page 3, it should read
9 page 4.

10 Q. Thank you. Any other changes?

11 A. No.

12 Q. Ms. Ahern, was this testimony prepared by
13 you or under your direct supervision?

14 A. Yes, it was.

15 Q. And are the answers and information
16 contained in that testimony true and correct to the best
17 of your knowledge, information and belief?

18 A. Yes, they are.

19 MR. ENGLAND: Thank you. I have no other
20 questions of the witness and would offer Exhibits MAWC 1,
21 MAWC 2 and 2-P, MAWC 3 and 3-P into the record at this
22 time.

23 JUDGE STEARLEY: All right. Any objections
24 to the offering of these exhibits?

25 (No response.)

1 JUDGE STEARLEY: Very well. All five
2 exhibits will be admitted and received in evidence.

3 (MAWC EXHIBIT NOS. 1, 2, 2-P, 3 AND 3-P
4 WERE RECEIVED INTO EVIDENCE.)

5 JUDGE STEARLEY: And we will begin, let's
6 see, cross-examination with the City of Warrensburg.

7 MR. FINNEGAN: Mr. Warrensburg --
8 Mr. Curtis is not here today. I just entered his
9 appearance for him because he was ill.

10 JUDGE STEARLEY: All right. Very well.
11 St. Joseph?

12 MR. STEINMEIER: No questions, your Honor.

13 JUDGE STEARLEY: The water districts,
14 Mr. Dority?

15 MR. DORITY: No questions, your Honor.

16 JUDGE STEARLEY: City of Joplin?

17 MR. ELLINGER: No questions, your Honor.

18 JUDGE STEARLEY: Metropolitan Sewer
19 District?

20 MR. LOWRY: No questions, your Honor.

21 JUDGE STEARLEY: City of Parkville?

22 MR. FINNEGAN: No questions, your Honor.

23 JUDGE STEARLEY: MIEC?

24 MS. ILES: No questions, your Honor.

25 JUDGE STEARLEY: Ag Processing?

1 MR. CONRAD: Your Honor, taking out that
2 word significantly, the witness has eliminated my cross.

3 THE WITNESS: Thank you.

4 JUDGE STEARLEY: Thank you, Mr. Conrad.
5 Office of Public Counsel?

6 MS. BAKER: No questions, your Honor.

7 JUDGE STEARLEY: Staff of the Missouri
8 Public Service Commission?

9 MR. THOMPSON: No questions, Judge. Thank
10 you.

11 JUDGE STEARLEY: Did I miss any party? I
12 tried to omit the ones who have not appeared today.

13 MS. LLORENTE: Home Builders, your Honor,
14 doesn't have any questions.

15 JUDGE STEARLEY: Sorry. Thank you. Any
16 questions from the Bench for Ms. Ahern?

17 COMMISSIONER APPLING: Stu, I missed the
18 question on the significantly. Would you mind repeating
19 that again? No. I'm just joking with you. I don't have
20 any questions, Judge. Thank you. I'm sure my friend
21 Steve will fill in the blanks.

22 JUDGE STEARLEY: Commissioner Gaw?

23 COMMISSIONER GAW: No questions.

24 JUDGE STEARLEY: Chairman Davis?

25 CHAIRMAN DAVIS: Pass.

1 JUDGE STEARLEY: It appears we don't need
2 any redirect as well, and I have no questions for
3 Ms. Ahern. This was the only day Ms. Ahern could appear,
4 so I'm going to finally excuse her as a witness, unless
5 there are any objections.

6 THE WITNESS: Thank you, your Honor.

7 JUDGE STEARLEY: Thank you for appearing
8 today, and you are finally excused as a witness in this
9 matter.

10 MR. ENGLAND: Thank you, your Honor.

11 JUDGE STEARLEY: Now, as we had discussed,
12 the remainder of the hearing we're going to postpone 'til
13 next Tuesday morning, 9 a.m. Pick up with approximately
14 two days of hearing. Were there any other procedural
15 matters we needed to address?

16 CHAIRMAN DAVIS: You said next Tuesday,
17 Judge, you'll pick up for two days of hearing?

18 JUDGE STEARLEY: That's correct,
19 Mr. Chairman. The parties are working on filing the
20 Nonunanimous Stipulation & Agreement, and we'll have a new
21 procedural schedule limited to the issues and few
22 witnesses that need to be addressed for the City of
23 Joplin.

24 CHAIRMAN DAVIS: All right. Thank you,
25 Judge.

1 JUDGE STEARLEY: All right. Any other
2 matters we need to take up today?

3 (No response.)

4 JUDGE STEARLEY: Very well. We will
5 adjourn for the day, and I will see you all here next
6 Tuesday, 9 a.m.

7 WHEREUPON, the hearing of this case was
8 recessed until August 14, 2007.

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MAWC'S EVIDENCE:

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PAULINE M. AHERN

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Direct Examination by Mr. England

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1 C E R T I F I C A T E

2 STATE OF MISSOURI)
3 COUNTY OF COLE) ss.

4 I, Kellene K. Feddersen, Certified
5 Shorthand Reporter with the firm of Midwest Litigation
6 Services, and Notary Public within and for the State of
7 Missouri, do hereby certify that I was personally present
8 at the proceedings had in the above-entitled cause at the
9 time and place set forth in the caption sheet thereof;
10 that I then and there took down in Stenotype the
11 proceedings had; and that the foregoing is a full, true
12 and correct transcript of such Stenotype notes so made at
13 such time and place.

14 Given at my office in the City of
15 Jefferson, County of Cole, State of Missouri.

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17 Kellene K. Feddersen, RPR, CSR, CCR
18 Notary Public (County of Cole)
My commission expires March 28, 2009.

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