

BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

LOCAL PUBLIC HEARING

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

Thursday, September 26, 2024
7:00 p.m. - 7:29 p.m.

Osage Centre-Room 1AB
1625 North Kingshighway
Cape Girardeau, MO 63701
and WebEx

Volume VIII
Pages 1 - 22

KEN SEYER, Presiding
REGULATORY LAW JUDGE

KAYLA HAHN, Chair,
MAIDA J. COLEMAN,
JASON R. HOLSMAN,
GLEN KOLKMEYER,
JOHN MITCHELL,
COMMISSIONERS

Stenographically Reported By:
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1 The following proceedings began at 7:00 p.m.:

2 JUDGE SEYER: Today is September 26, 2024.
3 The time is seven o'clock p.m. My name is Ken Seyer. I
4 am a Regulatory Law Judge with the Missouri Public
5 Service Commission, and I will preside over this
6 hearing. The Commission has set this time for a local
7 public hearing to give members of the public a chance to
8 comment about Liberty's general rate increase
9 application, which is Commission File No. WR-2024-0104.

10 The Commission regulates the rates charged by
11 public utility companies in Missouri to ensure that
12 those rates are just and reasonable. The Commission
13 also regulates the quality of service and safety of the
14 operations of public utilities. There are five
15 Commissioners. They are appointed by the Governor and
16 confirmed by the Senate.

17 The Commission also employs a staff of
18 engineers, accountants, attorneys, financial analysts
19 and other specialists in the field of utility
20 regulation. With me here tonight is Commissioner Maida
21 Coleman, and also online listening is Chair Kayla Hahn,
22 Commissioner Jason Holsman, Commissioner Glen Kolkmeier
23 and Commissioner John Mitchell.

24 The Commissioners have not made any decisions
25 in this case and cannot answer any questions today

1 because they have to remain impartial until after all
2 the evidence is presented at the evidentiary hearing in
3 this matter, which is scheduled to take place in
4 November.

5 Commissioner Coleman, would you like to make
6 opening remarks?

7 COMMISSIONER COLEMAN: Thank you so much,
8 Judge. Welcome everyone. We're so glad to see you
9 tonight. I appreciate the fact that you've had an
10 opportunity to come in a little early and go through the
11 question and answer phase of this hearing.

12 On behalf of our Chairwoman Kayla Hahn and the
13 other Commissioners that are online listening in
14 tonight, we appreciate so much your interest in this
15 issue that matters to you and is important to you.
16 Thank you to all the staff who participate. Thank you
17 to intervenors, company, all people that are here
18 tonight. Your comments are important to us. We look
19 forward to hearing what you have to say. Thank you
20 again.

21 JUDGE SEYER: Would any of the other
22 Commissioners like to make opening remarks?

23 Okay. There are attorneys here today
24 representing the parties in this matter. So for the
25 record, would each of you identify yourselves and state

1 which party you're representing.

2 MS. CARTER: Diana Carter for Liberty
3 Utilities (Missouri Water) LLC.

4 MS. ASLIN: Casi Aslin for Commission Staff.

5 MR. POSTON: Marc Poston for Office of the
6 Public Counsel.

7 JUDGE SEYER: All right. Thank you. The way
8 we'll proceed today will be to call the names listed on
9 the sign-up sheet in the order that you signed up. When
10 I call your name, please step up to the microphone and I
11 will place you under oath and ask you to state and spell
12 your name and then you can offer your comments to the
13 Commission.

14 Once you finish your comments, please remain
15 at the microphone in case there are questions from the
16 Commissioners or the attorneys for the parties. So the
17 first name on the list is Adam Powell.

18 MR. POWELL: Good evening.

19 JUDGE SEYER: Good evening. Mr. Powell, would
20 you raise your right hand, please. Do you swear or
21 affirm that the testimony you give in this hearing shall
22 be the truth, the whole truth and nothing but the truth?

23 MR. POWELL: Yes, sir.

24 JUDGE SEYER: Thank you. Go ahead. Could you
25 go ahead and spell your name?

1 MR. POWELL: Adam Powell, A-d-a-m P-o-w-e-l-l.

2 JUDGE SEYER: Okay. Thank you. Go ahead.

3 MR. POWELL: Liberty has proposed a rate
4 increase three times what we're paying now. And roughly
5 we pay \$20 to \$25 a month. Liberty is proposing \$75 a
6 month. So we just feel that that's an outrageous
7 increase. That's an extra \$600 a year that we have to
8 find from somewhere else while we're already trying to
9 save money any way we can the way things are going.
10 That's just my statement. That's it.

11 JUDGE SEYER: Okay. And what service area?

12 MR. POWELL: Oakbrier. Oakbrier.

13 JUDGE SEYER: Oakbrier. Okay. All right. Do
14 the Commissioners have any questions for Mr. Powell?
15 Any questions from the attorneys? All right. Thank
16 you, Mr. Powell.

17 MR. POWELL: Thank you.

18 JUDGE SEYER: All right. Next on the list is
19 Paul Strickland.

20 MR. STRICKLAND: Good evening.

21 JUDGE SEYER: Good evening. Would you raise
22 your right hand to be sworn in. Thank you. Do you
23 swear or affirm that the testimony you give today in
24 this hearing shall be the truth, the whole truth and
25 nothing but the truth?

1 MR. STRICKLAND: I do.

2 JUDGE SEYER: Thank you. Your name is Paul
3 Strickland?

4 MR. STRICKLAND: Yes.

5 JUDGE SEYER: Could you spell your last name
6 for the record?

7 MR. STRICKLAND: S-t-r-i-c-k-l-a-n-d.

8 JUDGE SEYER: All right. Go ahead,
9 Mr. Strickland.

10 MR. STRICKLAND: Well, I live at Savers Farm
11 Subdivision. It's less than a decade old, approximately
12 eight years I think from the first house that was
13 installed. We bought there four years ago, new house,
14 everything is brand new, assuming that there would be
15 years in a row before there would be problems with
16 anything, and the developer decided to sell it. He is
17 the one person on the HOA. He would not let the HOA go
18 to the people of the subdivision until he sold every
19 lot, and we keep developing Phase 3, 4, 5, 6 and we
20 never got control. He decides to sell it to Liberty
21 Utilities.

22 Then, you know, he lowered the HOA, because we
23 still have the streets to take care of. Then we get our
24 first bill. It's been consistent the whole time since
25 Liberty has bought it. But it's not my problem or the

1 people of Savers Farm problem. We have a relatively new
2 subdivision, new system, that they will go out and
3 purchase older systems. I don't feel like the
4 homeowners should have to acquire that cost, the blanket
5 cost to cover their problems. And I feel like a double
6 -- Increase, yes, everything is increasing. I
7 understand that. I don't feel like a double increase is
8 warranted.

9 I don't know what kind of profit margin they
10 want to make, or future profits, because everybody is in
11 business to make a profit. But I just feel like it
12 should not be doubled. Thank you.

13 COMMISSIONER COLEMAN: Thank you,
14 Mr. Strickland. How many homes are in your subdivision?

15 MR. STRICKLAND: I'm going to have -- I need
16 some help from that.

17 COMMISSIONER COLEMAN: Is it like a huge?

18 MR. STRICKLAND: Like we're talking probably
19 200 houses. There's another phase joining right beside
20 us. That keeps adding on. We touch the city limits of
21 Jackson.

22 COMMISSIONER COLEMAN: Okay. My next question
23 was give me an idea of where it is.

24 MR. STRICKLAND: It just keeps getting bigger
25 and bigger, you know (fade out) for mercy.

1 COMMISSIONER COLEMAN: Did the HOA ever come
2 into existence?

3 MR. STRICKLAND: No, he's still the HOA, the
4 developer. It's like a dictatorship, you know. It is
5 what it is and I understand that. He's in business to
6 make money selling homes, but he won't let go of that
7 grip. That way he doesn't have to listen to it. They
8 need to make money. I understand that. I just don't
9 think that double the rate should happen.

10 You have actuaries that work on different
11 things. They should project, although you can't tell
12 when something is going to break. But you should also
13 like any homeowner does, you put the money aside for a
14 rainy day and some days it rains on you a lot harder.
15 This feels like to a homeowner it's just adding up.

16 The insurance rates in Missouri are going up.
17 Costs. Gas is holding on, but I figure that's a
18 different story there. Anyway, thank you.

19 COMMISSIONER COLEMAN: Thank you,
20 Mr. Strickland.

21 MR. STRICKLAND: Any other questions?

22 JUDGE SEYER: Do any of the other
23 Commissioners have questions? All right. Hearing none.
24 Thank you, Mr. Strickland.

25 MR. STRICKLAND: Thanks for your time.

1 JUDGE SEYER: And I think for the sake of the
2 record you're referring to Savers Farm, S-a-v-e-r-s?

3 MR. STRICKLAND: Yes.

4 JUDGE SEYER: Okay. Thank you. Next on the
5 list it looks like Mariah Lane. Do I have that correct?

6 MS. LANE: Yes.

7 JUDGE SEYER: Thank you. You need to --
8 Perfect. Thank you, Ms. Lane. Would you raise your
9 right hand, please. Do you swear or affirm that the
10 testimony you give tonight in this hearing shall be the
11 truth, the whole truth and nothing but the truth?

12 MS. LANE: Yes.

13 JUDGE SEYER: All right. Thank you. Could
14 you state and spell your name?

15 MS. LANE: Mariah Lane, M-a-r-i-a-h, and then
16 L-a-n-e.

17 JUDGE SEYER: I will ask you up front. Do you
18 also live in Savers Farm?

19 MS. LANE: Savers Farm Subdivision, yes.

20 JUDGE SEYER: Okay. Go ahead.

21 MS. LANE: So we bought our house in 2018. It
22 was desirable for us because there was only at that time
23 about less than ten houses in the subdivision in Phase
24 2. Phase 1 had already been fully developed. But at
25 that time there was only projected to be three phases.

1 And our HOA bill was about \$300 a year and sewage was
2 included in that.

3 Then they just -- Just the developer decided
4 to sell it to Liberty and we had no say in that, like my
5 neighbor said. Since then, the bill has been the \$46 a
6 month and our HOA just went down \$100 a year. So we're
7 paying a lot more for sewer than what we signed up for
8 already. So I guess, like my neighbor said, we are
9 getting hit with this double or triple because on the
10 first note that we got in the mail it said that it was
11 going to almost triple our bill, but now this bill
12 tonight says that it's almost going to be about a double
13 increase. And as just a stay-at-home mom, two little
14 kids, just like everybody we have lots of bills to pay
15 and everything else and we're cutting out like cable.
16 We cut out cable to save money.

17 Now we're going to get this double or triple
18 increase in just a basic human need of our sewer bill.
19 We can't cut out something. We're like the other people
20 here that are here for their water. These are things
21 that are necessities. We can't cut those out. So I
22 understand the cost of living goes up some, but anything
23 that's going to be out of our control that we can't cut
24 out, anything to help go to double or triple our bill is
25 just unacceptable for the people.

1 It was desirable to move out of the city
2 limits when we bought our house because the bills were
3 cheaper than living in the city limits of Jackson. And
4 so that's why we originally did that. Now with this
5 increase it is going to be where it would be actually
6 cheaper to live in the city than it would be to live
7 outside of city limits.

8 I also think that, I guess it's a big concern
9 for us that we would be paying the same amount as an
10 older system 30 plus years old that would have all these
11 issues while a new subdivision that has -- We have
12 approximately 250 houses approximate in our subdivision
13 at the moment, but the developer is buying more and more
14 surrounding land and there's a proposed 80 more houses
15 that are going to be built that could go into the city
16 limits. We are the street that they are going to build
17 and it's talked about annexing us into the city limits.
18 When that happens, I don't know what would happen to the
19 Liberty if we would be in the city or anything. It just
20 feels like we are very out of control and out of say
21 with the situation that I feel like we should have been
22 involved with when it was selling to Liberty in the
23 first place.

24 JUDGE SEYER: Do any of the Commissioners have
25 any questions? All right. Ms. Lane, thank you.

1 MS. LANE: Thank you.

2 JUDGE SEYER: Next on the list is Savannah
3 Nimmo, I believe.

4 MS. NIMMO: It is Nimmo.

5 JUDGE SEYER: We'll cover the spelling here in
6 a second.

7 MS. NIMMO: Yes.

8 JUDGE SEYER: Would you raise your right hand,
9 please. Do you swear or affirm that the testimony you
10 give in this hearing shall be the truth, the whole truth
11 and nothing but the truth?

12 MS. NIMMO: Yes.

13 JUDGE SEYER: Let's go ahead and have you
14 state and spell your name.

15 MS. NEMO: It's Savannah Nimmo, S-a-v-a-n-a-h,
16 Nimmo, N-i-m-m-o.

17 JUDGE SEYER: All right, Ms. Nimmo, go ahead.

18 MS. NIMMO: I've lived in Oakbrier. That's
19 just outside of Poplar Bluff. I want to say we bought
20 our house in 2019. It's the first place I've ever
21 really felt like home. And I think the water bill rate
22 right now is perfectly fine. I know companies like
23 Liberty necessarily don't really care about the person
24 individually. But as a group like the Oakbrier, I'm not
25 sure how much they bring in or how much it takes or the

1 costs to run it. But I see 130 percent potential
2 increase as absurd, and I do not wish to pay that, and
3 would potentially possibly look into getting a well as
4 many other Oakbrierinians than pay that suggested rate.
5 If I were CEO and director of any company and if I made
6 \$1.5 million in a year, I probably wouldn't care about
7 the increase, but I am an LPN. I think we make 27
8 percent less than the average. Maybe when I'm an RN I
9 probably wouldn't care to pay that much. Probably not.
10 I would still not want to pay that, but I would
11 definitely make more money as an RN. But all in all I
12 don't like the increase.

13 Obviously I need water and I will pay it until
14 I were to maybe potentially figure out something else.
15 I don't always tell my husband that I don't eat lunch.
16 I'm prediabetic. So technically it kind of doesn't
17 matter because my sugar is always high anyway. But if I
18 have to worry about my lunches at least three out of
19 five days, which I'm not missing anything because I'm
20 prediabetic, my sugars are already high and would rather
21 my husband get like a candy bar and a bag of chips, I'm
22 going to let him do that. But having a necessity like
23 water increased is very frustrating. And I will be open
24 to any questions.

25 JUDGE SEYER: Do any of the Commissioners have

1 questions? All right. Thank you, Ms. Nimmo.

2 MS. NIMMO: Thank you.

3 JUDGE SEYER: And then I'm not even going to
4 attempt the first name because I can't necessarily make
5 it out. Mr. Johnson. Mr. Johnson, what's your first
6 name?

7 MR. JOHNSON: Yes, sir, Marcus.

8 JUDGE SEYER: Marcus.

9 MR. JOHNSON: Yes, sir.

10 JUDGE SEYER: Would you raise your right hand
11 to be sworn in, please.

12 MR. JOHNSON: Yes, sir.

13 JUDGE SEYER: Do you swear or affirm that the
14 testimony you give tonight in this hearing shall be the
15 truth, the whole truth and nothing but the truth?

16 MR. JOHNSON: Yes, sir.

17 JUDGE SEYER: Thank you. Go ahead and state
18 and spell your name, please.

19 MR. JOHNSON: Marcus Johnson. Represent
20 Savers Farm. Marcus, M-a-r-c-u-s, Johnson,
21 J-o-h-n-s-o-n.

22 JUDGE SEYER: Okay. Go ahead.

23 MR. JOHNSON: Yes, sir. I, Marcus Johnson,
24 disagree with the proposal that was being made due to
25 the significant amount of the increase. We've heard

1 everything from 50 percent to 130 percent. I suggest
2 that a gradual increase over two to three years. This
3 gradual increase would be a lessening of a blow,
4 financial burden for the customers that Liberty
5 provides. In the same token, with that 15, 10 percent
6 increase gradually, in good faith we could come back and
7 revisit all the measures of saying that Liberty is
8 possibly losing money. We can revisit that or revise
9 the plan in the next couple years seeing all the data
10 that we've had to recover for the first year, first
11 couple years.

12 JUDGE SEYER: Do any of the Commissioners have
13 questions for Mr. Johnson? All right. Thank you,
14 Mr. Johnson.

15 MR. JOHNSON: Thank you.

16 JUDGE SEYER: Is there anyone else who did not
17 sign up for the list but who is here tonight and would
18 like to testify? All right. I see no one volunteering.

19 For those people that did testify tonight or
20 those that may be watching the hearing, if you have
21 comments that you would like to submit online, you can
22 go to the Commission's website. That's psc.mo.gov. On
23 the right side, there's a link titled submit comments.
24 If you click on that link, you can enter your comments,
25 and we would just ask that you reference this case

1 number, which again is WR-2024-0104.

2 Would any of the Commissioners -- Commissioner
3 Coleman would like to make closing comments.

4 COMMISSIONER COLEMAN: Thank you. I wanted to
5 give everyone a chance because I wanted to ask this
6 question. Would any of the five, Mr. Powell, Mr.
7 Strickland, Mr. Johnson, Ms. Lane or Ms. Nimmo, I wanted
8 to give you an opportunity at the end to tell me whether
9 or not -- well, first of all let me say I really
10 appreciate those of you who have come out tonight. When
11 I believe it was Ms. Nimmo who said that she's from
12 Oakbrier near Poplar Bluff, I really appreciate the fact
13 that you all have come out tonight. You've got a little
14 ways to travel. I don't like driving at night any more,
15 so I can really appreciate the fact that you've got to
16 head that way to go home and, of course, I appreciate
17 the others.

18 I've been pleasantly surprised not to hear a
19 complaint at all about customer service. So I'd like to
20 know from those of you who have testified tonight if you
21 ever have any experiences or have had to deal with
22 customer service issues. Please feel free to come back
23 up to the mike if you'd like to speak.

24 MS. NIMMO: I've not had necessarily any
25 customer complaints. I guess it would be more of a

1 moment of appreciation. I have been busy in the last
2 probably like three to six months being in school or
3 preparing for school and I had actually forgotten to pay
4 my water bill. And they did not shut it off. So me and
5 my husband joked about that. I think it was like \$80.
6 It was three months worth or more. I appreciated that
7 whether -- I did speak to someone and they said that
8 they were having billing issues getting statements out
9 and whatnot, but that is a small percent of positive.
10 That's it.

11 COMMISSIONER COLEMAN: Thank you. I
12 appreciate that. As Commissioners, it's our
13 responsibility to take up all types of issues regarding
14 the utility companies into consideration when we make
15 these decisions, and so I'd like to get a well rounded
16 picture. So I appreciate your information. I
17 appreciate all of you all being here tonight.

18 Again, we know that it's a busy time of the
19 year no matter when you come to a meeting like this.
20 You have families, you get off work, you need to go home
21 and eat, prepare for the next day. But your information
22 is really important to us as we contemplate, evaluate,
23 and weigh what we hear at these hearings and the
24 testimony that comes forth to us. We really do
25 appreciate and take seriously the information that you

1 provide for us. So again on behalf of our Chairwoman
2 Kayla Hahn, we appreciate this opportunity to hear from
3 you, to get input to help us make the best decisions.
4 Mr. Strickland, come on up.

5 MR. STRICKLAND: I would like to say that I've
6 had no problem with Liberty Utilities' service. I just
7 want that on the record. They do great work. I have no
8 problem with that.

9 COMMISSIONER COLEMAN: Thank you, sir.

10 COMMISSIONER KOLKMEYER: Judge, this is
11 Commissioner Kolkmeier. I have a question for someone.

12 JUDGE SEYER: All right. Which someone would
13 that be, Commissioner?

14 COMMISSIONER KOLKMEYER: To the group.
15 Apparently most of these are from that one subdivision.
16 My question is what services does Liberty provide that
17 subdivision?

18 JUDGE SEYER: I can answer that question
19 actually.

20 COMMISSIONER KOLKMEYER: Okay.

21 JUDGE SEYER: So for the Oakbrier Estates
22 Subdivision outside of Poplar Bluff, and that's
23 O-a-k-b-r-i-e-r, they provide water service. And then
24 for the Savers Farm Subdivision outside Jackson, that is
25 sewer service, wastewater service.

1 COMMISSIONER KOLKMEYER: I was somewhat
2 confused in trying to decipher what services we were
3 talking about for these different subdivisions. So
4 thank you.

5 JUDGE SEYER: Okay. Also for the sake of the
6 record, before Mr. Strickland it was Ms. Nimmo back
7 making comments. All right. I don't think there's
8 anything else we need to cover. Yes, Mr. Strickland.

9 MR. STRICKLAND: He asked what services they
10 provide. They also provide the natural gas. So they
11 have -- It's not in this rate but they do serve us the
12 natural gas and then they bought the sewer system. So
13 they're familiar with all the area. They're familiar
14 with the subdivision. I just wanted to state that.

15 COMMISSIONER KOLKMEYER: Thank you, Mr.
16 Strickland.

17 COMMISSIONER COLEMAN: Thank you, Mr.
18 Strickland.

19 JUDGE SEYER: All right. Then if there's
20 nothing further, thank you all for being here tonight
21 and the hearing is now adjourned. We are off the
22 record.

23 (WHEREUPON, the proceedings concluded at 7:29
24 p.m.)

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CERTIFICATE OF REPORTER

STATE OF MISSOURI)
COUNTY OF COLE)

I, Beverly Jean Bentch, RPR, CCR No. 640, do hereby certify that I was authorized to and did stenographically report the foregoing Public Service Commission Local Public Hearing and that the transcript, pages 1 through 21, is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or counsel connected with the action, nor am I financially interested in the action.

Dated this 8th day of October, 2024.

Beverly Jean Bentch
Beverly Jean Bentch, RPR, CCR No. 640

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