

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

## Procedural Conference

January 10, 2011

# Jefferson City, Missouri

volume 1

Rita Hill,

Complainant

VS

Missouri-American Water

Company ,

Respondent.

)  
)  
) File No. WC-2011-0111  
)  
)  
)  
)  
)  
)

HAROLD STEARLEY, Presiding  
SENIOR REGULATORY LAW JUDGE

REPORTED BY:

NANCY L. SILVA, RPR, CCR

TIGER COURT REPORTING, LLC

A P P E A R A N C E S

MR. KENNETH JONES (via telephone)  
Missouri-American Water Company  
727 Craig Road  
St. Louis, Missouri 63141  
314.991.3404  
FOR: Missouri-American Water Company

MR. KEVIN THOMPSON  
Missouri Public Service Commission  
200 Madison Street  
P.O. Box 360  
Jefferson City, Missouri 65102  
573.751.6726  
FOR: Missouri Public Service Commission

MS. RITA HILL (via telephone)  
Pro se  
P.O. Box 38331  
St. Louis, Missouri 63138

1 JUDGE STEARLEY: All right. It's  
2 Monday, January 3, 2011 [sic]. We set this time  
3 for a procedural conference in the matter  
4 captioned Rita Hill versus Missouri-American  
5 Water Company, File No. WC-2011-0111. My name's  
6 Harold Stearley. I'm the presiding officer over  
7 this matter.

8 The court reporter this afternoon is  
9 Nancy Silva, and I'll begin by taking entries of  
10 appearance beginning with Staff of the Missouri  
11 Public Service Commission.

12 MR. THOMPSON: This is Kevin Thompson  
13 representing Staff of the Commission, P.O. Box  
14 360, Jefferson City, Missouri 65102.

15 JUDGE STEARLEY: Thank you very much,  
16 Mr. Thompson.

17 MR. JONES: This is Ken Jones for  
18 Missouri-American Water Company, 727 Craig Road,  
19 St. Louis, Missouri 63141.

20 JUDGE STEARLEY: Thank you,  
21 Mr. Jones.

22 And Ms. Hill, would you please enter  
23 your appearance for us.

24 MS. HILL: My name's Rita Hill, and  
25 my address is P.O. Box 38331, St. Louis,

1 Missouri 63138.

2 JUDGE STEARLEY: Thank you, Ms. Hill.

3 And we'll let the record reflect there's  
4 no one present for the Office of the Public Counsel.

5 As I understand this case, the status  
6 right now, we've had a billing dispute, and the last  
7 I saw, Missouri-American had offered to waive a  
8 tariff fee and it issued a corrected bill. Is that  
9 correct, Mr. Jones?

10 MR. JONES: Well, I'm not -- I'm not  
11 positive, Judge, that the corrected bill has been  
12 issued yet or whether we were waiting for the -- for  
13 this procedural conference to be completed but, yeah,  
14 we stated we would waive the \$25 fee plus the \$61 fee  
15 as Staff had suggested.

16 JUDGE STEARLEY: Okay. And if you waived  
17 both of those fees, the 25 and the 61, what would the  
18 corrected bill be?

19 MR. JONES: It would be somewhere in the  
20 area of \$41.59.

21 JUDGE STEARLEY: All right. I believe  
22 that's what Staff has as well.

23 I'm sorry. Did I interrupt someone  
24 there?

25 MS. HILL: I'm sorry, your Honor. I guess

1 I received the notice on the Staff for their  
2 recommendation and I received a letter from MA --  
3 from the water company about the 25, and I'm okay  
4 with \$41. That -- that will be reasonable for me, so  
5 if it would speed it up, I'm good with that, if you  
6 can order that.

7 JUDGE STEARLEY: All right. Well, it  
8 sounds as though Missouri-American has settlement  
9 offer on the table, that you're willing to accept,  
10 Ms. Hill.

11 MS. HILL: Yes, sir.

12 JUDGE STEARLEY: All right. What we will  
13 need to do is I will need to have the parties  
14 finalize that and have one of you file a notice in  
15 the case that you're willing to voluntarily dismiss  
16 the case, that the matter's been settled. And Staff  
17 and Mr. Jones could explain the technical details of  
18 that. They could even draft up that notice and --

19 MR. THOMPSON: Why don't we do it like  
20 this, Ms. Hill: When you receive the corrected bill  
21 for that amount, give us a call and we will go ahead,  
22 with your permission, and file a document with the  
23 Commission.

24 MS. HILL: That sounds great. Do you know  
25 when I'll get a bill, because the only thing I got

1 was a notice that it was sent to a collection agency,  
2 and I didn't want that because I wanted to try to  
3 speak with the --

4 MR. THOMPSON: Right. Shouldn't --  
5 shouldn't be going to any collection agency.

6 Mr. Jones, when will she get her bill?  
7 Do you know?

8 MR. JONES: You know, if I get -- they  
9 could probably do the adjustment tomorrow and get it  
10 in the mail, but let me confirm that it should be  
11 within the next two or three days.

12 JUDGE STEARLEY: And Mr. Jones, can you be  
13 sure that does not go to a collection agency?

14 MR. JONES: Yes.

15 MS. HILL: Okay, 'cause I have a notice  
16 here from a collection agency, from Pan Credit.

17 MR. JONES: What was the date of that  
18 notice?

19 MS. HILL: December 6, 2010.

20 MR. JONES: Yeah, that was -- that was  
21 several weeks ago, and I don't think it has been -- I  
22 think it's been put abeyance since then.

23 JUDGE STEARLEY: If you could, please  
24 follow up on that, Mr. Jones, and make sure there's  
25 nothing outstanding with the credit agency that might

1 affect Ms. Hill's credit.

2 MR. JONES: Surely, your Honor.

3 JUDGE STEARLEY: All right. Very well.  
4 well, it doesn't sound like there's a great deal more  
5 I need to discuss with you-all. We are kind of  
6 double-teaming with the parties on the phone here.  
7 I'm going to leave it to you-all. If you need to get  
8 together by phone, follow up on this and file some  
9 type of notice in the case, say --

10 MR. THOMPSON: Just repeating what's  
11 happened today?

12 JUDGE STEARLEY: Yeah. Yeah. Why don't  
13 you do that.

14 MR. THOMPSON: We'll do it.

15 JUDGE STEARLEY: We'll just kind of go  
16 from there.

17 MR. THOMPSON: Yes, sir.

18 MR. JONES: And I will contact  
19 Mr. Thompson tomorrow and let him know the results of  
20 my discussions with billing just to let him know that  
21 it's being processed tomorrow.

22 MR. THOMPSON: Wonderful.

23 JUDGE STEARLEY: Sounds very good. Is  
24 there anything else we need to take up at this point?

25 MS. HILL: So I just wait on the bill and

1 just pay the \$41.

2 MR. THOMPSON: We would like to talk with  
3 somebody, Mr. Jones, yourself, or somebody else from  
4 the company about how it's interpreting and applying  
5 the tariff having to do with temporary service.

6 MR. JONES: Sure. And we just filed today  
7 our responses to Staff's data request.

8 MR. THOMPSON: Yeah.

9 MR. JONES: That might answer some of the  
10 questions, but that was going to be a follow-up  
11 question: with this specific case being resolved,  
12 how does that affect the --

13 JUDGE STEARLEY: Well, the Commission has  
14 issued an order in this case authorizing Staff to  
15 make its investigation, and as far as the  
16 Commission's concerned, Staff has investigatory power  
17 to go ahead and proceed if they've got some tariff  
18 questions with you.

19 If Staff decides there's some issue that  
20 would require Staff to file a separate complaint --

21 MR. THOMPSON: At this time -- let me  
22 hasten to say, Staff's not contemplating a complaint.  
23 What we desire is just an informal discussion between  
24 Mr. Merciel in our water and sewer department and  
25 somebody from the company, his opposite member,



1 whoever that would be, so we can reach a meeting  
2 of the minds with respect to interpreting and  
3 applying the temporary service tariff.

4 MR. JONES: Sure, and the response to  
5 the data request might -- might make some of  
6 that clear.

7 MR. THOMPSON: I think we've gotten  
8 that. We've reviewed it. It was helpful. Now  
9 we've got to talk.

10 MR. JONES: Very good.

11 JUDGE STEARLEY: I believe that  
12 discussion can occur outside the boundaries of  
13 this particular case.

14 MR. THOMPSON: Absolutely, Judge.

15 JUDGE STEARLEY: Ms. Hill's got her  
16 matter settled.

17 MR. THOMPSON: Very well.

18 JUDGE STEARLEY: All right. Well, I  
19 thank you all for the meeting, and I thank the  
20 other parties on the line, and I apologize for  
21 the inconvenience we called interrupting this  
22 afternoon.

23 MR. THOMPSON: Thank you, your Honor.

24 JUDGE STEARLEY: Thank you all very  
25 much.

1 MR. THOMPSON: Thank you, Mr. Jones.

2 MR. JONES: Thanks, your Honor.

3 Thank you, Ms. Hill.

4 MS. HILL: Thank you, Judge. Bye.

5 (The hearing concluded.)

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CERTIFICATE

I, Nancy L. Silva, RPR, a Certified Court Reporter, CCR No. 890, the officer before whom the foregoing hearing was taken, do hereby certify that the witness whose testimony appears in the foregoing hearing was duly sworn; that the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

\_\_\_\_\_  
Nancy L. Silva, RPR, CCR

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