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BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS
LOCAL PUBLIC HEARING

In the Matter of the Request)
of Liberty Utilities (Midstates)
Water) LLC d/b/a Liberty for) File No.
Authority to Implement a General) WR-2024-0104
Rate Increase for Water and)
Wastewater Service Provided in)
its Missouri Service Areas.)

THURSDAY, SEPTEMBER 19, 2024
12:00 p.m.

American Legion Hall
1424 West Broadway Street
Bolivar, MO 65613

VOLUME IV

JOHN CLARK, Presiding
SENIOR REGULATORY LAW JUDGE

KAYLA HAHN, CHAIR (via WebEx),
MAIDA COLEMAN (via WebEx),
JASON R. HOLSMAN,
GLEN KOLKMEYER (via WebEx),
JOHN P. MITCHELL,
COMMISSIONERS

Reported By:
Jill A. Bleskey, RPR
Illinois CSR #084-004430
Missouri CCR #1467
Lexitas Legal Midwest
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A P P E A R A N C E S

Appearing on behalf of Liberty Utilities:

Ms. Diana Clark, Senior Counsel
Mr. Tony Penna, Vice President and General
Manager
Ms. Cindy Wilson, Director, Rates & Regulations
Ms. Charlotte Emery, Sr. Director, Rates &
Regulations

Appearing on behalf of Office of Public Counsel:

Mr. Marc Poston
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Ms. Casi Aslin
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1 * * * * *

2 (Starting time of the hearing: 1:44 p.m.)

3 * * * * *

4 JUDGE CLARK: Okay. Good afternoon.

5 Let's go on the record. It is September 19th of 2024
6 and the current time is 1:44 p.m. The question and
7 answer portion, which you just participated in, is
8 now over. If you attended that I hope if you had
9 questions that you were able to get those questions
10 answered.

11 The Missouri Public Service Commission has
12 set aside this time today for a local public hearing
13 in File Number WR-2024-0104, a general rate case
14 captioned as In the Matter of the Request of Liberty
15 Utilities Missouri Water, LLC doing business as
16 Liberty for authority to implement a general rate
17 increase for water and wastewater services provided
18 in its Missouri service area.

19 Now, Liberty also operates other
20 utilities, they also operate electric and gas
21 utilities. Neither of those are a part of this case
22 today, this case only concerns the water and
23 wastewater.

24 My name's John Clark, I'm the regulatory
25 law judge presiding over this hearing today. Now the

1 Missouri Public Service Commission regulates the
2 rates charged by investor owned utility companies in
3 Missouri to ensure that those rates are just and
4 reasonable. The Commission also regulates the
5 quality of service and the safety of operations of
6 investor owned utilities.

7 The Commission is made up of five
8 commissioners, the Commissioner's Chair Kayla Hahn
9 and Commissioners Maida Coleman, Jason Holsman, Glen
10 Kolkmeyer and John Mitchell. The Commissioners are
11 appointed by the Governor and confirmed by the Senate
12 to a fixed term. The Commissioners employ a staff of
13 engineers, accountants, attorneys, financial analysts
14 and other specialists in the utility -- in the field
15 of utility regulation.

16 With me today in person today are
17 Commissioners Jason Holsman and Commissioner John
18 Mitchell. The other commissioners, the Chair Kayla
19 Hahn and Commissioners Maida Coleman and Glen
20 Kolkmeyer are attending this hearing via WebEx, they
21 had to stay in Jefferson City this morning.

22 Would you like to make any opening remark?

23 COMMISSIONER HOLSMAN: Thank you. My name
24 is Jason Holsman. On behalf of the entire
25 Commission, we'd like to welcome you to this public

1 hearing. Just want to thank you for taking your time
2 to join us today and share your thoughts. We have
3 not made any decisions in this. We cannot answer any
4 questions but we are listening, we do appreciate you
5 giving us your feedback. We know there's lots of
6 things you could be doing today instead of sitting
7 here so we will be respectful and take all of your
8 comments into consideration before we make our final
9 decision and we thank you for being here.

10 JUDGE CLARK: Thank you, Commissioner. At
11 this time I'm going to ask the parties who are here
12 to enter their appearance for the record starting
13 with Liberty Water.

14 MS. CARTER: Diana Carter for Liberty
15 Utilities Missouri Water, LLC.

16 JUDGE CLARK: Thank you, Ms. Carter. On
17 behalf of the Commission Staff.

18 MS. ASLIN: Casi Aslin for Commission
19 Staff.

20 JUDGE CLARK: Thank you, Ms. Aslin. On
21 behalf of the Office of the Public Counsel.

22 MR. POSTON: Thank you. Marc Poston for
23 Office of Public Counsel.

24 JUDGE CLARK: Thank you, Mr. Poston. Are
25 there any Intervenors who are here or have counsel

1 here? I hear none.

2 Now, many of you when you came in signed
3 up to provide comments to the Commission today. To
4 those of you that would like to provide comments I'm
5 going to call the name listed on the sign up sheet in
6 the order they appear. When I call your name please
7 come up to the microphone here and at that time I
8 will place you under oath.

9 We have a court reporter over here who is
10 recording everything that is being written down -- or
11 that is being said so that it can be referred to
12 later. At that point I'll ask you to state and spell
13 your name for the record and then you can give your
14 comments to the Commission.

15 Because these have been so well attended
16 I'm going to limit comments to three minutes. So
17 what's going to happen is when we get right around
18 the three minute mark I will let you finish your
19 thought and then I'll let you know that your three
20 minutes is up.

21 Now, after you finish talking I'm going to
22 ask you to stay just for a second at the microphone
23 until I excuse you. Either myself, one of the
24 parties here, or the Commissioners may have questions
25 for you. I'll take a brief pause after each set of

1 comments and if anybody has a question to interject
2 at that time, I'm not going to go and ask everybody
3 whether or not they have a comment or not.

4 Now, the Commission -- as Commissioner
5 Holsman said, the Commission won't be able to answer
6 your questions today because they have to remain
7 impartial until after the evidence is presented at
8 the evidentiary hearing and that's exactly why we
9 couldn't be out here during the question and answer
10 portion, we might hear factual information that we
11 don't have a right to hear yet.

12 If you have a question, if you did not get
13 all your questions answered, I want to encourage you
14 to speak to representatives of the Company, the
15 Commission Staff, or the Office of the Public
16 Counsel. I'm also going to ask that you be polite to
17 people who are speaking and not interrupt them, treat
18 everybody who is speaking today as you would like to
19 be treated.

20 With that in mind, I'm going to go ahead
21 and start calling names. I will do my best to read
22 and pronounce the names correctly. If I mispronounce
23 your name, please let me know. First name I have is
24 Dusty Ross.

25 Mr. Ross, if you'd come up to the

1 microphone. Would you raise your right hand and be
2 sworn.

3 * * * * *

4 DUSTY ROSS,

5 The witness, having been first duly sworn
6 upon his oath, testified as follows:

7 * * * * *

8 BY: JUDGE CLARK

9 Q. And would you please state and spell
10 your name for the record?

11 A. **Dusty Ross, D-U-S-T-Y, R-O-S-S.**

12 Q. And Mr. Ross, what would you like to
13 tell the Commission today?

14 A. **Just a couple of things. You know,**
15 **living in Bolivar my whole life, you know, I do real**
16 **estate for a living. One thing that I've started to**
17 **hear a lot more about, number one question we get**
18 **asked right off the bat is Southwest or Liberty as**
19 **far as electric goes. And, you know, you can just**
20 **kind of see the effects that having Liberty is**
21 **causing, you know, inside the City of Bolivar as far**
22 **as, you know, what the rates and fees already are.**
23 **You know, they're a little bit higher than, you know,**
24 **Southwest on electric, the water rates. Everybody**
25 **I've talked to since they've taken over their bills**

1 have gone up since the City of Bolivar. Mine
2 personally, you know, is the same. I don't -- you
3 know, you call them they say it's usage. It very
4 well could be. But all I know is, you know, bills
5 have gone up.

6 So just some things about Bolivar. You
7 know, the national average for the poverty level is
8 11.1 percent, Bolivar has a poverty level of
9 22 percent. You know, we've got -- 24 percent of our
10 residents are over the age of 50 which, you know, a
11 lot of them are on fixed incomes. And so when you
12 look at raising a rate of \$60 a month that puts a lot
13 of people in the predicament of do I get groceries,
14 do I pay my water, do I get my medicine, do I pay my
15 water. And it's, you know, not really a good
16 situation to be in.

17 Now again, I understand Liberty's a
18 business, you're privately owned, you want to make a
19 profit, totally understand that. And one of the
20 questions that was answered earlier was so far
21 Liberty has spent, you know, roughly around a million
22 dollars -- again, you didn't necessarily know the
23 numbers but that was the number you threw out there
24 -- for the water facility. You're asking for an
25 increase of \$305,000 a month for a million dollar

1 investment that you've made over the last two years.
2 That seems a little disproportionate, you know, in my
3 opinion.

4 It's just one of those -- the average
5 income in Bolivar is \$30,646 a year. With the rates
6 increase you're looking at just the water bill is
7 going to be over five percent of the average person's
8 income, just water. And I understand some of you
9 from the PSC said, you know, the price of good clean
10 water, you know, I understand that. But it still --
11 when you come into a community like this and you try
12 to raise your rates 300 percent in a community that
13 is already twice the poverty level, you know, making
14 30 -- on average \$30,000 a year with 23 percent over
15 the age of 50, which could be on a fixed income
16 that's going to put an extremely large burden on
17 individuals.

18 Now that's just the individual side. The
19 business side, you know, their water rates are going
20 to be even higher than that. Well, those businesses,
21 as Liberty can attest to, what do you do with a rate
22 increase? Where does that go to? You pass it on to
23 your customers. So what's that going to do for
24 Bolivar's community when the businesses when their
25 rates go up, guess what happens. Now my private

1 water rate goes up plus I have to pay more at the
2 restaurants, the -- you know, the stores, everywhere
3 else because they have to recoup that money as well.

4 So I'm not saying that, you know -- I
5 understand a business needs to make money but again,
6 like I said in the Q and A, the parent company of
7 Liberty had a 65 million dollar, you know, profit for
8 the second quarter of this year. I don't know that
9 \$305,000 a month additional to what they're already
10 making on a million dollar, you know, cost so far is
11 -- you know, is a good thing to do. But, yeah. So
12 that's all I had.

13 JUDGE CLARK: Okay. Thank you for your
14 comments, Mr. Ross.

15 Ed Kurtz. Mr. Kurtz, would you raise your
16 right hand to be sworn.

17 * * * * *

18 ED KURTZ,

19 The witness, having been first duly sworn
20 upon his oath, testified as follows:

21 * * * * *

22 BY: JUDGE CLARK:

23 Q. And would you please state and spell
24 your name for the record?

25 A. My name is Ed Kurtz, E-D, K-U-R-T-Z,

1 and I'm a citizen of Bolivar. Prior to this meeting
2 I've contacted both the Missouri Public Service
3 Commission and the Office of the Public Counsel
4 portals to register my concerns and received
5 confirmation of those.

6 I have a little background information
7 that brings me to my own personal experience with
8 Liberty Utilities. In June of 2020 voters approved
9 the privatization of Bolivar's water and sewer
10 utilities subsequently turned over the utility
11 systems to Liberty Utility. In the lead up to that
12 vote voters were told publicly that if the city kept
13 the utilities and worked to fix the EPA challenges
14 facing the sewer system rates would increase
15 38 percent over the next 18 years. At the same time
16 Liberty told the public that if they were to own and
17 manage the utilities their rates would increase in
18 the range of \$8.22 to \$9.52, or a 19 percent
19 increase, over the same time period, 18 years.

20 They understood the challenges facing the
21 sewer systems here in Bolivar and they said they
22 could fix the problems for a cost of about six
23 million dollars which was about two-thirds of the
24 cost that the City had indicated would need to be
25 spent. They obviously had done their due diligence.

1 They also stated that their rates would be about
2 15 percent less than the same rates from the City.

3 To assure voters prior to the 2020 ballot
4 issue both the City and Liberty stated that our rates
5 would be better with Liberty. Liberty going as far
6 as to say that if the ballot issue fails the City
7 will have no new revenues for other city priorities
8 in the community without raising taxes. Public
9 statements were made by both the City and Liberty
10 Utilities and I believe the voters were misled by
11 those public comments.

12 In my personal experience with Liberty
13 Utilities I wish to describe a billing matter that I
14 have been trying to resolve with Liberty since May of
15 this year. Prior to that, month after month I have
16 had a base water rate of \$30.03 based on an actual
17 reading of my usage. In May of 2024 my bill stated
18 an estimated reading of my usage and increased my
19 base rate for that month to \$38.04. That's a 26
20 percent increase. I called and I spoke with a
21 Liberty customer service representative and was told
22 that my case would be sent to the proper Liberty
23 department and to not pay that bill until this was
24 resolved. I called Liberty each month after that and
25 spoke with a different customer service

1 representative and was told the same thing. It got
2 to the point where I couldn't stand to have money
3 hanging over my head from Liberty Utilities so my
4 bill is now fully paid as I could not wait any longer
5 for their resolution. The \$38.04 charge still
6 remains on my paid bill and I have had no contact
7 from Liberty to try to resolve this issue but I have
8 kept very close look on my bills.

9 Liberty is not --

10 Q. I'm going to let you know you're at
11 three minutes.

12 A. Okay. Liberty is now asking for an
13 increase of around \$38.61 for residential customers,
14 I see today that that has increased significantly.
15 For my own situation that represents an increase of
16 over 200 percent. I understand the utilities
17 typically ask for more than they can expect to
18 receive but in this economy and given the statements
19 that Liberty has made publicly this is more than any
20 person can reasonably afford or should be expected to
21 pay. Thank you very much for your time to comment.

22 Q. Hold on just a second. I have a
23 question for you. You said you've been working to
24 resolve a billing issue with Liberty Utilities; is
25 that correct?

1 **A. Yes.**

2 Q. Have you filed a complaint with the
3 Public Service Commission in regard to that?

4 **A. No, I have not because I knew that**
5 **Liberty would resolve it. I had confidence in them**
6 **based on what I was told from the customer service**
7 **representatives. And it's a small amount honestly.**

8 Q. Okay. I have no further questions
9 for you.

10 **A. Thank you.**

11 JUDGE CLARK: Thank you. Thank you for
12 your comments. Next person I have listed is Don with
13 no last name.

14 **THE WITNESS: You got it.**

15 JUDGE CLARK: Don, what's your last name?

16 MR. FOUTCH: Foutch.

17 JUDGE CLARK: Foutch?

18 MR. FOUTCH: Yeah. D-O-N, F-O-U-T-C-H.

19 JUDGE CLARK: And would you raise your
20 right hand and be sworn.

21 * * * * *

22 DON FOUTCH,

23 The witness, having been first duly sworn
24 upon his oath, testified as follows:

25 * * * * *

1 BY: JUDGE CLARK

2 Q. Okay. And what would you like to
3 tell the Commission today?

4 A. Everything Dusty and the other
5 gentleman said. I was at the board meeting when they
6 ended up selling to Liberty. Everything they said's
7 100 percent honest and the truth. With that said,
8 I've had my issues with Liberty.

9 When Liberty first took over our water,
10 sewer and electric my bill, my total bill went from
11 170s to 190s every month to \$333 and a few cents that
12 month that they billed me. The following month I
13 called them, complained, they said that's my usage.
14 Following month, \$335 and some odd cents. I asked
15 them, I want to know the dates and times my meters
16 are being read. I read my meter, I told them I was
17 reading my meter and I would put my own personal
18 meters in on my property if I had to. By chance my
19 electric, water, sewer, everything went down to my
20 normal, regular price.

21 I had a water leak, a water line under my
22 house broke due to a shutoff valve I had to install
23 on my water line under my house because of frost free
24 hydrants. I wanted frost free hydrants. Liberty
25 told me I had to install this. My plumber said they

1 was notorious for breaking, cracking, they didn't
2 recommend me do it. Long story short, it broke. I
3 was outside one day, heard water running. Come to
4 find out a supervisor showed up and said that was
5 only to be put on with an irrigation system, not a
6 frost free hydrant. Then they tried charging me
7 1,500 and some dollars for water wasted because of my
8 broke water line. I fought them, I called them, I
9 paid my normal bill minus the \$1,500, I refused to
10 pay it. It got swept off when I threatened to sue
11 and get lawyer. They're not scared of lawyers, they
12 got their own lawyers. But to this day I have to
13 read my meter the same time, within a few days, or my
14 bill goes up.

15 So basically that's all I got to say, it's
16 a crying shame that I have to read my meter
17 personally so my bill is correct. And that's what
18 I've run into and a lot of other customers. I wish
19 they was here, they're not here, they didn't show up
20 at the meeting when we didn't want to sell to them in
21 the first place. Basically that's it.

22 Q. Just so I can sequence things a
23 little bit. So your water bill went back to what you
24 said was your normal rate --

25 A. Yes, sir.

1 Q. -- after you got the leak repaired;
2 is that correct?

3 A. After I started reading my meter
4 personally and writing the numbers down and then
5 checking my numbers with their numbers.

6 Q. Had you had the leak fixed at that
7 point?

8 A. I hadn't even had a leak then. The
9 leak happened -- and that's something else. When the
10 leak happened I called them out to inspect and make
11 sure my meter wasn't turning. A technician come out,
12 looked at the meter and said, well, it's still
13 turning, you got a leak. I walked over, looked at
14 the meter, wasn't turning and it just barely moved.
15 And he said, there, it's turning, you still got a
16 leak. I said that could have been the toilet kicking
17 on, could have been an ice maker kicking on. You
18 could barely see it move. We had a confrontation.
19 Another guy come out, looked at it, said you ain't
20 got a leak. But this is what we're dealing with in
21 Bolivar on a day-to-day basis with employees, with
22 billing, everything. Everything. That's what we're
23 going through with Liberty.

24 Q. So you believe that if you don't read
25 your meter that you will get --

1 A. If you don't --

2 Q. -- inaccurate bills?

3 A. Exactly. If you don't read your
4 meter and write it down -- what they started out
5 doing -- and I'm -- they're going to say they didn't.
6 But they were reading this meter, this meter, this
7 meter and then estimating everybody's bill. Because
8 my meter was never read, I got an outdoor camera, the
9 neighbors wasn't read, they said they read it from
10 the road. The neighbor's meter's in the backyard.
11 How'd you read it from the road? So they was
12 estimating everybody on our block and only reading a
13 couple, two, three meters.

14 Q. Thank you. I have no other
15 questions.

16 JUDGE CLARK: Are there any further
17 questions? You're done. Thank you for your
18 comments.

19 MR. FOUTCH: Thank you.

20 JUDGE CLARK: Steve Skopec. Did I say
21 your name right, sir?

22 MR. SKOPEC: Yes, you did.

23 JUDGE CLARK: Would you raise your right
24 hand and be sworn.

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STEVE SKOPEC,

The witness, having been first duly sworn upon his oath, testified as follows:

* * * * *

BY: JUDGE CLARK

Q. And would you please state and spell your name for the record?

A. **Steve Skopec, S-T-E-V-E, S-K-O-P-E-C.**

Q. And what would you like to tell the Commission today?

A. Well, I want for you to understand that I am an alderman and I was an alderman when we voted to put to the vote of the people about the sale of Liberty -- of the City to Liberty. And I wanted to concur with what Mr. Kurtz said that we were told for one thing that for three years there would be no increase, which there hasn't, I agree to that.

But what I wanted to bring up is the fact that I asked the question in the question and answer if the sewer and water were two separate entities, so if you get a water increase or a sewer increase. So what we talked about in all of the discussions we had at proposing the sale there was never one question or statement made about the increase in the water rates because when the City was providing water it was

1 making plenty of money on that. The question was
2 always on the sewer system. And at that time that
3 Mr. Kurtz had said the City was planning to have to
4 undergo quite an extensive work on the sewer system.
5 But however, Liberty said that they had more
6 influence than the City had with the State so they
7 could do it a lot cheaper than we could.

8 So basically I guess my statement is that
9 why at the time when we were talking about the sale
10 did they not bring up the fact that maybe they might
11 need to raise the water rates and it was all strictly
12 about the sewer rates. Which truthfully if they
13 would have been wanting to have a hearing on the
14 sewer I probably would have had no objections to it.
15 But since it is the water my question is why the City
16 was making plenty of money on the water system and
17 now -- they were actually I think lowering the sewer
18 rates by three dollars and increasing the water rates
19 substantially. So I guess that would be my inquires
20 or questions why that should happen now.

21 Q. And I apologize. As I said at the
22 beginning of this, the Commission and myself are not
23 going to be able to answer questions today because we
24 have to remain impartial until after the hearing.

25 A. I understand that.

1 Q. By way procedurally I can tell you
2 that Liberty filed two separate rate cases, one for
3 water and one for sewer and those cases were
4 consolidated into a single case because of the close
5 relation between the two. That was procedural. But
6 I can't answer your question beyond that. But I do
7 appreciate your comments.

8 **A. Okay. Thank you.**

9 Q. Thank you.

10 JUDGE CLARK: Teresa Mulkey. Is there a
11 Teresa Mulkey here? Paxton Griffin. Good afternoon,
12 Mr. Griffin.

13 * * * * *

14 PAXTON GRIFFIN,

15 The witness, having been first duly sworn
16 upon his oath, testified as follows:

17 * * * * *

18 BY: JUDGE CLARK

19 Q. And would you please state and spell
20 your name for the record?

21 **A. Paxton Griffin, P-A-X-T-O-N,**
22 **G-R-I-F-F-I-N.**

23 Q. And what comments would you like to
24 offer to the Commission?

25 **A. I would just simply like to ask that**

1 the Commission hold any increase regards to what the
2 final numbers end up being simply because the billing
3 system and the service system is so bad right now and
4 to grant them an increase when the billing is in the
5 disarray it is right now is going to convey total
6 chaos when it increases 340 percent if they get the
7 proposed amount that they're asking for or anything
8 in between. There's major, major problems. And I
9 understand they had a new system and I'm sure it's
10 going to be great once they get the bugs worked out
11 of it but right now it's upside down and we've had
12 very erratic billing.

13 I'm representing the Stonebriar
14 Homeowner's Association which is just 14 homeowners.
15 But our bills have been all over the place and just
16 one example is one of the bills we had was zero
17 gallons used but the bill was \$4,000. Just as an
18 example. And it's just -- it's just all over the
19 place. And all I'm saying is there needs to be a
20 pause till Liberty can produce evidence that they
21 have worked out all of the billing errors in their
22 system before a meter reading, the whole nine yards
23 that goes into this because of the amount of the
24 increase, whether it's 240 percent or whether it ends
25 up being 200 percent, whatever the case may be, it

1 would be chaotic if that increased rate is put on top
2 of a poor billing system. That's all I have.

3 BY: COMMISSIONER HOLSMAN

4 Q. Thank you. We heard earlier that
5 gentleman testify that he had to do his manual meter
6 reading to verify that the bills were accurate or not
7 accurate and that after he informed the company that
8 he was doing manual meter readings that the bills
9 improved. Have you had anybody in your home
10 association do any manual reading or do any type
11 of --

12 A. No.

13 Q. -- checking with -- ?

14 A. Our residents -- our residents range
15 in age from 70 to 101 and some of them -- most of
16 them, half of them are home bound. So it's not
17 really much of an option.

18 Q. Would you concur with that testimony
19 that you believe that there's estimating going on,
20 it's not actually reflective of the actual meter --

21 A. Oh, yeah. There's no doubt. When
22 have zero gallons and a bill for a thousand dollars
23 I'd say that's a pretty good indication of an
24 estimate. Yes, sir.

25 Q. Thank you.

1 A. Yes, sir.

2 BY: JUDGE CLARK

3 Q. I do have one question just by way of
4 clarification. You had indicated erratic billing but
5 you also used the word service. Have you had service
6 issues?

7 A. Not necessarily service issues per
8 se, like physical service issues. But on the line of
9 just trying to get things worked out. You know, my
10 secretary's here and she's made numerous attempts to
11 try to get some clarifications on some of the
12 billings on credits that were supposed to have been
13 issued, things of that nature. You know, it's just
14 -- maybe there's just -- maybe they've got more
15 complaints than they have people to handle them, I
16 don't know. But it's very difficult to have any
17 success when you're trying to discuss any type of
18 billing issue right now. For whatever reason.

19 Q. Were you able to resolve or
20 straighten out the \$4,000 water bill?

21 A. Well, I mean, we paid it. I mean,
22 you know, initially, you know, went several --
23 several months without bills then we'd have one for
24 \$2,800. And normally our bill would run about \$700
25 for the 14 units. And it was like \$2,800, then we

1 had one for a thousand and just a short while -- then
2 another one was 600 and something.

3 MS. DVORAK: I've got all of the
4 documentation.

5 MR. GRIFFIN: She's got them right there,
6 you might want to take a look at them just to give
7 you an example of how it's kind of shaken out, you
8 know. It's just unfortunate but it's part of the
9 corporation, I suppose.

10 BY: JUDGE CLARK

11 Q. And if I misunderstand, please
12 correct me. But did you indicate that you paid the
13 \$4,000 water bill and then you had a few months where
14 you weren't billed or didn't have to pay?

15 A. Well, when the system was being
16 implemented there was a few months, two, three months
17 there where they were -- you couldn't get any kind of
18 billing. I mean, even online even for, you know,
19 electric bill, same thing. You know, you used to pay
20 online, that kind of went by the wayside then it came
21 back online later on. And then this -- the water and
22 sewer, like I said, it's just been all over the place
23 as far as number of gallons. This bill, you know,
24 month in and month out and -- you know, in the way
25 that it's billed. And even -- I mean, I don't know

1 all the rates and everything. But the -- it's just
2 been very erratic and we've been trying to make sense
3 of it the best we can. And it's just not -- haven't
4 been given very many answers simply because I guess
5 people just maybe don't have good information either.

6 Q. So your issues -- your issues with
7 Liberty, would it be fair to say, that they are with
8 billing and not with the quality of water or water
9 service?

10 A. Billing, yes, sir. Yes, sir.

11 Q. Did you ever inquire as to -- as to
12 the \$4,000 bill?

13 A. Well, it wasn't \$4,000, it was \$800.
14 That was the largest.

15 MS. DVORAK: (Inaudible.)

16 MR. GRIFFIN: She can show you the
17 documentation. She has it in her hands actually.
18 But we --

19 BY: JUDGE CLARK

20 Q. Ms. --

21 A. We kept paying the bills. We've been
22 paying the bills and trying to have a discussion with
23 the people -- with the people in the office.

24 Q. I apologize for interrupting. This
25 is a local public hearing to take comments. It's not

1 an evidentiary hearing --

2 A. I know.

3 Q. -- to offer evidence. So I don't
4 know --

5 A. That's okay.

6 Q. I don't know what value --

7 A. My main point is that there should
8 not be anything approved till they get their billing
9 system straightened out, period. It's just -- it's
10 just not right that -- even at the current rates they
11 can't get it right. And then if they end up with
12 200, 300, 350 percent increase and then they're still
13 applying these errors it's just going to be
14 astronomical. That 15, 1,600 we owe for one month is
15 now going to be 6,000 is what I'm saying. It's just
16 -- I mean, it's just not going to be -- you know, we
17 can't just go out and automatically increase our HOA
18 fees. We don't even know what -- what to value our
19 HOA dues for. We know we're going to have to
20 increase them to cover it. We don't even know what
21 to ask people for right now.

22 Q. Thank you, Mr. Griffin. I appreciate
23 your comments.

24 A. Thank you.

25 JUDGE CLARK: Bill Little.

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BILL LITTLE,

The witness, having been first duly sworn upon his oath, testified as follows:

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BY: JUDGE CLARK

Q. Would you please state and spell your name for the record?

A. Bill Little, B-I-L-L, L-I-T-T-L-E.

Q. And what would you like to tell the Commission today?

A. Some -- I agree with the people that have spoke before me and I want to add to some of their comments. I had a problem with a water line breaking in my house and it took, as you know, getting a plumber and getting equipment there. They had to dig up quite a bit of the yard and bushes and things like this before I could get it repaired. But my water usage went from around four to 5,000 a month up to over 20,000 and -- and I paid for that without any difficulty because it was my water line that broke. But my big question though, my sewer payment. Because none of that water over around 5,000 was going to the sewer, it was going out into my yard someplace.

1 And so I got all the evidence and went
2 back and did a graph of my use for over a five year
3 period and then showed it to them. They were very
4 nice here and they wanted the graph, we made copies
5 and they sent to Joplin and told me it would be about
6 a couple of months before I'd probably hear from
7 them. Well, I haven't heard from them and it's been
8 five or six months now. But I pay my bills by
9 banking, by -- they take the money out of my banking
10 account automatically.

11 But again, I'm getting all kind of bills
12 in the mail and I just ignored them and I was told to
13 ignore them. I called them about that. They said
14 they'd finally get them straightened out and then
15 they'd withdraw the money from the bank and such.

16 But the thing I'd like to say on this, I
17 don't know if Liberty has considered another method
18 of charging for sewer rates than based on water usage
19 alone. I know that some cities such as Columbia, I
20 understand, base their sewer rates on the use of the
21 water for -- like through December, January and
22 February and that that becomes a standard sewer rate
23 usage and I wonder if they have made any effort to go
24 back and check on this. Because I think most people
25 that are trying to keep their yard beautified or have

1 plants and things like that they're going to water
2 during the summer months and after -- usually after
3 October anyhow they're not watering anything, all the
4 plants have been killed off by that time but they're
5 still being charged for their water. And so I would
6 really be hopeful that they would consider going into
7 looking at maybe a new method. I think it would help
8 a lot of people. It would also encourage people to
9 beautify their home and the city as a result of that.
10 And I thank you for at least considering that.

11 Q. And just to be sure that I'm
12 following here. What you're suggesting is taking
13 winter usage when people aren't watering their lawns,
14 filling their pools, agriculturally watering crops,
15 take that winter usage and somehow average it, --

16 A. Yes.

17 Q. -- use that to calculate the
18 year-round sewer rate? Is that --

19 A. Yes, uh-huh.

20 Q. And you say you believe the City of
21 Columbia does that?

22 A. I understand they do. There's
23 several cities in the State of Missouri that do this.
24 I was told that Columbia does this.

25 Q. And in regards to your other issue,

1 you say that that's ongoing, that that hasn't been
2 resolved yet?

3 **A. It hasn't been yet. I'm sure it will**
4 **be given time. And understanding what they're going**
5 **through with the change of their system.**

6 Q. Just by way of information, if you're
7 unable to resolve your issue, you can file a
8 complaint with the Public Service Commission.

9 **A. Yeah. But since I have it with my**
10 **banking system they automatically draw out. So I**
11 **watch that happen. But nothing's happened for the**
12 **last month or so.**

13 Q. Okay. So they said not to pay your
14 bills but they also haven't taken money out?

15 **A. That's right.**

16 Q. Okay. So that's worked out?

17 **A. That's right. They've been very**
18 **nice.**

19 Q. All right. Well, thank you very much
20 for your comments.

21 **A. Thank you very much.**

22 JUDGE CLARK: Is it Jeff Tank or Tanick?
23 Alise Tuttle?

24 MS. TITTLE: It's Elise Tittle, E-L-I-S-E,
25 T-I-T-T-L-E.

1 JUDGE CLARK: I apologize, Ms. Tittle.

2 Would you raise your right hand to be sworn.

3 * * * * *

4 ELISE TITTLE,

5 The witness, having been first duly sworn
6 upon her oath, testified as follows:

7 * * * * *

8 BY: JUDGE CLARK

9 Q. And what comments would you like to
10 offer to the Commission today?

11 A. I just wanted to say that since I
12 moved here --

13 Q. Move a little closer to the
14 microphone, please.

15 A. Since I moved here from El Dorado
16 Springs to Bolivar our utility was -- over there it
17 was like 100 to 200 depending on usage and here it
18 started at 200, went to 300, then to 400 and now that
19 it's ranging around \$500. So I don't know -- you
20 know, there's lots of service charges and things like
21 that I understand the cost of living, et cetera. But
22 if the Commission was to approve the hike that
23 they're talking about I think that would be
24 astronomical, especially for retired people. And I
25 concur with a lot of the other people, including that

1 averaging out for the winter to the -- you know, even
2 spring, you know, and disregarding the summer usage
3 because you have gardens and such. So, you know,
4 that shouldn't be going in the sewer. And one of the
5 women that I talked to was really nice and she said,
6 you know, you could always call and they could figure
7 out the timeframe and adjust it but I think that
8 should be done, you know, for the whole Bolivar. But
9 that's all I have to say.

10 Q. And you said when you lived in El
11 Dorado that your bills were one to 200 and then here
12 in Bolivar they've been three to 500; is that
13 correct?

14 A. Four to five now. When I started it
15 was 200, you know, and stayed close to 200 most of
16 the time until I don't know when. I had my papers
17 all organized and written on but I left it at home.
18 But right now we're paying about \$500. So -- that is
19 for water, sewer, and electric.

20 Q. Okay. So that amount you gave me is
21 a combined?

22 A. Yes. 'Cause I don't have my
23 communications with me.

24 Q. Who was your water service provider
25 in El Dorado?

1 **A. The city. And I think the water then**
2 **was not very much either.**

3 Q. Can you say that again, I'm sorry?

4 **A. I'm not sure the water was very much.**

5 Q. So in other words of your combined
6 bill there the water was a smaller portion?

7 **A. Right.**

8 Q. Thank you for your comments, Ms.
9 Tittle.

10 JUDGE CLARK: Ellen Lehan. And it's
11 entirely possibly that I am severely mispronouncing
12 that. Ellen Lehan. Marcia Thomas.

13 And this is not uncommon. A lot of times
14 people show up to get their questions answered and
15 after they have their questions answered they realize
16 they don't really have a comment they want to say.
17 Lendell Stewart. Sheila Whitworth. Is there a Ms.
18 Whitworth here? Jim Monday.

19 MR. MONDAY: Here.

20 JUDGE CLARK: Mr. Monday, will you raise
21 your right and be sworn.

22 MR. MONDAY: I don't swear or affirm
23 anything.

24 JUDGE CLARK: Well, the Commission takes
25 comments under oath.

1 MR. MONDAY: Okay.

2 JUDGE CLARK: Are you willing to say --

3 MR. MONDAY: You can answer a question.

4 Is the stuff from before this meeting, meaning
5 earlier, is it where you have access to that after
6 this meeting closes?

7 JUDGE CLARK: No. We don't -- the court
8 reporter has been sitting over there but the court
9 reporter does not transcribe anything until I come
10 out.

11 MR. MONDAY: They don't have it on their
12 computer?

13 JUDGE CLARK: I'm sorry?

14 MR. MONDAY: They don't have it on their
15 computer?

16 JUDGE CLARK: Oh, yes, it is recording.

17 AUDIO TECH: No.

18 JUDGE CLARK: You don't record the Q and A
19 at all? Okay. Well, there you --

20 MR. MONDAY: I still don't swear or
21 affirm, it's against my religion.

22 JUDGE CLARK: Mr. Monday.

23 MR. MONDAY: Yes, sir.

24 JUDGE CLARK: Are the comments you are
25 going to give to the Commission today the truth?

1 MR. MONDAY: Yes, sir.

2 MR. CLARK: Go ahead.

3 BY: MR. MONDAY

4 A. Okay. I went down -- if I don't get
5 my bill on time I go down to the office, the ladies
6 down there are really nice, they pull it up, I pay
7 it, case closed. I'd like to have it in the mail.
8 But I too have a garden and I water it and I like the
9 idea of sewer rates based on usage like November to
10 March, November, February, establish my sewer rates.

11 I went down to their office down the
12 street, explained to them, they talked with me, they
13 estimated to me to make improvements to my system so
14 they could do that would cost me between eight and
15 \$10,000. I'll pay their bill and not water so much.

16 Third point, these people are investors.
17 I also am an investor, I also have a broker's license
18 but not in this state. When I invest or when
19 somebody invests through me I am required by law to
20 give them a paper that states that their investment
21 may lose money. These people are also investors.
22 Nothing says they can't lose money. Their rates,
23 they want to increase the water rates by three and a
24 half times the water they want to do in return.
25 That's just -- this is a one-sided operation and I'm

1 not on the side that's going to benefit. And so
2 that's my statement.

3 Q. So you agree with Mr. Little that you
4 think it's a good idea to base sewer usage on winter
5 usage?

6 A. I think that's a very reasonable idea
7 because water usage -- in our cases, our sewer usage
8 is constant, our water usage varies on time of the
9 year and how much we use. And I think that seems
10 reasonable. They get -- they get -- sewer usage what
11 it actually is then the water rate varies and we pay
12 the water rate. They're not losing money.

13 Q. Thank you for your comments, Mr.
14 Monday.

15 A. You're welcome.

16 JUDGE CLARK: Mr. Monday is the last
17 person I had signed up to speak today. At this time
18 I'd like to open it up if there's anybody here who
19 did not get an opportunity to come into the
20 Commission but wants to, would you raise your hand at
21 this time. Would you come on up. And --

22 * * * * *

23 VICTORIA DVORAK,

24 The witness, having been first duly sworn
25 upon her oath, testified as follows:

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BY: JUDGE CLARK

Q. And would you state your name and then spell it for the record?

A. My name is Victoria Dvorak, V-I-C-T-O-R-I-A, Dvorak, D as in dog, V as in Vickie, O-R-A-K.

Q. And Ms. Dvorak, what would you like to tell the Commission?

A. I am the treasurer of the Stonebriar Senior Association and I'm here on behalf of my aunt who is 101 that lives in the association and also on the behalf of Stonebriar. I've been the treasurer for five or six years now. And Liberty has stated earlier today that they have not gone up on our prices, that they have not made any rate changes. But I am here to tell you that over this period of time that I have been paying -- actually they're auto paid, they're automatically taken out. But our monthly bills usually ran about 600, 700, maybe \$755, up to 800, 850 in the summertime when we're watering. And I know this isn't the place for evidentiary documents, however I do have them with me if you want to see them afterwards, or if any of these people want to see them afterwards. But I disagree with the

1 statement that you guys have not gone up because I
2 can prove from these bills that they have
3 exorbitantly increased over the amount of time that
4 Liberty has taken over.

5 First, I do have a claim that has been
6 issued. We had a water leak. I know that Mr.
7 Griffin had stated that we didn't have service
8 issues. I consider this to be a service issue. I
9 don't know if you will. But we had a water leak and
10 I -- I mean, the bill came in and it was \$300 in the
11 winter higher than normal. So being the accountant
12 brain I called and it took me two days in order to
13 get to the right person.

14 First of all, I reached a call center that
15 they had hired, I think they told me they were from
16 North Carolina, and they tried to tell me over and
17 over, oh, yes, we can help you, we can help you. And
18 I'm going, no, I need to speak to a supervisor. I
19 have a problem on our bill I know I need to speak to
20 either a manager or a supervisor. And the person
21 kept saying he could help me. After I explained the
22 situation he said, you're right, I can't help you.
23 And so then I went back to Joplin and I stayed
24 diligent trying to reach someone there. I finally
25 did on the second day and I told her that we had a

1 water leak. She said you have to send us in the
2 documentation and you can file a claim with Liberty
3 and I will send it up to the proper channel to handle
4 the claim. I did that, I got the documentation. I
5 scanned it and sent it directly to her email address.
6 That was seven months ago. I still have not had a
7 credit on our bill nor have we received a check or
8 any letter or correspondence from Liberty that
9 they're working on it.

10 I did ask the girls at the front, as I was
11 directed to, if it was a customer service issue but
12 they could not help me. She did take my name and
13 telephone number and said she would get it to the
14 proper channels but that she could not guarantee that
15 I would get an answer. That is a quote. So I have
16 an issue with that because -- I mean, it's not a lot
17 of money per se in the whole scope of things, it's
18 just that the billing is so -- I've been -- I've been
19 over accounts payable, I've been -- worked in
20 accounting and finance for years and I honestly had
21 such a hard time with trying to put their bills
22 together and to dovetail into the exact thing we're
23 talking about with the water bill and the sewer.

24 When the City had it we have seven
25 buildings in the senior association.

1 Q. Ms. Dvorak, you're about three
2 minutes. So if you can finish.

3 A. I'm sorry if I'm not being concise.

4 Q. That's okay.

5 A. We have 14 units. The bill comes out
6 with the water and then of course there's also the
7 bill for the wastewater. Why is the wastewater
8 \$60.06 for every single building when some of them
9 are not even occupied part of the year but they're
10 still being billed \$60.60 as well as a flat rate for
11 water and no one is living there. That's number --
12 that's one of the questions -- or I guess it's not a
13 question, it's a comment.

14 Then also, I do agree with coming up with
15 a different way for the wastewater to be billed. But
16 they said that the reason Liberty was going to do
17 such a good job when we voted them in was to fix the
18 wastewater problem that was here due to a creek or a
19 river, whatever it is, where there was feces that was
20 going into the -- those -- that water resource I'll
21 call it. So I don't even know if that's even been
22 fixed. Of course they've said that they've spent
23 \$200,000 but I don't know that that's even been
24 fixed, I haven't seen it come through on the -- on
25 our newspaper.

1 So at any rate, -- I have other things
2 that I would like to comment on. The grant that you
3 received, I'd like to document on that. I think the
4 grant -- I don't even see a need to even raise our
5 rates if you had such a specific grant in order to
6 fix that sewer issue. And that's the reason why that
7 they wanted to have Bolivar, the business of Bolivar.

8 The water testing, I just wonder if
9 anybody's been out there to test that water in the
10 river. My husband and I live on the river, I'm
11 concerned about the river. I'm concerned about all
12 of our water, whether it's well water or whether it's
13 city water, I'm concerned about our safety here.

14 Q. This billing issue you mentioned that
15 you said you weren't contacted, that it's been seven
16 months?

17 A. Yeah. Yes.

18 Q. During those --

19 A. Yes, sir.

20 Q. During those seven months did you
21 contact Liberty at all?

22 A. Yes, sir. I'm not laughing at you,
23 I'm laughing at -- they call it a customer service --
24 I know that you had spoken about the issues. When
25 you get ahold of the people they listen to you, they

1 -- but they can't help you. They just say, I'm
2 sorry, I can't help you. Okay. Then where do I go?
3 I do have the email for the lady who helped me when I
4 finally reached her that second day, I have her
5 email, and she told me that she could not handle the
6 claim herself but that she would push it up the lines
7 to the correct people; however she said, I'm sorry,
8 the lady who handles that has been out ill. And it
9 is still being told to me -- I think now there's two
10 people that handle it, or supposedly handle it, and
11 they're out ill. How can they be out ill for seven
12 months unless -- I mean, maybe they're on disability.
13 But is there no one else at Liberty that's going to
14 take their place? I worked for a major corporation
15 for years. I mean, we had back up, we had back up
16 people who handled the same kind of issues.

17 Q. Thank you for your comments.

18 A. You're welcome.

19 JUDGE CLARK: Is there anybody else who
20 wants to talk or comment to the Commission today?
21 Sir, please come up.

22 MR. ROBERTS: Rick Roberts, R-I-C-K,
23 R-O-B-E-R-T-S.

24 JUDGE CLARK: And Mr. Roberts, will you
25 raise your right hand and be sworn.

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RICK ROBERTS,

The witness, having been affirmed upon his oath, testified as follows:

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THE WITNESS: I affirm.

BY: MR. CLARK

Q. And what would you like to tell the Commission today, Mr. Roberts?

A. Well, just a suggestion. I've been listening to everybody and nobody's ever really broached this. But we conserve water. Liberty promotes their customers, you know, to try to conserve water. And we use about 1,500 gallons a month, or billing period on average, we're allotted 2,000. So we're using about 75 percent of our allotment. And if you go over one month, even 100 gallons, you get charged for an extra thousand. If I understand this right. And it doesn't seem quite fair when you're 500 or so each pay period before and after getting hit for that one period.

What my idea is is that could there be -- especially with the rates going up. Could there be like an annual averaging and you can get credit for water that you don't use that you could have used?

1 That would be a reward for the -- you know, the
2 customers trying to save water as we do. I've taken
3 a lot of steps to do so. I've come up with ideas
4 that Liberty has not even mentioned in their list.

5 But that's basically my thought, you know,
6 is could we get people credit for -- you know, like
7 us for instance. We reduce 6,000 gallons at the end
8 of the year that we did not use, that would be like
9 three billing periods if you do it say with the 2,000
10 gallons per period. That would help people, you
11 know, to pay these bills and it would promote
12 conservation, you know. Seems like a good idea
13 especially if the rates go up so much.

14 Q. Thank you, Mr. Roberts. That's the
15 first time at a water public hearing I've ever heard
16 that.

17 A. Well, it -- you know, I thank the
18 Lord for it. I believe he gave me the idea, you
19 know, plus looking at this situation. I try to come
20 up with suggestions that just seem to make sense and
21 nobody else had mentioned it, so.

22 Q. Thank you again for your comments.

23 A. Sure.

24 JUDGE CLARK: I see two others. In the
25 orange shirt, why don't you go ahead and come up.

1 MS. GROVES: I'm a senior citizen on a
2 fixed income. I bought a home about six years ago.

3 JUDGE CLARK: Can you hold on just a
4 second. Would you please state and spell your name
5 for the record?

6 MS. GROVES: Oh. My name is Pamela
7 Groves, G-R-O-V-E, S as in S. And my water bill last
8 month, I live by myself --

9 JUDGE CLARK: Would you raise your right
10 hand and be sworn. No, you're fine. I realize that
11 you really want to tell the Commission something.

12 MS. GROVES: Maybe I'm not as important as
13 these men.

14 JUDGE CLARK: You are very important,
15 ma'am. And I'm sorry, I just have to --

16 MS. GROVES: I know. But the women are
17 getting laughed at. But anyway, what do I need to
18 swear?

19 JUDGE CLARK: I'm not laughing at you.

20 MS. GROVES: Whatever.

21 JUDGE CLARK: I'm sorry if you're taking
22 it that way, I'm really not.

23 * * * * *

24 PAMELA GROVES,

25 The witness, having been first duly sworn

1 upon her oath, testified as follows:

2 * * * * *

3 BY: JUDGE CLARK

4 Q. Okay. I apologize. What would you
5 like to tell the Commission?

6 A. I just want to know when I can expect
7 my water bill to be triple because my last bill was
8 \$169. And I live alone, I don't have any dogs or
9 anybody -- any grandkids I'm baby sitting. And I
10 just -- 169 a month is a heck of a lot of money. So
11 I just want to know so it won't be a big shock to me
12 when I get that water bill that is triple 169, I need
13 to multiply that out. But I'm going to have to sell
14 my house most likely.

15 And a lot of old people like me are going
16 to have -- be in that situation. I'm 77. But if I
17 move to another state, which I do plan to do, sir, I
18 don't particularly like Missouri, I'm going to have
19 to pay 1,500 to 2,400 for rent plus utilities. So
20 since I am a homeowner I'm kind of stuck here, if you
21 can kind of understand what I'm saying.

22 Q. And if I'm saying anything
23 incorrectly, let me know. So you say you're on a
24 fixed income?

25 A. Yes. Less than poverty, way under

1 poverty. Under 800 a month and I pay 175 for my
2 insurance. I don't get Medicaid. I do -- I get half
3 of what my ex-husband is making but I've been
4 divorced from him for 40 years. But a lot of us are
5 in that situation but if we move and want to pay rent
6 so I don't -- my real estate taxes are only a
7 thousand a year. A lot of these people are just
8 renting and the people that own houses and the
9 apartments and the Section 8 management like that
10 lady they're not in the situation of a homeowner like
11 I am with no husband, no man to do the repairs.

12 Not that I'm -- I guess that I'm not --
13 what is it they say in politics? I'm whining. But I
14 just want you all to be aware that some single women
15 are having to sell their homes but yet we can't rent
16 anything, and not even in this town, for less than
17 1,400 unless we qualify for Section 8. And if I sell
18 my house I'll have some money so then I can't qualify
19 for Section 8. If you know what I'm saying.

20 Q. I do.

21 A. So what would your suggestion be to a
22 person like me?

23 Q. Again, and I hate to say this again,
24 I can't answer any questions today --

25 A. Oh, okay.

1 Q. -- you've asked.

2 A. I've got a bad knee and it just
3 buckled on me. Well, then I'm sorry I took up your
4 time.

5 Q. No. I appreciate your comments to
6 the Commission.

7 A. No. I think you're being plumb
8 crazy. Being rude to the women.

9 JUDGE CLARK: I believe I saw one other
10 person wanting to offer comments. Please come on up.

11 MS. McCASLIN: My name is Karen McCaslin,
12 K-A-R-E-N, M-C-C-A-S-L-I-N.

13 JUDGE CLARK: I'm sorry. Can you spell
14 the last name again, please.

15 MS. McCASLIN: M-C-C-A-S-L-I-N.

16 * * * * *

17 KAREN McCASLIN,

18 The witness, having been first duly sworn
19 upon her oath, testified as follows:

20 * * * * *

21 Ms. McCASLIN: I do. However I don't like
22 to swear either. I don't think it's right.

23 JUDGE CLARK: I do it because it says in
24 the rule.

25 THE WITNESS: I know. I know.

1 BY: JUDGE CLARK

2 Q. And what would you like to tell the
3 Commission today?

4 A. Well, I would like to say that I
5 totally agree with Bill Roberts. I addressed this
6 problem with the City right before Liberty purchased
7 the water system. So I too am concerned about us
8 people who pay the minimum and we actually have say
9 an extra 500 gallons a month.

10 My husband and I are very conservative or
11 try to be conservative. We repurpose water, say you
12 run the water till it gets hot at the dishwasher so
13 you save that water and water your plants with it.
14 You save the cold water out of the bathtub till it
15 gets hot and put it in the washing machine. So you
16 repurpose this water. So we try to be conservative.

17 I want to know when -- because just as he
18 said you get that extra surcharge or that extra fee
19 because like this last -- I'm sorry. In July my
20 husband and I were gone for a week -- my husband and
21 I were gone for a week in July. We got our bill. It
22 was like 3,800 gallons and so we got an extra charge.
23 Well, I know we didn't use it. Previously I
24 addressed it with the City and I did use to talk to
25 Liberty at the very beginning, I just quit. But I

1 want to know when my meter's going to be read. Don't
2 just tell me sometime during the first week of the
3 month, you know. And not only that this last month
4 it was estimated. Well, their estimation is way off.
5 And I want a better way to be able to monitor how
6 much month -- water I'm using each month.

7 I don't think this is fair to anybody
8 who's on a fixed income. There are people who are
9 one person household, you know, they're not going to
10 use as much water as two people. Then you take like
11 the incident of like your neighbor who has the same
12 water usage as you and they got two people plus two
13 children. It just doesn't work like that. So I'm
14 saying I want something better than estimating, I
15 want to know when it's going to be read.

16 And yes, we do look at our meter and yes,
17 this last round -- this last bill when we went out --
18 when my husband went out and took a picture of the
19 meter it was barely over what they had charged on the
20 automatic estimating of the water. And they also
21 take it out of our checking account so by the time I
22 got their bill and all that, you know, it just wasn't
23 correct, I just know it wasn't. So I think there
24 should be a better way of doing that.

25 And I also want to address the fact that

1 we do try to be conservative. I do think it's
2 important to have clean streams and that sort of
3 thing but I'm not an activist or anything like that.
4 But I cringe when we -- when we try to be
5 conservative with our water that then I see them
6 flushing their lines and it goes right down the
7 street. Can you not repurpose that water? Surely
8 there's somebody who could use that even if it was a
9 farmer. Somebody could use that extra water. I
10 mean, gee, I'd like to have it.

11 I don't like being charged -- like for
12 instance if I want to water my lawn, which I no
13 longer do, I don't want to be paying for the sewer
14 rates. There needs to be some kind of an adjustment
15 on that. I don't know if I totally agree with always
16 just taking a certain amount because there are those
17 people who go south in the wintertime, they're not
18 going to have the same water usage. So I don't think
19 nearly as well on my feet as I do writing it down but
20 those are my comments. I think there needs to be
21 some improvements.

22 Q. And just again to be sure I've got
23 this right because it seems like you have two major
24 issues. And one is you indicated that you are also
25 interested in water conservation or concerned that if

1 you go above a certain usage block that you --
2 regardless of how much you go over that usage block,
3 you're in the next usage block?

4 **A. Yes. And I think there should be a**
5 **rollover. I'm sorry.**

6 Q. No, you're absolutely fine. And your
7 other concern -- and I want to see if I can kind of
8 follow this a little bit more closely. You indicated
9 that you had left town and then got back and had a
10 bill for usage during a time that nobody was there;
11 is that correct?

12 **A. Well, out of that month we were gone**
13 **a week which means that given that your water usage**
14 **was pretty average you should have had a credit that**
15 **-- they don't give credits. But I mean, if we**
16 **normally use 1,500 gallons a month then maybe it**
17 **would have only been a thousand gallons, you know,**
18 **being gone for a week. But yet because they**
19 **estimated it it threw us up into where we paid extra,**
20 **we wasn't paying the minimum amount.**

21 Q. At any point -- and it may be too
22 soon after that but I'm just going to ask. At any
23 point after that did you notice a dip in your bill to
24 compensate for an inaccurately estimated bill?

25 **A. No. And I do think there should be.**

1 But in all fairness, I've checked my mailbox each day
2 hoping I'd have it before today so I could see, you
3 know, exactly how much then did they say we used in
4 August because it should have been maybe 400 gallons,
5 you know. So I'm just saying that they need a better
6 way of doing it than just estimating it.

7 Q. If you have an -- if you have a
8 billing dispute that isn't resolved to your
9 satisfaction, whether or not the money has been taken
10 out of your account to pay for the bill, you can
11 still file a complaint with the Public Service
12 Commission.

13 A. Well, that would be nice.

14 Q. And if you're curious about that, you
15 can stop by the Public Service Commission's table out
16 in the lobby. Thank you for your comments.

17 A. Thank you.

18 JUDGE CLARK: Is there anybody else that
19 wanted to offer comments today? I see two additional
20 hands. Please come on down. And I'm sorry, one of
21 our Commissioners needs a short break. But come on
22 down.

23 MR. TANCK: Jeff Tanck. And it's spelled
24 T-A-N-C-K.

25 JUDGE CLARK: I may have called your name

1 earlier and I may have mispronounced it.

2 MR. TANCK: Oh, that's okay. That's all
3 right.

4 JUDGE CLARK: I did. Let me mark that
5 you're here. Mr. Tanck, what would you -- well,
6 would you state and spell your name?

7 MR. TANCK: Yeah. Jeff Tanck, T-A-N-C-K.

8 * * * * *

9 JEFF TANCK,

10 The witness, having been first duly sworn
11 upon his oath, testified as follows:

12 * * * * *

13 BY: JUDGE CLARK

14 Q. What would you like to tell the
15 Commission?

16 A. Well, so it has to do with the
17 company and how it's run. We're getting ready to
18 increase rates to them and in order to do that they
19 have to show that they have certain expenses, right,
20 that you look at and you say based on those expenses
21 you can increase it so much. And 130 percent sounds
22 excessive to start with. But my experience with --
23 with Liberty is there's times they skip bills, right.
24 Because of whatever programming they had, you know,
25 they would skip a bill and then I'd get a bill that's

1 double or more and then I'd get -- you know, skip
2 another bill and then get another bill.

3 And the latest one after they had skipped
4 -- they didn't even put the water and electric
5 together. So by the time they sent me a water bill
6 -- and I don't know, maybe a week later -- and I paid
7 that bill. A week later I get another one that still
8 has the water bill on it plus another water bill plus
9 the electric bill. And looking into it I thought,
10 man, these are really high, when you look at it and
11 they were all -- I mean, the water's all estimated.
12 And I assume the electric too, I don't know. But
13 they're estimating. How many months in a row can you
14 go and estimate the water bill? Last year I had
15 watered my yard 'cause I just seeded it and this year
16 I wasn't even in town. So guess I based on last
17 years it's excessively high. Now I've gone ahead and
18 paid it but --

19 Another part of my history is you try to
20 contact them -- like when I didn't even get a bill,
21 nobody had told me I wasn't going to get a bill. And
22 I start worrying that they were hacked, maybe my
23 information's been stolen. I didn't know what was
24 going on. And when I tried to call them I couldn't
25 get ahold of anybody. Nobody ever told me anything

1 that was going on. You would think something of this
2 magnitude they should let you know.

3 So -- and I say all these things to say
4 that there's some level of ineptitude there. And so
5 the way things work where you look at their expenses
6 and then you pass that on to us without seemingly
7 questions to be able to raise it that much, you know.
8 So the higher their expenses are the greater the
9 increase they get. So if they're not doing things in
10 an efficient, good manner they get rewarded for it
11 under this system. And the only thing that protects
12 us from this is the Commission, right. So I would
13 ask that you check closely and make sure they're
14 deserving of what they're asking for. Because you're
15 the only thing standing between us and a run away
16 company that seems uninvolved.

17 One day I went down to their service
18 center, right, twice I think. Well, it was twice.
19 One time I didn't even stay because there was such a
20 big line. They had one clerk in there. You go there
21 it's a ghost town. So I guess to save money they've
22 cleared the place out, right. But if somebody's got
23 an issue like -- they say call 800. You can't get a
24 good answer there. They've told me they'll call me
25 back before, never called me back.

1 But back to going to their service center.
2 They've only got one clerk in there and there's 20
3 people waiting in line. I felt sorry for her, you
4 know. My question was what's going on with our bill,
5 did your system get hacked? You know, I -- you can't
6 get an answer. And now you're coming back and you're
7 wanting 130 percent increase. It seems like they
8 have some bigger problems and they're asking us to
9 pay it, that's what it feels like. And estimating
10 bills that are too high, you know, how long can you
11 throw out estimates before you get a real one. And
12 the danger there is maybe I owe even more, I don't
13 know, if the rates are going up. You know, you don't
14 have a good feeling about what's going on and no
15 communication. And I don't think there's a good
16 excuse for no communication. Tell me what's going
17 on. It would help.

18 Q. So would it be correct to say that --
19 in regard to your concerns that you're receiving
20 bills on a non-monthly basis, every other month, with
21 no explanation as to why, no expectation that you are
22 going to be receiving bills every other month; is
23 that correct?

24 A. Yeah, that's correct.

25 Q. And then you have, in addition to

1 that, indicated customer service issues in regard to
2 that you've been unable to reach people and then when
3 you've gone there in person the amount of staff to
4 the number of people that are being served is not
5 sufficient?

6 **A. Absolutely.**

7 Q. And then finally -- and this seemed
8 to be your biggest concern -- was that you want to be
9 sure that the Commission is checking to be sure that
10 Liberty's expenses are prudently incurred?

11 **A. Correct.**

12 Q. Thank you for your comments.

13 JUDGE CLARK: And I believe I saw one
14 other person. Come down here, sir.

15 MR. LOWRY: Yes. My name's Richard Lowry,
16 R-I-C-H-A-R-D, L-O-W-R-Y. And Bill mentioned two
17 comments about -- or two ways of maybe helping out on
18 this is the winter usage. I think that is a good
19 concept to base our water usage because I'm a single
20 person who lives in a duplex and I base my 2,000
21 gallon usage of my household use and little bit of
22 garden, raised gardening outside and I don't use a
23 lot of water but my -- the way it's set up now I'm
24 going to be increasing about \$30 on my water bill.
25 Instead of being \$49 and change for water and sewer

1 it's going to be like \$68 and change. And for a
2 single person on a fixed income that worries me.

3 And the concept of a rebate, REA co-ops in
4 the State of Missouri has operated for years with a
5 rebate. And I think the Commission ought to consider
6 that proposal back to Liberty that they ought to
7 implement something like that. I get a rebate check
8 every year from REA co-op. I moved to town off my
9 farm seven years ago and I still receive those checks
10 until I get up-to-date. They're paying on years of
11 like 1999 last year and they'll pay on 2000 and
12 they'll pay -- I think it's like a ten percent
13 rebate. But Liberty could come up with a concept of
14 two percent rebate back on water usage and that would
15 be a good concept for them to pay back out of the
16 profit that they've accumulated and not all go to the
17 investor that pockets all the money. The people
18 needs to have some rebate back to them.

19 And I think that is another concept
20 additional to using the winter usage as the concept
21 of how the minimum bill would be paid because I will
22 not use much more than -- the way it's going to be
23 designed I'll have to pay on 3,000 gallons of water,
24 I might use 100 gallon, I might use 2,100 gallon in
25 the summertime to water my little raised garden. So

1 I'm getting overcharged for water that I'm not even
2 using. So that concept would be great if it could be
3 composed from -- back to Liberty -- and Liberty's
4 here listening and it is a good concept. And also
5 the -- repeating myself is the concept of a rebate on
6 the profit of the company. I mean, it -- a small
7 amount of profit coming back to the people would be
8 great. And I thank you for your time.

9 JUDGE CLARK: Thank you for your comments,
10 Mr. Lowry. Is there anybody else who wanted to
11 comment at this time? I see no hands. I am going to
12 let you all know that there is another local public
13 hearing today at this location. So if you know
14 someone who was unable to attend who wanted to come
15 tonight and offer comments to the Commission they can
16 do so.

17 And also, if you know someone who was
18 unable to attend today and will be unable to attend
19 tonight you can also offer written comments to the
20 Commission through our website. The email address to
21 offer comments if you want to send them directly is
22 P-S-C info, I-N-F-O, at P-S-C dot Mo dot Gov. You
23 can contact the Office of the Public Counsel they
24 have been gracious and will assist you in making
25 comments to the Commission or by going to the PSC's

1 web page and you will see a link to make comments.

2 If you are making comments about this Commission case
3 you will need the case number. The case number in
4 this case is WR-2024-0104.

5 Would any Commissioners like to make
6 closing remarks?

7 COMMISSIONER MITCHELL: Judge, if I may.
8 Yes. I would like to thank each of you on behalf of
9 the entire Commission for being here this afternoon.
10 Hearing your testimony is a very important part of
11 our fact finding mission and we know you've got a lot
12 of things to do on an afternoon like today and we
13 appreciate you taking time out of your busy day to be
14 here.

15 JUDGE CLARK: Thank you, Commissioner. I
16 don't think I could have said anything better. And
17 so at this time I would adjourn this hearing and we
18 will go off the record.

19 (Hearing was concluded at 3:12 p.m.)
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CERTIFICATE OF REPORTER

STATE OF MISSOURI)
) ss.
CITY OF KANSAS CITY)

I, JILL A. BLESKEY, a Registered Professional Reporter, Certified Shorthand Reporter (IL), and Certified Court Reporter (MO), do hereby certify that the foregoing proceeding was duly 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 this action.



Jill A. Bleskey, RPR, CSR, CCR

\$	1	2020 12:8 13:3 2024 3:5 13:17	7
\$1,500 17:9	1,400 49:17	22 9:9	70 24:15
\$10,000 37:15	1,500 17:7 45:14 48:19 54:16	23 10:14	700 39:20
\$169 48:8	1,600 28:14	24 9:9	75 45:16
\$2,800 25:24,25	100 16:7 33:17 45:17 61:24	240 23:24	77 48:16
\$200,000 42:23	101 24:15 39:12	26 13:19	
\$30 60:24	11.1 9:8		
\$30,000 10:14	130 56:21 59:7	3	8
\$30,646 10:5	14 23:14 25:25 42:5	3,000 61:23	8 49:9,17,19
\$30.03 13:16	15 13:2 28:14	3,800 51:22	800 39:21 49:1 58:23
\$300 40:10	169 48:10,12	30 10:14	850 39:21
\$305,000 9:25 11:9	170s 16:11	300 10:12 28:12 33:18	
\$333 16:11	175 49:1	340 23:6	A
\$335 16:14	18 12:15,19	350 28:12	absolutely 54:6 60:6
\$38.04 13:19 14:5	19 12:18	38 12:15	access 36:5
\$38.61 14:13	190s 16:11	3:12 63:19	account 30:10 52:21 55:10
\$4,000 23:17 25:20 26:13 27:12,13	1999 61:11		accountant 40:11
\$49 60:25	19th 3:5	4	accountants 4:13
\$500 33:19 34:18	1:44 3:2,6	40 49:4	accounting 41:20
\$60 9:12		400 33:18 55:4	accounts 41:19
\$60.06 42:8	2		accumulated 61:16
\$60.60 42:10	2,000 45:16 46:9 60:20	5	accurate 24:6,7
\$68 61:1	2,100 61:24	5,000 29:19,23	activist 53:3
\$700 25:24	2,400 48:19	50 9:10 10:15	actual 13:16 24:20
\$755 39:20	20 59:2	500 34:12 45:20 51:9	add 29:13
\$8.22 12:18	20,000 29:20		addition 59:25
\$800 27:13	200 14:16 23:25 28:12 33:17,18 34:11,15	6	additional 11:9 55:19 61:20
\$9.52 12:18	2000 61:11	6,000 28:15 46:7	address 41:5 52:25 62:20
		600 26:2 39:20	addressed 51:5,
		65 11:7	

<p>24</p> <p>adjourn 63:17</p> <p>adjust 34:7</p> <p>adjustment 53:14</p> <p>affirm 35:22 36:21 45:6</p> <p>affirmed 45:3</p> <p>afford 14:20</p> <p>afternoon 3:4 22:11 63:9,12</p> <p>age 9:10 10:15 24:15</p> <p>agree 20:17 29:12 38:3 42:14 51:5 53:15</p> <p>agriculturally 31:14</p> <p>ahead 7:20 37:2 46:25 57:17</p> <p>ahold 43:25 57:25</p> <p>alderman 20:12</p> <p>Alise 32:23</p> <p>allotment 45:17</p> <p>allotted 45:15</p> <p>amount 15:7 23:7, 23 34:20 40:3 53:16 54:20 60:3 62:7</p> <p>analysts 4:13</p> <p>annual 45:24</p> <p>answers 27:4</p> <p>anybody's 43:9</p> <p>apartments 49:9</p> <p>apologize 21:21 27:24 33:1 48:4</p> <p>appearance 5:12</p>	<p>applying 28:13</p> <p>appointed 4:11</p> <p>approve 33:22</p> <p>approved 12:8 28:8</p> <p>area 3:18</p> <p>Aslin 5:18,20</p> <p>assist 62:24</p> <p>association 23:14 24:10 39:11,12 41:25</p> <p>assume 57:12</p> <p>assure 13:3</p> <p>astronomical 28:14 33:24</p> <p>attempts 25:10</p> <p>attend 62:14,18</p> <p>attended 3:8 6:15</p> <p>attending 4:20</p> <p>attest 10:21</p> <p>attorneys 4:13</p> <p>AUDIO 36:17</p> <p>August 55:4</p> <p>aunt 39:11</p> <p>authority 3:16</p> <p>auto 39:18</p> <p>automatic 52:20</p> <p>automatically 28:17 30:10 32:10 39:19</p> <p>average 9:7 10:4, 7,14 31:15 45:15 54:14</p> <p>averaging 34:1 45:24</p> <p>aware 49:14</p>	<hr/> <p>B</p> <hr/> <p>B-I-L-L 29:9</p> <p>baby 48:9</p> <p>back 17:23 26:21 30:2,24 40:23 44:15 54:9 58:25 59:1,6 61:6,14,15, 18 62:3,7</p> <p>background 12:6</p> <p>backyard 19:10</p> <p>bad 23:3 50:2</p> <p>ballot 13:3,6</p> <p>bank 30:15</p> <p>banking 30:9 32:10</p> <p>barely 18:14,18 52:19</p> <p>base 13:16,19 30:20 38:4 60:19, 20</p> <p>based 13:16 15:6 30:18 37:9 56:20 57:16</p> <p>basically 17:15,21 21:8 46:5</p> <p>basis 18:21 59:20</p> <p>bat 8:18</p> <p>bathtub 51:14</p> <p>beautified 30:25</p> <p>beautify 31:9</p> <p>beginning 21:22 51:25</p> <p>behalf 4:24 5:17, 21 39:11,13 63:8</p> <p>benefit 38:1</p> <p>big 29:22 48:11 58:20</p>	<p>bigger 59:8</p> <p>biggest 60:8</p> <p>bill 10:6 13:17,23 14:4,6 16:10 17:9, 14,17,23 19:7 23:17 24:22 25:20,24 26:13, 19,23 27:12 28:25 29:2,9 35:6 37:5, 15 40:10,19 41:7, 23 42:5,7 47:7 48:7,12 51:5,21 52:17,22 54:10, 23,24 55:10 56:25 57:2,5,7,8,9,14, 20,21 59:4 60:16, 24 61:21</p> <p>billed 16:12 26:14, 25 42:10,15</p> <p>billing 13:13 14:24 18:22 23:2,4,12, 21 24:2 25:4,18 26:18 27:8,10 28:8 41:18 43:14 45:15 46:9 55:8</p> <p>billings 25:12</p> <p>bills 8:25 9:4 14:8 19:2 23:15,16 24:6,8 25:23 27:21,22 30:8,11 32:14 34:11 39:20 40:2 41:21 46:11 56:23 59:10,20,22</p> <p>bit 8:23 17:23 29:17 54:8 60:21</p> <p>block 19:12 54:1, 2,3</p> <p>board 16:5</p> <p>Bolivar 8:15,21 9:1,6,8 10:5 12:1, 21 18:21 33:16 34:8,12 43:7</p>
--	---	--	---

<p>Bolivar's 10:24 12:9</p> <p>bought 47:2</p> <p>bound 24:16</p> <p>brain 40:12</p> <p>break 55:21</p> <p>breaking 17:1 29:15</p> <p>bring 20:18 21:10</p> <p>brings 12:7</p> <p>broached 45:12</p> <p>broke 16:22 17:2,8 29:22</p> <p>broker's 37:17</p> <p>buckled 50:3</p> <p>bugs 23:10</p> <p>building 42:8</p> <p>buildings 41:25</p> <p>burden 10:16</p> <p>bushes 29:17</p> <p>business 3:15 9:18 10:19 11:5 43:7</p> <p>businesses 10:20, 24</p> <p>busy 63:13</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>calculate 31:17</p> <p>call 6:5,6 9:3 34:6 40:14 42:21 43:23 57:24 58:23,24</p> <p>called 13:20,24 16:13 17:8 18:10 30:13 40:12 55:25 58:25</p>	<p>calling 7:21</p> <p>camera 19:8</p> <p>captioned 3:14</p> <p>Carolina 40:16</p> <p>Carter 5:14,16</p> <p>case 3:13,21,22 13:22 22:4 23:25 37:7 63:2,3,4</p> <p>cases 22:2,3 38:7</p> <p>Casi 5:18</p> <p>causing 8:21</p> <p>center 40:14 58:18 59:1</p> <p>cents 16:11,14</p> <p>cetera 33:21</p> <p>Chair 4:8,18</p> <p>challenges 12:13, 20</p> <p>chance 16:18</p> <p>change 32:5 60:25 61:1</p> <p>channel 41:3</p> <p>channels 41:14</p> <p>chaos 23:6</p> <p>chaotic 24:1</p> <p>charge 14:5 51:22</p> <p>charged 4:2 31:5 45:18 52:19 53:11</p> <p>charges 33:20</p> <p>charging 17:6 30:18</p> <p>cheaper 21:7</p> <p>check 30:24 41:7 58:13 61:7</p> <p>checked 55:1</p> <p>checking 18:5</p>	<p>24:13 52:21 60:9</p> <p>checks 61:9</p> <p>children 52:13</p> <p>cities 30:19 31:23</p> <p>citizen 12:1 47:1</p> <p>city 4:21 8:21 9:1 12:12,24 13:2,4,6, 7,9 20:14,25 21:3, 6,15 31:9,20 35:1 41:24 43:13 51:6, 24</p> <p>claim 40:5 41:2,4 44:6</p> <p>clarification 25:4</p> <p>clarifications 25:11</p> <p>Clark 3:4,24 5:10, 16,20,24 8:8 11:13,22 15:11, 15,17,19 16:1 19:16,20,23 20:5 22:10,18 25:2 26:10 27:19 28:25 29:6 32:22 33:1,8 35:10,20,24 36:2, 7,13,16,18,22,24 37:2 38:16 39:2 44:19,24 45:7 46:24 47:3,9,14, 19,21 48:3 50:9, 13,23 51:1 55:18, 25 56:4,13 60:13 62:9 63:15</p> <p>clean 10:9 53:2</p> <p>cleared 58:22</p> <p>clerk 58:20 59:2</p> <p>close 14:8 22:4 34:15</p> <p>closed 37:7</p> <p>closely 54:8 58:13</p>	<p>closer 33:13</p> <p>closes 36:6</p> <p>closing 63:6</p> <p>co-op 61:8</p> <p>co-ops 61:3</p> <p>cold 51:14</p> <p>Coleman 4:9,19</p> <p>Columbia 30:19 31:21,24</p> <p>combined 34:21 35:5</p> <p>comment 7:3 14:21 35:16 42:13 43:2 44:20 62:11</p> <p>comments 5:8 6:3,4,14,16 7:1 11:14 13:11 15:12 19:18 22:7,23 27:25 28:23 29:14 32:20 33:9 35:8, 25 36:24 38:13 44:17 46:22 50:5, 10 53:20 55:16,19 60:12,17 62:9,15, 19,21,25 63:1,2</p> <p>Commission 3:11 4:1,4,7,25 5:17,18 6:3,14 7:4,5,15 8:13 12:3 15:3 16:3 20:10 21:22 22:24 23:1 29:11 32:8 33:10,22 35:24 36:25 38:20 39:9 44:20 45:9 47:11 48:5 50:6 51:3 55:12 56:15 58:12 60:9 61:5 62:15,20,25 63:2, 9</p> <p>Commission's 55:15</p>
--	--	--	--

<p>Commissioner 4:17,23 5:10 7:4 24:3 63:7,15</p> <p>Commissioner's 4:8</p> <p>commissioners 4:8,9,10,12,17,18, 19 6:24 55:21 63:5</p> <p>communication 59:15,16</p> <p>communications 34:23</p> <p>community 10:11, 12,24 13:8</p> <p>companies 4:2</p> <p>company 7:14 11:6 24:7 56:17 58:16 62:6</p> <p>compensate 54:24</p> <p>complained 16:13</p> <p>complaint 15:2 32:8 55:11</p> <p>complaints 25:15</p> <p>composed 62:3</p> <p>computer 36:12, 15</p> <p>concept 60:19 61:3,13,15,19,20 62:2,4,5</p> <p>concern 54:7 60:8</p> <p>concerned 43:11, 13 51:7 53:25</p> <p>concerns 3:22 12:4 59:19</p> <p>concise 42:3</p> <p>concluded 63:19</p>	<p>concur 20:15 24:18 33:25</p> <p>confidence 15:5</p> <p>confirmation 12:5</p> <p>confirmed 4:11</p> <p>confrontation 18:18</p> <p>conservation 46:12 53:25</p> <p>conservative 51:10,11,16 53:1, 5</p> <p>conserve 45:12,14</p> <p>consideration 5:8</p> <p>considered 30:17</p> <p>consolidated 22:4</p> <p>constant 38:8</p> <p>contact 14:6 43:21 57:20 62:23</p> <p>contacted 12:2 43:15</p> <p>convey 23:5</p> <p>copies 30:4</p> <p>corporation 26:9 44:14</p> <p>correct 14:25 17:17 18:2 26:12 34:13 44:7 52:23 54:11 59:18,23,24 60:11</p> <p>correctly 7:22</p> <p>correspondence 41:8</p> <p>cost 11:10 12:22, 24 33:21 37:14</p> <p>counsel 5:21,23, 25 7:16 12:3 62:23</p>	<p>couple 8:14 19:13 30:6</p> <p>court 6:9 36:7,8</p> <p>cover 28:20</p> <p>cracking 17:1</p> <p>crazy 50:8</p> <p>credit 41:7 45:24 46:6 54:14</p> <p>credits 25:12 54:15</p> <p>creek 42:18</p> <p>cringe 53:4</p> <p>crops 31:14</p> <p>crying 17:16</p> <p>curious 55:14</p> <p>current 3:6 28:10</p> <p>customer 13:21, 25 15:6 41:11 43:23 60:1</p> <p>customers 10:23 14:13 17:18 45:13 46:2</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D-O-N 15:18</p> <p>D-U-S-T-Y 8:11</p> <p>danger 59:12</p> <p>dates 16:15</p> <p>day 17:3,12 40:25 44:4 55:1 58:17 63:13</p> <p>day-to-day 18:21</p> <p>days 17:13 40:12</p> <p>dealing 18:20</p> <p>December 30:21</p> <p>decision 5:9</p>	<p>decisions 5:3</p> <p>department 13:23</p> <p>depending 33:17</p> <p>describe 13:13</p> <p>deserving 58:14</p> <p>designed 61:23</p> <p>Diana 5:14</p> <p>difficult 25:16</p> <p>difficulty 29:21</p> <p>dig 29:17</p> <p>diligence 12:25</p> <p>diligent 40:24</p> <p>dip 54:23</p> <p>directed 41:11</p> <p>directly 41:5 62:21</p> <p>disability 44:12</p> <p>disagree 39:25</p> <p>disarray 23:5</p> <p>discuss 25:17</p> <p>discussion 27:22</p> <p>discussions 20:22</p> <p>dishwasher 51:12</p> <p>disproportionate 10:2</p> <p>dispute 55:8</p> <p>disregarding 34:2</p> <p>divorced 49:4</p> <p>document 43:3</p> <p>documentation 26:4 27:17 41:2,4</p> <p>documents 39:23</p> <p>dog 39:6</p> <p>dogs 48:8</p> <p>dollar 9:25 11:7,10</p>
--	---	--	--

<p>dollars 9:22 12:23 17:7 21:18 24:22</p> <p>Don 15:12,15,22</p> <p>Dorado 33:15 34:11,25</p> <p>dot 62:22</p> <p>double 57:1</p> <p>doubt 24:21</p> <p>dovetail 41:22</p> <p>draw 32:10</p> <p>due 12:25 16:22 42:18</p> <p>dues 28:19</p> <p>duly 8:5 11:19 15:23 20:2 22:15 29:3 33:5 38:24 47:25 50:18 56:10</p> <p>duplex 60:20</p> <p>Dusty 7:24 8:4,11 16:4</p> <p>Dvorak 26:3 27:15 38:23 39:5,6,8 42:1</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>E-D 11:25</p> <p>E-L-I-S-E 32:24</p> <p>earlier 9:20 24:4 36:5 39:15 56:1</p> <p>economy 14:18</p> <p>Ed 11:15,18,25</p> <p>effects 8:20</p> <p>efficient 58:10</p> <p>effort 30:23</p> <p>EI 33:15 34:10,25</p> <p>electric 3:20 8:19, 24 16:10,19 26:19</p>	<p>34:19 57:4,9,12</p> <p>Elise 32:24 33:4</p> <p>Ellen 35:10,12</p> <p>email 41:5 44:3,5 62:20</p> <p>employ 4:12</p> <p>employees 18:21</p> <p>encourage 7:13 31:8</p> <p>end 23:2 28:11 46:7</p> <p>ended 16:6</p> <p>ends 23:24</p> <p>engineers 4:13</p> <p>ensure 4:3</p> <p>enter 5:12</p> <p>entire 4:24 63:9</p> <p>entities 20:20</p> <p>EPA 12:13</p> <p>equipment 29:16</p> <p>erratic 23:12 25:4 27:2</p> <p>errors 23:21 28:13</p> <p>establish 37:10</p> <p>estate 8:16 49:6</p> <p>estimate 24:24 57:14</p> <p>estimated 13:18 37:13 52:4 54:19, 24 57:11</p> <p>estimates 59:11</p> <p>estimating 19:7, 12 24:19 52:14,20 55:6 57:13 59:9</p> <p>estimation 52:4</p> <p>everybody's 19:7</p>	<p>evidence 7:7 23:20 28:3 30:1</p> <p>evidentiary 7:8 28:1 39:22</p> <p>ex-husband 49:3</p> <p>exact 41:22</p> <p>excessive 56:22</p> <p>excessively 57:17</p> <p>excuse 6:23 59:16</p> <p>exorbitantly 40:3</p> <p>expect 14:17 48:6</p> <p>expectation 59:21</p> <p>expected 14:20</p> <p>expenses 56:19, 20 58:5,8 60:10</p> <p>experience 12:7 13:12 56:22</p> <p>explained 37:12 40:21</p> <p>explanation 59:21</p> <p>extensive 21:4</p> <p>extra 45:18 51:9, 18,22 53:9 54:19</p> <p>extremely 10:16</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>F-O-U-T-C-H 15:18</p> <p>facility 9:24</p> <p>facing 12:14,20</p> <p>fact 20:18 21:10 52:25 63:11</p> <p>factual 7:10</p> <p>fails 13:6</p> <p>fair 27:7 45:20 52:7</p>	<p>fairness 55:1</p> <p>farm 61:9</p> <p>farmer 53:9</p> <p>February 30:22 37:10</p> <p>feces 42:19</p> <p>fee 51:18</p> <p>feedback 5:5</p> <p>feeling 59:14</p> <p>feels 59:9</p> <p>fees 8:22 28:18</p> <p>feet 53:19</p> <p>felt 59:3</p> <p>field 4:14</p> <p>figure 34:6</p> <p>file 3:13 32:7 41:2 55:11</p> <p>filed 15:2 22:2</p> <p>filling 31:14</p> <p>final 5:8 23:2</p> <p>finally 30:14 40:24 44:4 60:7</p> <p>finance 41:20</p> <p>financial 4:13</p> <p>find 17:4</p> <p>finding 63:11</p> <p>fine 47:10 54:6</p> <p>finish 6:18,21 42:2</p> <p>fix 12:13,22 42:17 43:6</p> <p>fixed 4:12 9:11 10:15 18:6 42:22, 24 47:2 48:24 52:8 61:2</p> <p>flat 42:10</p>
---	---	--	---

<p>flushing 53:6</p> <p>follow 54:8</p> <p>fought 17:8</p> <p>Foutch 15:16,17, 18,22 19:19</p> <p>free 16:23,24 17:6</p> <p>front 41:10</p> <p>frost 16:23,24 17:6</p> <p>fully 14:4</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>G-R-I-F-F-I-N 22:22</p> <p>G-R-O-V-E 47:7</p> <p>gallon 60:21 61:24</p> <p>gallons 23:17 24:22 26:23 45:14,18 46:7,10 51:9,22 54:16,17 55:4 61:23</p> <p>garden 37:8 60:22 61:25</p> <p>gardening 60:22</p> <p>gardens 34:3</p> <p>gas 3:20</p> <p>gave 34:20 46:18</p> <p>gee 53:10</p> <p>general 3:13,16</p> <p>gentleman 16:5 24:5</p> <p>ghost 58:21</p> <p>girls 41:10</p> <p>give 6:13 26:6 36:25 37:20 54:15</p> <p>giving 5:5</p>	<p>Glen 4:9,19</p> <p>good 3:4 9:15 10:9 11:11 22:11 24:23 27:5 38:4 42:17 46:12 58:10,24 59:14,15 60:18 61:15 62:4</p> <p>Gov 62:22</p> <p>Governor 4:11</p> <p>gracious 62:24</p> <p>grandkids 48:9</p> <p>grant 23:4 43:2,4, 5</p> <p>graph 30:2,4</p> <p>great 23:10 62:2,8</p> <p>greater 58:8</p> <p>Griffin 22:11,12, 14,21 26:5 27:16 28:22 40:7</p> <p>groceries 9:13</p> <p>Groves 47:1,6,7, 12,16,20,24</p> <p>guarantee 41:14</p> <p>guess 10:25 21:8, 19 27:4 42:12 49:12 57:16 58:21</p> <p>guy 18:19</p> <p>guys 40:1</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>hacked 57:22 59:5</p> <p>Hahn 4:8,19</p> <p>half 24:16 37:24 49:2</p> <p>hand 8:1 11:16 15:20 19:24 33:2 38:20 44:25 47:10</p>	<p>handle 25:15 41:3 44:5,10</p> <p>handled 44:16</p> <p>handles 44:8</p> <p>hands 27:17 55:20 62:11</p> <p>hanging 14:3</p> <p>happen 6:17 21:20 32:11</p> <p>happened 18:9,10 32:11</p> <p>hard 41:21</p> <p>hate 49:23</p> <p>head 14:3</p> <p>hear 6:1 7:10,11 8:17 30:6</p> <p>heard 17:3 24:4 30:7 46:15</p> <p>hearing 3:2,12,25 4:20 5:1 7:8 21:13,24 27:25 28:1 46:15 62:13 63:10,17,19</p> <p>heck 48:10</p> <p>helped 44:3</p> <p>helping 60:17</p> <p>high 57:10,17 59:10</p> <p>higher 8:23 10:20 40:11 58:8</p> <p>hike 33:22</p> <p>hired 40:15</p> <p>history 57:19</p> <p>hit 45:21</p> <p>HOA 28:17,19</p> <p>hold 14:22 23:1 47:3</p>	<p>Holsman 4:9,17, 23,24 7:5 24:3</p> <p>home 24:9,16 31:9 34:17 47:2</p> <p>homeowner 48:20 49:10</p> <p>Homeowner's 23:14</p> <p>homeowners 23:14</p> <p>homes 49:15</p> <p>honest 16:7</p> <p>honestly 15:7 41:20</p> <p>hope 3:8</p> <p>hopeful 31:6</p> <p>hoping 55:2</p> <p>hot 51:12,15</p> <p>house 16:22,23 29:15 48:14 49:18</p> <p>household 52:9 60:21</p> <p>houses 49:8</p> <p>How'd 19:11</p> <p>husband 43:10 49:11 51:10,20 52:18</p> <p>hydrant 17:6</p> <p>hydrants 16:24</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>I-N-F-O 62:22</p> <p>ice 18:17</p> <p>idea 37:9 38:4,6 45:22 46:12,18</p> <p>ideas 46:3</p>
--	---	--	---

<p>ignore 30:13</p> <p>ill 44:8,11</p> <p>impartial 7:7 21:24</p> <p>implement 3:16 61:7</p> <p>implemented 26:16</p> <p>important 47:12, 14 53:2 63:10</p> <p>improved 24:9</p> <p>improvements 37:13 53:21</p> <p>inaccurate 19:2</p> <p>inaccurately 54:24</p> <p>Inaudible 27:15</p> <p>incident 52:11</p> <p>including 33:25</p> <p>income 10:5,8,15 47:2 48:24 52:8 61:2</p> <p>incomes 9:11</p> <p>incorrectly 48:23</p> <p>increase 3:17 9:25 10:6,22 12:14,17, 19 13:20 14:13,15 20:17,21,24 23:1, 4,24 28:12,17,20 37:23 56:18,21 58:9 59:7</p> <p>increased 13:18 14:14 24:1 40:3</p> <p>increases 23:6</p> <p>increasing 21:18 60:24</p> <p>incurred 60:10</p> <p>indication 24:23</p>	<p>individual 10:18</p> <p>individuals 10:17</p> <p>ineptitude 58:4</p> <p>influence 21:6</p> <p>info 62:22</p> <p>information 7:10 12:6 27:5 32:6</p> <p>information's 57:23</p> <p>informed 24:7</p> <p>initially 25:22</p> <p>inquire 27:11</p> <p>inquires 21:19</p> <p>inside 8:21</p> <p>inspect 18:10</p> <p>install 16:22,25</p> <p>instance 46:7 53:12</p> <p>insurance 49:2</p> <p>interested 53:25</p> <p>interject 7:1</p> <p>interrupt 7:17</p> <p>interrupting 27:24</p> <p>Intervenors 5:25</p> <p>invest 37:18</p> <p>investment 10:1 37:20</p> <p>investor 4:2,6 37:17 61:17</p> <p>investors 37:16, 21</p> <p>invests 37:19</p> <p>irrigation 17:5</p> <p>issue 13:4,6 14:7, 24 25:18 31:25 32:7 40:8 41:11,</p>	<p>16 43:6,14 58:23</p> <p>issued 25:13 40:6</p> <p>issues 16:8 25:6, 7,8 27:6 40:8 43:24 44:16 53:24 60:1</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>January 30:21</p> <p>Jason 4:9,17,24</p> <p>Jeff 32:22 55:23 56:7,9</p> <p>Jefferson 4:21</p> <p>Jim 35:18</p> <p>job 42:17</p> <p>John 3:24 4:10,17</p> <p>join 5:2</p> <p>Joplin 30:5 40:23</p> <p>judge 3:4,25 5:10, 16,20,24 8:8 11:13,22 15:11, 15,17,19 16:1 19:16,20,23 20:5 22:10,18 25:2 26:10 27:19 28:25 29:6 32:22 33:1,8 35:10,20,24 36:2, 7,13,16,18,22,24 38:16 39:2 44:19, 24 46:24 47:3,9, 14,19,21 48:3 50:9,13,23 51:1 55:18,25 56:4,13 60:13 62:9 63:7, 15</p> <p>July 51:19,21</p> <p>June 12:8</p>	<hr/> <p style="text-align: center;">K</p> <hr/> <p>K-A-R-E-N 50:12</p> <p>K-U-R-T-Z 11:25</p> <p>Karen 50:11,17</p> <p>Kayla 4:8,18</p> <p>kicking 18:16,17</p> <p>killed 31:4</p> <p>kind 8:20 26:7,17, 20 30:11 44:16 48:20,21 53:14 54:7</p> <p>knee 50:2</p> <p>knew 15:4</p> <p>Kolkmeyer 4:10, 20</p> <p>Kurtz 11:15,18,25 20:15 21:3</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>L-I-T-T-L-E 29:9</p> <p>L-O-W-R-Y 60:16</p> <p>ladies 37:5</p> <p>lady 44:3,8 49:10</p> <p>large 10:16</p> <p>largest 27:14</p> <p>latest 57:3</p> <p>laughed 47:17</p> <p>laughing 43:22,23 47:19</p> <p>law 3:25 37:19</p> <p>lawn 53:12</p> <p>lawns 31:13</p> <p>lawyer 17:11</p> <p>lawyers 17:11,12</p>
--	--	--	---

<p>lead 12:11</p> <p>leak 16:21 18:1,6, 8,9,10,13,16,20 40:6,9 41:1</p> <p>left 34:17 54:9</p> <p>Lehan 35:10,12</p> <p>Lendell 35:17</p> <p>letter 41:8</p> <p>level 9:7,8 10:13 58:4</p> <p>Liberty 3:14,16,19 5:13,14 8:18,20 9:21 10:21 11:7 12:8,11,16 13:4,5, 9,12,14,21,22,24 14:3,7,9,12,19,24 15:5 16:6,8,9,24 18:23 20:14 21:5 22:2 23:20 27:7 30:17 39:14 40:4 41:2,8 42:16 43:21 44:13 45:12 46:4 51:6,25 56:23 61:6,13 62:3</p> <p>Liberty's 9:17 60:10 62:3</p> <p>license 37:17</p> <p>life 8:15</p> <p>limit 6:16</p> <p>lines 44:6 53:6</p> <p>link 63:1</p> <p>list 46:4</p> <p>listed 6:5 15:12</p> <p>listen 43:25</p> <p>listening 5:4 45:11 62:4</p> <p>live 43:10 47:8 48:8</p>	<p>lived 34:10</p> <p>lives 39:12 60:20</p> <p>living 8:15,16 33:21 42:11</p> <p>LLC 3:15 5:15</p> <p>lobby 55:16</p> <p>local 3:12 27:25 62:12</p> <p>location 62:13</p> <p>long 17:2 59:10</p> <p>longer 14:4 53:13</p> <p>looked 18:12,13, 19</p> <p>Lord 46:18</p> <p>lose 37:21,22</p> <p>losing 38:12</p> <p>lot 8:17 9:11,12 17:18 21:7 31:8 33:25 35:13 41:16 46:3 48:10,15 49:4,7 60:23 63:11</p> <p>lots 5:5 33:20</p> <p>lowering 21:17</p> <p>Lowry 60:15 62:10</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>M-C-C-A-S-L-I-N 50:12,15</p> <p>machine 51:15</p> <p>made 4:7 5:3 10:1 13:9 14:19 20:24 25:10 30:4,23 39:16</p> <p>magnitude 58:2</p> <p>Maida 4:9,19</p> <p>mail 30:12 37:7</p>	<p>mailbox 55:1</p> <p>main 28:7</p> <p>major 23:8 44:14 53:23</p> <p>make 4:22 5:8 9:18 11:5 18:10 27:2 37:13 46:20 58:13 63:1,5</p> <p>maker 18:17</p> <p>making 10:13 11:10 21:1,16 49:3 62:24 63:2</p> <p>man 49:11 57:10</p> <p>manage 12:17</p> <p>management 49:9</p> <p>manager 40:20</p> <p>manner 58:10</p> <p>manual 24:5,8,10</p> <p>Marc 5:22</p> <p>March 37:10</p> <p>Marcia 35:12</p> <p>mark 6:18 56:4</p> <p>matter 3:14 13:13</p> <p>Mccaslin 50:11, 15,17,21</p> <p>meaning 36:4</p> <p>means 54:13</p> <p>Medicaid 49:2</p> <p>medicine 9:14</p> <p>meeting 12:1 16:5 17:20 36:4,6</p> <p>men 47:13</p> <p>mentioned 43:14 46:4,21 60:16</p> <p>meter 16:16,17 17:13,16 18:3,11, 12,14,25 19:4,6,7,</p>	<p>8 23:22 24:5,8,20 52:16,19</p> <p>meter's 19:10 52:1</p> <p>meters 16:15,18 19:13</p> <p>method 30:17 31:7</p> <p>microphone 6:7, 22 8:1 33:14</p> <p>million 9:21,25 11:7,10 12:23</p> <p>mind 7:20</p> <p>Mine 9:1</p> <p>minimum 51:8 54:20 61:21</p> <p>minus 17:9</p> <p>minute 6:18</p> <p>minutes 6:16,20 14:11 42:2</p> <p>misled 13:10</p> <p>mispronounce 7:22</p> <p>mispronounced 56:1</p> <p>mispronouncing 35:11</p> <p>mission 63:11</p> <p>Missouri 3:11,15, 18 4:1,3 5:15 12:2 31:23 48:18 61:4</p> <p>misunderstand 26:11</p> <p>Mitchell 4:10,18 63:7</p> <p>Mo 62:22</p> <p>Monday 35:18,19, 20,22 36:1,3,11, 14,20,22,23 37:1, 3 38:14,16</p>
---	--	--	--

<p>money 11:3,5 14:2 21:1,16 30:9,15 32:14 37:21,22 38:12 41:17 48:10 49:18 55:9 58:21 61:17</p> <p>monitor 52:5</p> <p>month 9:12,25 11:9 13:15,19,24 16:11,12,14 26:24 28:14 29:19 32:12 45:15,17 47:8 48:10 49:1 51:9 52:3,6 54:12,16 59:20,22</p> <p>monthly 39:20</p> <p>months 25:23 26:13,16 30:6,8 31:2 41:6 43:16, 20 44:12 57:13</p> <p>morning 4:21</p> <p>move 18:18 33:13 48:17 49:5</p> <p>moved 18:14 33:12,15 61:8</p> <p>Mulkey 22:10,11</p> <p>multiply 48:13</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>name's 3:24 60:15</p> <p>names 7:21,22</p> <p>national 9:7</p> <p>nature 25:13</p> <p>necessarily 9:22 25:7</p> <p>neighbor 52:11</p> <p>neighbor's 19:10</p> <p>neighbors 19:9</p>	<p>newspaper 42:25</p> <p>nice 30:4 32:18 34:5 37:6 55:13</p> <p>nobody's 45:11</p> <p>non-monthly 59:20</p> <p>normal 16:20 17:9,24 40:11</p> <p>North 40:16</p> <p>nothing's 32:11</p> <p>notice 54:23</p> <p>notorious 17:1</p> <p>November 37:9,10</p> <p>number 3:13 8:17 9:23 26:23 41:13 42:11 60:4 63:3</p> <p>numbers 9:23 18:4,5 23:2</p> <p>numerous 25:10</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>O-R-A-K 39:7</p> <p>oath 6:8 8:6 11:20 15:24 20:3 22:16 29:4 33:6 35:25 38:25 45:4 48:1 50:19 56:11</p> <p>objections 21:14</p> <p>occupied 42:9</p> <p>October 31:3</p> <p>odd 16:14</p> <p>offer 22:24 28:3 33:10 50:10 55:19 62:15,19,21</p> <p>office 5:21,23 7:15 12:3 27:23 37:5, 11 62:23</p>	<p>one-sided 37:25</p> <p>ongoing 32:1</p> <p>online 26:18,20,21</p> <p>open 38:18</p> <p>opening 4:22</p> <p>operate 3:20</p> <p>operated 61:4</p> <p>operates 3:19</p> <p>operation 37:25</p> <p>operations 4:5</p> <p>opinion 10:3</p> <p>opportunity 38:19</p> <p>option 24:17</p> <p>orange 46:25</p> <p>order 6:6 40:12 43:5 56:18</p> <p>organized 34:17</p> <p>outdoor 19:8</p> <p>overcharged 62:1</p> <p>owe 28:14 59:12</p> <p>owned 4:2,6 9:18</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>P-A-X-T-O-N 22:21</p> <p>P-S-C 62:22</p> <p>p.m. 3:2,6 63:19</p> <p>paid 14:4,6 17:9 25:21 26:12 29:20 39:19 54:19 57:6, 18 61:21</p> <p>Pamela 47:6,24</p> <p>paper 37:20</p> <p>papers 34:16</p> <p>parent 11:6</p>	<p>part 3:21 26:8 42:9 57:19 63:10</p> <p>participated 3:7</p> <p>parties 5:11 6:24</p> <p>pass 10:22 58:6</p> <p>pause 6:25 23:20</p> <p>Paxton 22:11,14, 21</p> <p>pay 9:14 11:1 13:23 14:21 17:10 26:14,19 30:8 32:13 37:6,15 38:11 45:20 46:11 48:19 49:1,5 51:8 55:10 59:9 61:11, 12,15,23</p> <p>payable 41:19</p> <p>paying 27:21,22 34:18 39:18 53:13 54:20 61:10</p> <p>payment 29:22</p> <p>people 7:17 9:13 20:13 25:15 27:5, 23 28:21 29:12 30:24 31:8,13 33:24,25 35:14 37:16,21 39:24 43:25 44:7,10,16 46:6,10 48:15 49:7,8 51:8 52:8, 10,12 53:17 59:3 60:2,4 61:17 62:7</p> <p>percent 9:8,9 10:7,12,14 12:15, 18 13:2,20 14:16 16:7 23:6,24,25 28:12 45:16 56:21 59:7 61:12,14</p> <p>period 12:19 28:9 30:3 39:17 45:15, 20,21 46:10</p>
--	--	---	---

<p>periods 46:9</p> <p>person 4:16 14:20 15:12 38:17 40:13,20 49:22 50:10 52:9 60:3, 14,20 61:2</p> <p>person's 10:7</p> <p>personal 12:7 13:12 16:17</p> <p>personally 9:2 17:17 18:4</p> <p>physical 25:8</p> <p>picture 52:18</p> <p>place 6:8 17:21 23:15,19 26:22 39:22 44:14 58:22</p> <p>plan 48:17</p> <p>planning 21:3</p> <p>plants 31:1,4 51:13</p> <p>plenty 21:1,16</p> <p>plumb 50:7</p> <p>plumber 16:25 29:16</p> <p>pockets 61:17</p> <p>point 6:12 14:2 18:7 28:7 37:16 54:21,23</p> <p>polite 7:16</p> <p>politics 49:13</p> <p>pools 31:14</p> <p>poor 24:2</p> <p>portals 12:4</p> <p>portion 3:7 7:10 35:6</p> <p>possibly 35:11</p> <p>Poston 5:22,24</p>	<p>poverty 9:7,8 10:13 48:25 49:1</p> <p>predicament 9:13</p> <p>presented 7:7</p> <p>presiding 3:25</p> <p>pretty 24:23 54:14</p> <p>Previously 51:23</p> <p>price 10:9 16:20</p> <p>prices 39:16</p> <p>prior 12:1 13:3,15</p> <p>priorities 13:7</p> <p>private 10:25</p> <p>privately 9:18</p> <p>privatization 12:9</p> <p>problem 29:14 40:19 42:18 51:6</p> <p>problems 12:22 23:8 59:8</p> <p>procedural 22:5</p> <p>procedurally 22:1</p> <p>produce 23:20</p> <p>profit 9:19 11:7 61:16 62:6,7</p> <p>programming 56:24</p> <p>promote 46:11</p> <p>promotes 45:13</p> <p>pronounce 7:22</p> <p>proper 13:22 41:3, 14</p> <p>property 16:18</p> <p>proposal 61:6</p> <p>proposed 23:7</p> <p>proposing 20:23</p> <p>protects 58:11</p>	<p>prove 40:2</p> <p>provide 6:3,4</p> <p>provided 3:17</p> <p>provider 34:24</p> <p>providing 20:25</p> <p>prudently 60:10</p> <p>PSC 10:9</p> <p>PSC's 62:25</p> <p>public 3:11,12 4:1, 25 5:21,23 7:15 12:2,3,16 13:8,11 15:3 27:25 32:8 46:15 55:11,15 62:12,23</p> <p>publicly 12:12 14:19</p> <p>pull 37:6</p> <p>purchased 51:6</p> <p>push 44:6</p> <p>put 10:16 16:17 17:5 20:13 24:1 41:21 51:15 57:4</p> <p>puts 9:12</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qualify 49:17,18</p> <p>quality 4:5 27:8</p> <p>quarter 11:8</p> <p>question 3:6 7:1, 9,12 8:17 14:23 20:19,23 21:1,15 22:6 25:3 29:22 36:3 42:13 59:4</p> <p>questions 3:9 5:4 6:24 7:6,13 9:20 15:8 19:15,17 21:20,23 35:14,15 42:12 49:24 58:7</p>	<p>quit 51:25</p> <p>quote 41:15</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>R-I-C-H-A-R-D 60:16</p> <p>R-I-C-K 44:22</p> <p>R-O-B-E-R-T-S 44:23</p> <p>R-O-S-S 8:11</p> <p>raise 8:1 10:12 11:15 15:19 19:23 21:11 33:2 35:20 38:20 43:4 44:25 47:9 58:7</p> <p>raised 60:22 61:25</p> <p>raising 9:12 13:8</p> <p>ran 39:20</p> <p>range 12:18 24:14</p> <p>ranging 33:19</p> <p>rate 3:13,16 9:12 10:21 11:1 13:16, 19 17:24 22:2 24:1 30:22 31:18 38:11,12 39:16 42:10 43:1</p> <p>rates 4:2,3 8:22,24 10:5,12,19,25 12:14,17 13:1,2,4 20:24 21:11,12,18 27:1 28:10 30:18, 20 37:9,10,22,23 43:5 45:23 46:13 53:14 56:18 59:13</p> <p>REA 61:3,8</p> <p>reach 40:24 60:2</p> <p>reached 40:14 44:4</p> <p>read 7:21 16:16</p>
--	---	---	--

<p>17:13,16 18:24 19:3,8,9,11 52:1, 15 reading 13:17,18 16:17 18:3 19:6, 12 23:22 24:6,10 readings 24:8 ready 56:17 real 8:15 49:6 59:11 realize 35:15 47:10 reason 25:18 42:16 43:6 reasonable 4:4 38:6,10 rebate 61:3,5,7,13, 14,18 62:5 receive 14:18 61:9 received 12:4 41:7 43:3 receiving 59:19,22 recommend 17:2 record 3:5 5:12 6:13 8:10 11:24 20:7 22:20 29:8 36:18 39:4 47:5 63:18 recording 6:10 36:16 recoup 11:3 reduce 46:7 referred 6:11 reflective 24:20 refused 17:9 regard 15:3 59:19 60:1 register 12:4</p>	<p>regular 16:20 regulates 4:1,4 regulation 4:15 regulatory 3:24 relation 22:5 religion 36:21 remain 7:6 21:24 remains 14:6 remark 4:22 remarks 63:6 rent 48:19 49:5,15 renting 49:8 repaired 18:1 29:18 repairs 49:11 repeating 62:5 reporter 6:9 36:8,9 representative 13:21 14:1 representatives 7:14 15:7 representing 23:13 represents 14:15 repurpose 51:11, 16 53:7 Request 3:14 required 37:19 residential 14:13 residents 9:10 24:14 resolution 14:5 resolve 13:14 14:7,24 15:5 25:19 32:7 resolved 13:24</p>	<p>32:2 55:8 resource 42:20 respectful 5:7 restaurants 11:2 result 31:9 retired 33:24 return 37:24 revenues 13:7 reward 46:1 rewarded 58:10 Richard 60:15 Rick 44:22 45:2 river 42:19 43:10, 11 road 19:10,11 Roberts 44:22,24 45:2,9 46:14 51:5 rollover 54:5 Ross 7:24,25 8:4, 11,12 11:14 roughly 9:21 round 52:17 row 57:13 rude 50:8 rule 50:24 run 17:18 25:24 51:12 56:17 58:15 running 17:3</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>S-K-O-P-E-C 20:8 S-T-E-V-E 20:8 safety 4:5 43:13 said's 16:6</p>	<p>sale 20:13,23 21:9 satisfaction 55:9 save 46:2 51:13, 14 58:21 scanned 41:5 scared 17:11 scope 41:17 secretary's 25:10 Section 49:9,17, 19 seeded 57:15 seemingly 58:6 sell 17:20 48:13 49:15,17 selling 16:6 Senate 4:11 send 41:1,3 62:21 senior 39:11 41:25 47:1 sense 27:2 46:20 separate 20:20 22:2 September 3:5 sequence 17:22 served 60:4 service 3:11,18 4:1,5 12:2 13:21, 25 15:3,6 23:3 25:5,7,8 27:9 32:8 33:20 34:24 40:7, 8 41:11 43:23 55:11,15 58:17 59:1 60:1 services 3:17 set 3:12 6:25 60:23 severely 35:11</p>
--	--	--	--

<p>sewer 12:9,14,21 16:10,19 20:20,21 21:2,4,12,14,17 22:3 26:22 29:22, 24 30:18,20,22 31:18 34:4,19 37:9,10 38:4,7,10 41:23 43:6 53:13 60:25</p> <p>shaken 26:7</p> <p>shame 17:16</p> <p>share 5:2</p> <p>sheet 6:5</p> <p>Sheila 35:17</p> <p>shirt 46:25</p> <p>shock 48:11</p> <p>short 17:2 26:1 55:21</p> <p>show 17:19 27:16 35:14 56:19</p> <p>showed 17:4 30:3</p> <p>shutoff 16:22</p> <p>side 10:18,19 38:1</p> <p>sign 6:5</p> <p>signed 6:2 38:17</p> <p>significantly 14:14</p> <p>simply 22:25 23:2 27:4</p> <p>single 22:4 42:8 49:14 60:19 61:2</p> <p>sir 17:25 19:21 24:24 25:1 27:10 36:23 37:1 43:19, 22 44:21 48:17 60:14</p> <p>sitting 5:6 36:8 48:9</p>	<p>situation 9:16 14:15 40:22 46:19 48:16 49:5,10</p> <p>skip 56:23,25 57:1</p> <p>skipped 57:3</p> <p>Skopec 19:20,22 20:1,8</p> <p>small 15:7 62:6</p> <p>smaller 35:6</p> <p>somebody's 58:22</p> <p>someplace 29:25</p> <p>sort 53:2</p> <p>sounds 56:21</p> <p>south 53:17</p> <p>Southwest 8:18, 24</p> <p>speak 7:14 38:17 40:18,19</p> <p>speaking 7:17,18</p> <p>specialists 4:14</p> <p>specific 43:5</p> <p>spell 6:12 8:9 11:23 20:6 22:19 29:7 39:4 47:4 50:13 56:6</p> <p>spelled 55:23</p> <p>spent 9:21 12:25 42:22</p> <p>spoke 13:20,25 29:13</p> <p>spoken 43:24</p> <p>spring 34:2</p> <p>Springs 33:16</p> <p>staff 4:12 5:17,19 7:15 60:3</p> <p>stand 14:2</p>	<p>standard 30:22</p> <p>standing 58:15</p> <p>start 7:21 56:22 57:22</p> <p>started 8:16 18:3 19:4 33:18 34:14</p> <p>starting 3:2 5:12</p> <p>state 6:12 8:9 11:23 20:6 21:6 22:19 29:7 31:23 37:18 39:3 47:4 48:17 56:6 61:4</p> <p>stated 13:1,4,17 39:14 40:7</p> <p>statement 20:24 21:8 38:2 40:1</p> <p>statements 13:9 14:18</p> <p>states 37:20</p> <p>stay 4:21 6:22 58:19</p> <p>stayed 34:15 40:23</p> <p>steps 46:3</p> <p>Steve 19:20 20:1,8</p> <p>Stewart 35:17</p> <p>stolen 57:23</p> <p>Stonebriar 23:13 39:10,13</p> <p>stop 55:15</p> <p>stores 11:2</p> <p>story 17:2</p> <p>straighten 25:20</p> <p>straightened 28:9 30:14</p> <p>streams 53:2</p> <p>street 37:12 53:7</p>	<p>strictly 21:11</p> <p>stuck 48:20</p> <p>stuff 36:4</p> <p>subsequently 12:10</p> <p>substantially 21:19</p> <p>success 25:17</p> <p>sue 17:10</p> <p>sufficient 60:5</p> <p>suggesting 31:12</p> <p>suggestion 45:10 49:21</p> <p>suggestions 46:20</p> <p>summer 31:2 34:2</p> <p>summertime 39:21 61:25</p> <p>supervisor 17:4 40:18,20</p> <p>suppose 26:9</p> <p>supposed 25:12</p> <p>supposedly 44:10</p> <p>surcharge 51:18</p> <p>Surely 53:7</p> <p>swear 35:22 36:20 47:18 50:22</p> <p>swept 17:10</p> <p>sworn 8:2,5 11:16, 19 15:20,23 19:24 20:2 22:15 29:3 33:2,5 35:21 38:24 44:25 47:10,25 50:18 56:10</p> <p>system 12:14 17:5 21:2,4,16 23:3,9, 22 24:2 26:15</p>
---	--	--	---

<p>28:9 32:5,10 37:13 51:7 58:11 59:5 systems 12:11,21</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>T-A-N-C-K 55:24 56:7 T-I-T-T-L-E 32:25 table 55:15 takes 35:24 taking 5:1 31:12 47:21 53:16 63:13 talk 44:20 51:24 talked 8:25 20:22 34:5 37:12 talking 6:21 21:9 33:23 41:23 Tanck 55:23 56:2, 5,7,9 Tanick 32:22 Tank 32:22 taxes 13:8 49:6 TECH 36:17 technician 18:11 telephone 41:13 ten 61:12 Teresa 22:10,11 term 4:12 test 43:9 testified 8:6 11:20 15:24 20:3 22:16 29:4 33:6 38:25 45:4 48:1 50:19 56:11 testify 24:5</p>	<p>testimony 24:18 63:10 testing 43:8 thing 8:16 11:11 14:1 20:16 26:19 30:16 41:22 53:3 58:11,15 things 5:6 8:14 9:6 17:22 25:9,13 29:18 31:1 33:20 41:17 43:1 58:3,5, 9 63:12 Thomas 35:12 thought 6:19 46:5 57:9 thoughts 5:2 thousand 24:22 26:1 45:18 49:7 54:17 threatened 17:10 threw 9:23 54:19 throw 59:11 till 23:20 28:8 51:12,14 time 3:2,6,12 5:1, 11 6:7 7:2 12:15, 19 14:21 17:13 21:2,9 31:4 32:4 34:16 37:5 38:8, 17,21 39:18 40:3 41:21 46:15 50:4 52:21 54:10 57:5 58:19 62:8,11 63:13,17 timeframe 34:7 times 16:15 35:13 37:24 56:23 Title 32:24 33:1,4 35:9 today 3:12,22,25 4:16 5:2,6 6:3 7:6,</p>	<p>18 8:13 14:14 16:3 20:10 21:23 29:11 33:10 36:25 38:17 39:15 44:20 45:9 49:24 51:3 55:2,19 62:13,18 63:12 toilet 18:16 told 12:12,16 13:21 14:1 15:6 16:16,25 20:15 30:5,12 31:24 40:15,25 44:5,9 57:21,25 58:24 tonight 62:15,19 top 24:1 total 16:10 23:5 totally 9:19 51:5 53:15 town 49:16 54:9 57:16 58:21 61:8 transcribe 36:9 treasurer 39:10,13 treat 7:17 treated 7:19 triple 48:7,12 truth 16:7 36:25 truthfully 21:12 turned 12:10 turning 18:11,13, 14,15 Tuttle 32:23 two-thirds 12:23 type 24:10 25:17 typically 14:17</p>	<hr/> <p style="text-align: center;">U</p> <hr/> <p>uh-huh 31:19 unable 32:7 60:2 62:14,18 uncommon 35:13 undergo 21:4 understand 9:17, 19 10:8,10 11:5 14:16 20:11 21:25 23:9 30:20 31:22 33:21 45:19 48:21 understanding 32:4 understood 12:20 unfortunate 26:8 uninvolved 58:16 units 25:25 42:5 up-to-date 61:10 upside 23:11 usage 9:3 13:17, 18 16:13 29:19 30:18,23 31:13,15 33:17 34:2 37:9 38:4,5,7,8,10 52:12 53:18 54:1, 2,3,10,13 60:18, 19,21 61:14,20 utilities 3:15,20,21 4:6 5:15 12:8,10, 13,17 13:10,13 14:3,16,24 48:19 utility 4:2,14,15 12:10,11 33:16</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>V-I-C-T-O-R-I-A 39:6</p>
---	---	---	--

valve 16:22
varies 38:8,11
verify 24:6
Vickie 39:6
Victoria 38:23
 39:5
vote 12:12 20:13
voted 20:13 42:17
voters 12:8,12
 13:3,10

W

wait 14:4
waiting 59:3
walked 18:13
wanted 16:24
 20:14,18 30:4
 33:11 43:7 55:19
 62:10,14
wanting 21:13
 50:10 59:7
washing 51:15
wasted 17:7
wastewater 3:17,
 23 42:7,15,18
watch 32:11
water 3:15,17,22
 5:13,15 8:24 9:14,
 15,24 10:6,8,10,
 19 11:1 12:9
 13:16 16:9,19,21,
 23 17:3,7,8,23
 20:20,21,24,25
 21:11,15,16,18
 22:3 25:20 26:13,
 21 27:8 29:14,19,
 21,23 30:18,21
 31:1,5 34:19,24
 35:1,4,6 37:8,15,

23,24 38:7,8,11,
 12 40:6,9 41:1,23
 42:6,11,20 43:8,9,
 12,13 45:12,14,25
 46:2,15 47:7 48:7,
 12 51:7,11,12,13,
 14,16 52:6,10,12,
 20 53:5,7,9,12,18,
 25 54:13 57:4,5,8,
 14 60:19,23,24,25
 61:14,23,25 62:1

water's 57:11
watered 57:15
watering 31:3,13,
 14 39:21
ways 60:17
wayside 26:20
web 63:1
Webex 4:20
website 62:20
week 51:20,21
 52:2 54:13,18
 57:6,7
whining 49:13
Whitworth 35:17,
 18
winter 31:13,15
 34:1 38:4 40:11
 60:18 61:20
wintertime 53:17
withdraw 30:15
women 34:5 47:16
 49:14 50:8
word 25:5
words 35:5
work 21:4 52:13
 58:5
worked 12:13
 23:10,21 25:9

32:16 41:19 44:14
working 14:23
 41:9
worries 61:2
worrying 57:22
WR-2024-0104
 3:13 63:4
write 19:4
writing 18:4 53:19
written 6:10 34:17
 62:19

Y

yard 29:17,24
 30:25 57:15
yards 23:22
year 10:5,14 11:8
 13:15 30:2 38:9
 42:9 46:8 49:7
 57:14,15 61:8,11
year-round 31:18
years 10:1 12:15,
 19 20:16 39:14
 41:20 44:15 47:2
 49:4 57:17 61:4,9,
 10