

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

METROPOLITAN ST. LOUIS SEWER DISTRICT

PUBLIC HEARING

AUGUST 16, 2011

(Hearing start time, 7:00.)

	INDEX	
		PAGE
1		
2		
3	Introduction by Mr. Schneider	5
4	Presentation by Mr. Theerman	9
5	Public Hearing Session	20
6	Conclusion	47
7		
8		
9		
10	(No Exhibits Marked)	
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 PUBLIC HEARING FOR METROPOLITAN ST. LOUIS SEWER
2 DISTRICT, produced and examined on AUGUST 16, 2011,
3 between the hours of 7:00 in the evening and 8:03 in
4 the evening of that day, at The Engineers Club of St.
5 Louis, 4359 Lindell Boulevard, St. Louis, Missouri
6 63108, before Suzanne Zes, Certified Court Reporter.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 APPEARANCES

2 For the MSD Rate Commission:

3 Eric Schneider
3 Regional Chamber & Growth Association

4 Leonard Toenjes

5 Associated General Contractors

6 Glenn Koenen

7 West County Chamber of Commerce

8 Ralph Wafer

9 Missouri Coalition for the Environment

10 Ida Casey

11 St. Philip's Lutheran Church

12

13 Also present:

14 Jeff Theerman

15 Karl Tyminski

16 Pam Bells

17 Lance LeComb

18

19 The Court Reporter:

20 Suzanne Zes

21 Midwest Litigation Services

22 711 North Eleventh Street

23 St. Louis, MO 63101

24 314.644.2191

25 314.644.1334 Fax

1 MR. SCHNEIDER: Good evening, we'll get
2 started in the interest of time. My name is Eric
3 Schneider, I am a member of the Metropolitan St. Louis
4 Sewer District Rate Commission and I will be presiding
5 over the public hearing this evening. With me tonight
6 are my fellow MSD Rate Commissioners. The chairman
7 Leonard Toenjes, Ida Casey and Glenn Koenen and we
8 might be joined by a few other commissioners later on.

9 The charter plan of the District was amended at a
10 general election in November 2000 and established the
11 Rate Commission to review and make recommendations to
12 the District regarding changes in wastewater rates,
13 stormwater rates and tax rates proposed by the
14 District. The charter plan requires the MSD Board of
15 Trustees to select organizations to ensure a fair
16 representation of all users of the District services
17 on the Rate Commission. The Rate Commission
18 representative organizations represent commercial and
19 industrial users, residential users and other
20 organizations interested in the operation of the
21 District, including organizations focusing on
22 environmental issues, labor issues, socioeconomic
23 issues, community neighborhood organizations and other
24 nonprofit organizations. The MSD Rate Commission
25 currently consists of 14 members from organizations

1 and institutions throughout St. Louis City and County.
2 On May 10, 2011, the Rate Commission received a rate
3 change notice proposing changes in the District's
4 wastewater rates. The Rate Commission adopted
5 operational rules and a procedural schedule to govern
6 the proceedings on May 17th, 2011 and amended its
7 procedural schedule on July 8th, 2011. Under the
8 procedural schedule adopted by the Rate Commission as
9 amended, the MSD Rate Commission has until October
10 21st, 2011, to review and make recommendations to the
11 MSD Board of Trustees as to whether the proposed rates
12 should be approved, not approved or modified with
13 suggested changes and then approved. The MSD Rate
14 Commission has engaged legal counsel and a rate
15 consultant independent of those used by MSD staff.
16 Under procedural rules adopted by the Rate Commission
17 as amended, any person effected by the rate change
18 proposal has an opportunity to submit an application
19 to intervene in these proceedings. Applications to
20 intervene have been filed by Barnes Jewish Hospital,
21 Covidien, Missouri Industrial Energy Consumers, Robert
22 A. Miller, AARP and Consumer Councils of Missouri.
23 These applications have been granted. Since May 10th,
24 2011, the MSD Rate Commission has received testimony
25 from MSD staff, the intervenors and the rate

1 consultants. The parties have also engaged in
2 discovery requests. Technical conferences were held
3 on June 13th and August 11th, 2011 and are planned for
4 September 6th, 2011, where the participants and the
5 Rate Commission are given an opportunity to ask
6 questions of those submitting testimony. A prehearing
7 conference for the purpose of identifying any issues
8 raised by the rate setting documents and the prepared
9 testimony previously submitted, will be conducted on
10 the record on September 15th, 2011. All persons
11 submitting testimony may participate in the prehearing
12 conference and each participant in the prehearing
13 conference shall submit on or before September 22th,
14 2011, a prehearing conference report describing the
15 issues raised by the rate setting documents and the
16 prepared testimony. Together with a brief description
17 of such participant's position, if any, on each issue
18 and the rationale therefore. Rate payers who do not
19 wish to intervene are permitted to participate in
20 these on the record public hearings conducted in six
21 sessions beginning on August 16th, 2011 and concluding
22 on September 26th, 2011. The Rate Commission
23 published a public notice regarding these proceedings
24 in the St. Louis Post Dispatch on May 20th, 23th and
25 24th of 2011 and on July 20th, 21st and 22nd of 2011.

1 And in the St. Louis American on May 26th, 2011 and
2 July 21st, 2011. These notices contain the time,
3 dates and locations of each of the conferences and
4 hearings.

5 The public hearing session tonight is for the
6 purpose of permitting the District to present its
7 wastewater rate change proposal and to permit any rate
8 payer an opportunity to comment. We will begin with a
9 presentation by the District and then followed by a
10 public comment period. Those wishing to speak should
11 sign in on the sheets provided on the table back there
12 and will be called out in the order of the names
13 listed thereon. Each rate payer shall identify
14 themselves and any organizations represented by the
15 rate payers. So again, I just want to repeat, the
16 clipboard, Pam is the clipboard back there, I think,
17 right?

18 MS. PAM BELL: Yes. Anyone wishing to speak
19 needs to complete a blue card and turn it in.

20 MR. SCHNEIDER: Okay. So you got the blue
21 card and you got the clipboard to fill out. The
22 speakers will again be recognized in the order they
23 sign up. And we are also -- each rate payer will have
24 a maximum of ten minutes to speak regarding the
25 proposed rate change and as the presiding officer I

1 can limit or expand the time. And I also want to
2 mention we are here to hear about the rate case
3 specifically. There is MSD staff if you have issues
4 regarding MSD outside the rate case, they can address
5 that outside of this public hearing session. Also the
6 restrooms are located outside there if you need them.
7 I'd ask you in the interest of decorum here, to
8 silence all your telecommunication devices and kind of
9 keep your conversations to a whisper. And I think
10 that concludes my comments here. I'd ask the Rate
11 Commissioner because of the presentation maybe we can
12 leave the table and come back for the public hearing
13 and I will turnover to Jeff Theerman for some
14 comments.

15 MR. THEERMAN: Thank you, Mr. Schneider. My
16 name is Jeff Theerman, I am the District's executive
17 director. I am going to give you a brief presentation
18 about the rate proposal that we submitted to the Rate
19 Commission. There are paper copies of this
20 presentation out on the table if anyone missed that,
21 that they can take along with them.

22 First of all, a little bit about the District. We
23 are really two utilities in one. We are a stormwater
24 utility and a wastewater utility. We serve 525 square
25 miles of St. Louis City and about eight-tenths of St.

1 Louis County. Our customers number about 1.4 million,
2 there are 428,000 wastewater accounts. We are the
3 cobbling together of 79 different, separate sewer
4 systems. These sewer systems were built and operated
5 by municipalities and by private sewer companies up
6 until we acquired them after 1956. The District was
7 originally -- the servicer was originally the city and
8 the county out to roughly Lindbergh and then in 1970
9 we annexed the west part of St. Louis County out to
10 roughly Highway 109. We're the fourth largest sewer
11 system in the United States behind New York, Chicago
12 and L.A. And while we have roughly the same number of
13 miles of pipe in the ground as Los Angeles, we only
14 have about a third of the customer base to pay for it.
15 The reason there is, so much infrastructure here is,
16 again, 79 different sewer systems. If you were to lay
17 that out today in a modern fashion, it could be done
18 much more efficiently. That and the fact that it is a
19 very large service area. We have about 6,700 miles of
20 sewers in the ground that handle wastewater, 1,928
21 miles are combined sewers, that is the way sewers were
22 built in the 1800s. Sewage and stormwater flow in one
23 set of pipes. During dry weather that flow is all
24 wastewater and it flows to treatment plants for
25 complete treatment but during wet weather because

1 stormwater and wastewater together in one system,
2 there are overflows that occur into the Mississippi
3 River and the River Des Peres and some tributaries.
4 There are 4,700 miles of sanitary sewer. This is a
5 more contemporary design of wastewater systems.
6 Stormwater and wastewater in two different systems.
7 This system also has overflow problems, not because it
8 was originally designed to have stormwater included,
9 but because the condition of the system is allowing
10 rain water to get in that shouldn't be there, taking
11 up the capacity of the system and causing overflows.

12 We operate seven treatment plants and on a dry
13 weather day we treat about 370 million gallons of
14 wastewater through our treatment plants before it's
15 discharged into area streams. There is also 2,900,
16 almost 3,000 miles of stormwater sewers that are not
17 part of the wastewater system that are handled as a
18 separate utility. Our rate change proposal that we
19 submitted in May, is a wastewater rate change only.
20 And sometimes it is kind of hard to see what is waste
21 -- where wastewater ends and where stormwater starts
22 but I'm going to attempt to do that tonight. There
23 are no changes in our stormwater rates in this
24 proposal because our stormwater rates are presently
25 being litigated. So what we're talking about is

1 solely the rates for providing wastewater services in
2 the St. Louis City and County. We have a plan that is
3 four years in duration. It would raise rates July 1st
4 of 2012 and then each year after that through
5 June 30th of 2016, or four consecutive rate increases.
6 Our current rate for the average single family bill is
7 \$28.73 a month. Everyone will see a different number,
8 the bills are based on winter quarter water
9 consumption. We get the water data from your water
10 service provider and that, in turn sets the bill for
11 wastewater. We use winter quarter to try and avoid
12 taking into account irrigation or car washes, that
13 sort of thing. So what you get billed for in the
14 winter quarter by your water provider ends up
15 impacting your MSD bill down the road. The drivers
16 that are making this rate change necessary are listed
17 here on the slide and it is primarily regulatory
18 requirements and I am going to go into that in great
19 detail. Also to try and keep rates manageable, our
20 proposal includes the use of a significant amount of
21 revenue bonds or debt financing. And that debt
22 financing has to then be paid back with interest. We
23 have lost some customer base here in St. Louis City
24 and County. There is declining water usage through
25 conservation, as well as reduced water consumption

1 because of economic conditions. And so all of these
2 play a part in our rate proposal and are all being
3 considered by the Rate Commission.

4 Our proposal includes significant amount of
5 capital investment. We are proposing a little over a
6 billion dollars of capital improvements over those
7 four years. About 945 million of that would be debt
8 financed or we would sell revenue bonds and then use
9 the money from the proceeds to fund projects and pay
10 those bonds off over time. All proceeds of the debt
11 financing would be for capital improvements, so we are
12 not using debt to finance day-to-day operations of the
13 District. Our day-to-day operations over those four
14 consecutive years will be \$634 million, that is our
15 estimate. That is what it takes to run the day-to-day
16 business of MSD, including providing wastewater
17 services to those 1.4 million customers. And then
18 because we have already issued debt to the tune of
19 just under \$700 million and we are proposing to issue
20 additional debt for these capital improvements, there
21 is debt service. So you see a four year number for
22 debt service of \$359 million. The regulatory
23 requirements we face are the primary purpose for these
24 steep rate increases.

25 MSD in 2007 was sued by EPA in the State of

1 Missouri for violations or alleged violations of the
2 Clean Water Act. We have negotiated with the EPA over
3 the last four years to reach a settlement agreement
4 called a Consent Decree. And that Consent Decree is
5 now public and is available for public comment. I am
6 going to tell you just a little bit about the features
7 of the Consent Decree or the settlement. It has a 23
8 year schedule. We estimate that the cost of
9 compliance will be \$4.7 billion in today's dollars.
10 It will deal with sanitary sewer overflow elimination,
11 that's the overflow from that separated system where
12 stormwater is getting in through imperfections in the
13 system, through people's downspouts, through
14 foundation drains and causing overflows when we have
15 rain events. We also have a combined sewer overflow
16 abatement program included in this to the tune of
17 about \$2 million but instead of trying to separate
18 those sewers in the city and in the near county that
19 are combined, we'll build storage facilities to hold
20 there until the rain subsides and we can take that
21 water through complete treatment. It's a much more
22 cost effective approach to combine sewer overflow
23 abatement. There are sewer system maintenance repair
24 activities aimed at getting after the combined sewer
25 issues, the separate sewer issues and also the

1 basement backups that are a chronic problem for many
2 of our customers. There's -- and so reduction of
3 basement backups is a key part of the agreement. Then
4 there is asset reinvestment. One of the reasons we
5 are in the condition we are in as a utility and
6 infrastructure, we have underinvested in our sewer
7 infrastructure over decades. And so we are going to
8 have to get about the business of investing in it, so
9 that we don't get done with 23 years of capital
10 improvement and find ourselves still in the very same
11 place we are today. Outside of the EPA settlement
12 agreement, there is also other environmental regulatory
13 drivers for the rate increase. We are being required
14 to add disinfection at our treatment plants, so that
15 the water leaving our plants after it's been treated
16 is free of bacteria. And so those disinfection
17 requirements are coming into play for all of the
18 plants and there are costs associated with the
19 operations of those facilities once they are
20 completed. You may have comments to make about the
21 Consent Decree and right now prior to September 9 of
22 this year, you can make comments to the Department of
23 Justice about that Decree. If you would like to see
24 the Decree in total, you can go to our website and it
25 is shown there on the slide and there is a link to the

1 Department of Justice website. You can get a copy of
2 the entire Decree, the appendices to it and there is
3 instructions for making comments to the Department of
4 Justice. If you make comments tonight, they'll be
5 valuable comments for the Rate Commission but they
6 will not be comments that are forwarded to the
7 Department of Justice. You need to do that through
8 this other approach.

9 One thing to keep in mind, is this is not a
10 problem that is unique to the City of St. Louis or the
11 urban core, this is a problem that exists throughout
12 the separate and combined sewer systems throughout all
13 of MSD. This is a map that is not intended to be an
14 eye test but it is intended and if you have your
15 handout it's a little easier to look at. The green
16 dots on the map, in the green area, are combined sewer
17 overflows, there are about 199 of them. And that
18 combined sewer system on an average year will
19 discharge about 13 billion gallons of a combination of
20 wastewater and stormwater into area rivers. The red
21 dots on the slide are sanitary sewer overflows. Those
22 are overflows that occur in the separate sanitary
23 system. All the red dots need to be eliminated, all
24 the green dots need be abated. We need to build
25 facilities to reduce the impact and the number of

1 times those overflows are active.

2 Here's a picture of what the capital improvement
3 replacement program looks like over those four years.
4 These are big numbers, an average of about a quarter
5 billion dollars a year in capital investment to get at
6 these issues. Our operating costs are relatively
7 stable, our staff is relatively stable. You see our
8 day-to-day operating cost shown here, you'll see in
9 some years a little higher than what is normal
10 inflation in terms of increases. Those are related to
11 regulatory requirements that are having to do with our
12 in-house staff, which are pushing up our operating
13 cost. But we are trying our best to keep our
14 operating day-to-day cost manageable because dollars
15 we save in the day-to-day operation of the District
16 are then available for capital improvements. This is
17 a snapshot of what rates are looking like nationally.
18 The blue bars are MSD rates and their monthly
19 residential bills and then the red line is the
20 National Association of Clean Water Agencies' survey
21 data from utilities around the nation. And you can
22 see that buying large utilities are going up and
23 they're starting to go up steeper and steeper, due to
24 primarily regulatory drivers and the need to reinvest
25 in infrastructure and St. Louis is not an unusual

1 circumstance. The fact that we were sued by EPA and
2 are entering into Consent Decree is not unique to St.
3 Louis. It is an artifact or a cause by EPA's
4 enforcement activities dealing with these overflow
5 problems because they are not permissible in the Clean
6 Water Act.

7 Here is the rate picture. Here in our fiscal year
8 2012, which just started last month we have a \$28.73
9 bill for the average residential customer. And the
10 rate proposal we have given the Rate Commission has
11 these rate changes about \$20 over the four year period
12 increase in the average residential rate. There's
13 lots of ways to finance capital programs, this gives
14 you sort of two ends of the spectrum. On the left, is
15 the program we presented to the Rate Commission. It
16 is largely debt financed. \$945 million of additional
17 bonds, a billion dollar program for four years and you
18 see the escalation of rates over each of those years.
19 At the other end of the spectrum is to not borrow
20 money and to cash finance the program. There are an
21 infinite number of possibilities in between, so this
22 is just meant to show you the -- sort of the opposite
23 ends of the spectrum. The cash finance approach you
24 immediately need a rate increase where residential
25 rates go to \$37.35 to cash finance a quarter billion

1 dollars of capital improvements each and every year.
2 And you see in the years after that, the increases are
3 very small because you have already reached that
4 threshold and it is sort of an inflationary climb
5 after that. The right side was not our right
6 proposal. We felt that although it is cheaper in the
7 long haul because there is not interest payments, it
8 is too arduous for our customers around our community
9 to stand a rate increase like that. There is also the
10 issue of when we build sewers. We are building an
11 asset that has a life of 75 to 100 years, so the use
12 of debt to pay that off is an appropriate approach for
13 funding the capital improvements.

14 Just some mention of next steps before I sit
15 back down. Our Rate Commission will be giving a rate
16 report to our board in October. That, of course, will
17 be based on the public hearings and the testimony and
18 their decision process. Our board will review the
19 proposal through November to December and the earliest
20 they can introduce a rate proposal or rate case, a new
21 rate if you will, is in December 2011. Assuming bonds
22 are authorized, we would anticipate a bond
23 authorization election sometime in the spring. And
24 then after that election we would know whether it's a
25 bond funded approach or not, depending on the voters

1 approval or disapproval and the board would then
2 finalize the rate plan with the first rate change,
3 assuming our plan is accepted in July of 2012. And
4 that concludes the presentation on the rate proposal
5 that we've made and I guess I will hand it back over
6 to Mr. Schneider.

7 MR. SCHNEIDER: Thank you, Mr. Theerman. I
8 will start, if I can call the commissioner's up, we
9 will start the public hearing. I'll call the first
10 person -- since this is being recorded and is a public
11 hearing, I am going to ask the people to come and
12 speak here at the podium and then if you haven't
13 filled out a card and you still want to speak, just
14 fill out the card, come to the podium and hand it to
15 me when you're done. So I'm going to call the first
16 person on our list today, Ms. Vivian Perry.

17 MS. PERRY: Thank you. My question, most of
18 my questions were answered earlier by the gentlemen
19 that spoke after you. My one question is, in 2007
20 there were two house bills passed with a mandate of
21 that included like \$15 billion, am I right? It was in
22 the newspaper, I read it, I have got a copy of it. I
23 -- my understanding was that part of that \$15 billion
24 was to deal with the wastewater problem. Was I wrong,
25 I mean, what happened to the 15 billion or did we get

1 the 15 billion or did we go to court about the 15
2 billion?

3 MR. SCHNEIDER: There is MSD staff that are
4 prepared to answer that question.

5 MS. PERRY: Okay. Well, that is my
6 question, that is what I would like to know. I do
7 have a copy of the article here.

8 MR. TOENJES: If you have the article that
9 would be great. I will make a comment on it then let
10 Jeff make a comment on it. I am Len Toenjes. I am
11 the chairman of the Rate Commission and I will like
12 for Jeff to make a comment on it but those -- the
13 bills that you replied that you talk about there, are
14 federal funding bills. Those federal dollars are
15 allocated to the states and my understanding is those
16 states go into what's called a state revolving loan
17 program. That, in essence, those dollars -- the \$15
18 billion that were appropriated by the federal
19 legislature, go to the states. The states then have a
20 state revolving loan program that MSD or Kansas City
21 or other districts can tap into as part of this
22 borrowing program. That those are not grants but
23 those are funds that are allocated for borrowing at a
24 low interest rate back to the districts. I see Jeff
25 nodding his head but I don't know if you care to

1 elaborate on how much of that 15 billion ended up in
2 Missouri and how it ties into this rate case.

3 MR. TYMINSKI: Hey Jeff, can I help you out
4 on this one?

5 MR. THEERMAN: Sure.

6 MR. TYMINSKI: Okay. My name is Karl
7 Tyminski, I am the treasurer at MSD. I am involved
8 with the state revolving loan fund program. On an
9 annual basis the Congress does -- does authorize about
10 the amount you say each year for clean water revolving
11 loan funds. The State of Missouri gets a very good
12 share of that, relative to other states. We get about
13 3, 4 percent of the total. Of that total then that is
14 redistributed through the communities throughout the
15 State based on needs of projects. MSD, the State of
16 Missouri gets roughly about \$30 million a year from
17 that program. Of that 30 million, MSD is building the
18 Missouri River Wastewater Plant, the expansion of the
19 Missouri River plant and the weather expansion at the
20 Lemay plant. They are both about a \$100 million
21 projects but we have funded those through that loan
22 program. That loan program subsidizes the interest
23 you pay, we pay about 30 percent of the going rate.
24 It's worth -- if we get a loan of \$100 million dollars
25 the interest is worth about the same amount to this

1 community. So they're the two facilities we did. One
2 is at the foot of the River Des Peres, the other is
3 out on the Missouri River in Creve Couer. They are
4 the two big projects that we got.

5 MS. PERRY: So the one at the River Des
6 Peres, would that handle the problem we just had with
7 the fish kill last week?

8 MR. THEERMAN: I will take that one.

9 MR. TYMINSKI: I will let Jeff take that
10 one.

11 MR. THEERMAN: She asked about a fish kill
12 in the River Des Peres last week. We believe that
13 fish kill is related to backwater from the Mississippi
14 River because the Mississippi River is in flood. And
15 during these really hot summer days and that backwater
16 condition, the oxygen gets depleted in the River Des
17 Peres and you end up with a fish kill. So they are
18 not directly related. But As Karl said, we utilize
19 SRF or state revolving fund money a lot, we are the
20 primary user of it here in the State of Missouri and
21 part of our proposal, part of that debt, would be
22 state revolving fund money at low interest. Does that
23 answer your question?

24 MS. PERRY: Yes.

25 MR. SCHNEIDER: Thank you, Mr. Theerman.

1 The next speaker, Mahlon and Patricia Hewitt?

2 MR. HEWITT: I didn't have any comment.

3 MR. SCHNEIDER: Okay. Karen Franz-Cohen?

4 MS. FRANZ-COHEN: Good evening, I am a
5 property owner in the city and having heard about
6 this, the main thing I would like to say is I would
7 like the bonds to be financed for as a long period as
8 possible because I want the rate to stay as near to
9 what it is now as possible. And I -- my family cannot
10 take that kind of financial hit. We have a four
11 family and so that is two sewer bills for me. So, if
12 they go to \$47, that is a \$100 a month. So, that is a
13 bit too much. So, I appreciate that. And then I
14 wanted to know if the materials and the labor to do
15 all this work is going to be purchased locally and I
16 would like to put in a vote for that.

17 MR. SCHNEIDER: Jeff, you want to answer the
18 local question?

19 MR. THEERMAN: I think maybe I'll just hang
20 around this microphone here. We believe a lot of this
21 program, perhaps not all, but a good deal of this
22 program can be built locally with local materials and
23 local contractors and engineering companies and it is
24 our intention to try to do that. There are some
25 components of the program with respect to some very

1 large tunnel construction, where the contracting
2 community just isn't there to do that construction
3 locally, so we may have to go outside of St. Louis for
4 the construction of that. But to the extent we can,
5 we want to keep it local and there is adequate
6 capacity in St. Louis from a construction perspective,
7 an engineering perspective to do this program. We are
8 confident of that.

9 MR. TOENJES: I would just like to make one
10 comment on that. My role on the Rate Commission is to
11 represent the commercial construction community here
12 in St. Louis. So, it is certainly important to me
13 that as many of our local contactors and trade workers
14 get those jobs as possible. So thank you for your
15 comment.

16 MR. SCHNEIDER: Actually, maybe we should
17 introduce each of our organizations on the Rate
18 Commission. Again, I am Eric Schneider, I represent
19 the St. Louis Regional Chamber & Growth Association.
20 Glenn, you want to start?

21 MR. KOENEN: I am Glenn Koenen, I am with
22 the West St. Louis County Chamber of Commerce. And my
23 day job is running Circle of Concern in Valley Park.

24 MS. CASEY: Good evening, my name is Ida
25 Casey. I represent the St. Philip's Lutheran Church.

1 MR. TOENJES: My name is Len Toenjes. I
2 represent the Associated General Contractors of St.
3 Louis.

4 MR. WAFER: Hi, I am Ralph Wafer and I
5 represent the Missouri Coalition for the Environment.

6 MR. SCHNEIDER: Thank you. So our next
7 person to testify is Joan Bray from the Consumer
8 Council of Missouri.

9 MS. BRAY: I was just introduced, I am Joan
10 Bray, I am chair of the board of the Consumers Council
11 of Missouri. We reform to educate and empower
12 consumers state wide and to advocate for their
13 interest both in legislation and in rule making
14 procedures. We work in three areas, utilities,
15 personal finance and health insurance. CCM has been
16 granted intervention in status for this case and we
17 are appreciative of that. And what we do want to say
18 is that no one in the region would deny the need for
19 this work. We absolutely go along with that and so we
20 know that rate increases do have to come but they are
21 coming at a very bad time. Over the past three years
22 during the recession people have suffered
23 tremendously. The middle class and poor people have
24 particularly been hit hard and too many people are
25 unemployed, too many people have lost their homes, too

1 many people are having to share space like they never
2 did before. And everyone has seen a huge escalation
3 in their utility bills. We know that Ameren in this
4 past five years have increased their rates by 41
5 percent. So what the Consumers Council is asking MSD
6 and this Rate Commission, is to be very specific about
7 what the work that has to be done and the money
8 needed to do that. We prefer that you go year-by-year
9 telling us what projects are going to be done and what
10 it is actually going to cost especially after the
11 first year of experience. Big numbers saying, well,
12 we have all this work to do and these are big numbers,
13 we have a high discomfort with that. So we would
14 prefer that the rates be phased in as gently as
15 possible and for the real amounts, not some estimates
16 for which we are not quite clear how they are done.
17 So we want you to be very sensitive to the individual
18 rate payers and how this hits them in these very
19 difficult economic times. Thank you.

20 MR. SCHNEIDER: Next testimony from Kat
21 Hogan Smith. Here you go.

22 MS. LOGAN SMITH: I am Kathleen Logan Smith,
23 I am the executive director of the Missouri Coalition
24 for the Environment and I am glad everyone is here
25 today. I just wanted to say that this is an

1 opportunity to make a historic investment in St.
2 Louis, the likes of which haven't been made in about a
3 hundred years. And it is an opportunity to for us to
4 step up to the plate and put people to work in our
5 community for about 23 years. And we have an
6 opportunity to return our waters to some health. And
7 some of the stories that I hear that affect me are the
8 stories about people remembering the day when they
9 swam the Maylene (ph) Creek or when they could catch
10 fish in Deer Creek, when the streams were healthy
11 enough to support the kind of life that God put there
12 in the beginning of time. And that we have degraded
13 our system over the last couple of hundred years in a
14 way that is very unnatural and that it's nice to see
15 us taking a step in a direction that is where the rest
16 of the world is going in the 21st century. It's no
17 longer okay for us to dump sewage into the waters that
18 we use and ultimately another community does drink
19 that water too. So we have to keep in mind that to be
20 responsible for our waste system is to start with
21 ourselves. And there is a lot of opportunities in the
22 next five or ten years for all of us to contribute to
23 the solution and not just to push it off on to MSD.
24 We have opportunities to partner with MSD and with our
25 neighbors and our communities to help keep the

1 wastewater and keep the runoff out of the system and
2 make a big dent, possibly even in our own bills. So I
3 want to encourage everyone to support this proposal.
4 We are going to have to make sure that they meet the
5 goals, they meet the deadlines and they meet the price
6 points that they have agreed to and it's going to be
7 up to us as citizens and Rate Commissioners and the
8 board of MSD to hold them accountable to those
9 achievements. And 23 years from now we will have
10 something we can be proud of and our grandchildren can
11 join us in celebrating the clean water that we have
12 given to them.

13 MR. SCHNEIDER: Again, if have you a card
14 and you want to testify just raise your hand. You can
15 also submit comments in writing to MSD staff here.
16 And you can also do it via the website stlmsd.com.
17 Next speaker is John Bordeaux.

18 MR. BORDEAUX: Hello. I remember back when
19 we had a rate increase almost ten years ago. And then
20 immediately it was upped again and I felt that MSD has
21 been playing for years a shell game with the community
22 and not actually telling us exactly what we should be
23 looking forward to from you and the waste that is
24 taken place at MSD. And at this point, based on the
25 comments that so many people have said about we all

1 want better things for our community, but at the same
2 time we don't want to be taken advantage of. And I
3 feel we have been taken advantage of. And as Rate
4 Commissioners I think that you should look into that
5 and see that that can't happen any kind of ways.

6 MR. TOENJES: I will just speak to that for
7 one second. Part of the Rate Commission process is
8 that the Rate Commission hires and independent rate
9 consultant so the numbers that were presented by the
10 MSD staff here tonight, part of our duty as
11 representing you all here in one way or other, is that
12 our private rate consultant takes all those numbers
13 and peels them all away and gives us an independent
14 analysis to look for those sort of things that you're
15 talking about, if there are wastes, if there are
16 inaccurate estimates, if there are -- if there is
17 anything there that doesn't pass the smell test. So I
18 do appreciate your comments, thank you.

19 MR. SCHNEIDER: Mildred Griffin, did you
20 want to make a comment?

21 MS. GRIFFIN: No, my question has been
22 answered already. Thank you.

23 MR. SCHNEIDER: Dan O'Neal, would you like
24 to make a comment?

25 MR. O'NEAL: No.

1 MR. SCHNEIDER: I have come to the end of
2 the list of the blue cards. Does anybody else have a
3 comment? Okay, thank you. Barbara Murphy.

4 MS. MURPHY: Good evening. I am not
5 associated with anyone important, I am just a
6 day-to-day person who lives and resides in the City of
7 St. Louis and have done so my entire life. And my
8 memory is not so good about rate increases but I have
9 three questions. Your rate request I am sure is well
10 needed or deserved of your consideration but behind
11 the increases for Laclede gas, Ameren, the
12 telecommunication's industry, et cetera, the financial
13 situation of this city, the lack of jobs in this city,
14 the fact that families are falling in on each other in
15 this city, you got generations again living in the
16 same house, not because they love each other but
17 because they have to. And I'm not sure if I can
18 afford another rate increase of any type from anybody.
19 It is just getting to be too much and this might be a
20 trend I noticed in the last four years. I retired in
21 2007 with a nice healthy bankroll and then the stock
22 market hit in 2008 and I was devastated. And I went
23 -- I wanted to go back to work, ha, they see the gray
24 hair which is covered up right now and they don't want
25 to hire anybody and I have qualifications. But my

1 point is, I might be forced to give up my home, okay.
2 Not because I can't pay the mortgage, but it's going
3 to be the mortgage plus the fees, plus the rates, plus
4 the taxes and it will just be too much. And that will
5 be killing the goose that lays the golden egg. You
6 will a lot of empty houses with a wonderful sewer
7 system. The next question is -- then I have question
8 about the water, the winter water usage. I call
9 because when I got the notice of the meeting, I
10 started going over my bills and I have been paying \$41
11 a month for my sewer bill, in addition to my storm
12 bill that is included in my property tax, for the last
13 ten years. And my question is \$41, it's just me. I
14 can't -- excuse me, use the bathroom that much. Why
15 is it \$41? And that tells me over the next four years
16 it might go up to \$81, \$85, that is scary to me. In
17 addition to everything else that will be going up. So
18 I wonder is there any type of adjustment for the
19 winter water use and can I get somebody to investigate
20 and see why my bill is so high. Then the last thing,
21 you probably will get your rate increase, you will
22 probably get your bond issue increase, you will
23 probably get those. I am serious, I have seen it
24 happen over and over again because we always say, we
25 don't like it but we'll take -- we'll bite the bullet

1 because this is for the greater good of the City of
2 St. Louis and we will make that sacrifice. That is
3 how we feel in this city. We our supportive, we are
4 good people here. But my question is, what happens in
5 2017, when this money goes away, are they going to
6 drop back down, are they going to come back again and
7 ask for more, will inflation hit us even harder, that
8 is my question. And I am just afraid.

9 MR. SCHNEIDER: Mr. Theerman, I heard kind
10 of three questions. One, could you tell how they
11 calculate the water usage rates for your bills and
12 second, if you could talk about the low income program
13 that MSD has. And the third thing is whatever happens
14 after the rates set in.

15 MR. THEERMAN: Okay. Earlier I mentioned
16 that winter quarter water consumption is what is used
17 to calculate the bill. What I should have followed
18 that with is, if you're a city customer of the city
19 water division, your residential use is probably not
20 metered. There are very few residential water meters
21 in the City of St. Louis. And so the city uses a
22 methodology that is basically counting rooms, baths,
23 number of rooms in the home and they arrive at your
24 use that way. Which if you're a single person in a
25 large home, is a lot different than if you're the

1 opposite, many people in a smaller home. That is all
2 they have right now for doing that and we use that
3 methodology in our rate setting. The city water
4 division will read meters if the meters get installed.
5 So the homeowner has the ability to have a water meter
6 added and then sort of right size their usage and
7 therefore their bills, so that is one thing.

8 MS. LOGAN SMITH: What does that cost?

9 MR. THEERMAN: Kat, a water meter is not
10 very expensive but what it takes to get it installed
11 in the plumbing depends on the situation in the home.
12 So I would be guessing, a couple hundred bucks is
13 probably all it takes to get a water meter. But it
14 could be thousands of dollars if you're having to do
15 other plumbing code work in the home. So that is why
16 you're seeing your bill stay flat for years and years
17 and years. Some of you that are served by Missouri
18 American would have a different experience. Your
19 water bills, your sewer bills would rise and fall each
20 year because your water use is adjusting. Low income
21 assistance, MSD for over ten years has had a low
22 income assistance program and for those customers that
23 qualify, the bill can be cut by 50 percent. And all
24 it takes is an application. If anyone here wants to
25 investigate that, there is information on the front

1 table and also Jan Zimmerman our Director of Finances
2 in the back of the room and she would be glad to help
3 answering any questions anyone may have.

4 MR. SCHNEIDER: And what happens in 2017 is
5 the final question.

6 MR. THEERMAN: Oh, yeah, 2017. The short
7 answer is more of the same. We are going to be trying
8 to build \$4.7 billion of improvements over 23 years.
9 We believe the rates will climb up into the 80's by
10 the end of the decade and then start to level off and
11 you'll have more inflationary style rate changes, you
12 know, beyond that, but the unfortunate reality is that
13 \$47 is not the end of the line in our opinion.

14 MR. SCHNEIDER: Our next testimony is from
15 Leonard Lang.

16 MR. LANG: Yes, I was going to follow up. I
17 think you answered my question pretty much but the 4
18 plus, the 4 billion plus project is going to be skewed
19 towards the end of the 10 year term or 12 year term
20 for the life of the proposal, right? We are spending
21 a billion plus or minus, in the first four years and
22 at least three billion to go into the last seven
23 years, if I am reading the numbers.

24 MR. THEERMAN: It's a 23 year schedule, so
25 the horizon is longer.

1 MR. LANG: Okay, 23, not going until 2023.

2 MR. THEERMAN: And of course, we are talking
3 about current dollars, so as time goes on --

4 MR. LANG: Numbers will get bigger.

5 MR. THEERMAN: The numbers are going to get
6 bigger.

7 MR. SCHNEIDER: Next one is Joe Gudiswicz.

8 MR. GUDISWITZ: Joe Gudiswicz. I guess the
9 first question is -- I guess what's the driver for the
10 lawsuit because I'm not familiar as far as the water
11 quality issue that started -- that started everything
12 rolling. And I guess my worry is particular -- well,
13 two worries, one is will what we are doing, will it
14 really help our water quality issue because we are a
15 system that's -- River Des Peres and other
16 subsidiaries they're not natural channels to start
17 with, so we still have overland flow and other things
18 that are contaminants to the area. And when we talked
19 about the environment just before and thinking that we
20 still have non-natural channels systems and the big
21 first flush, I'm just wondering if what we are doing
22 is really getting at the problem. And then I guess
23 the other question is, if St. Louis City and County
24 are having these rate increases, the surrounding areas
25 where are they also going to also have similar rate

1 increases, St. Charles, Franklin County, further out
2 and essentially are we going to be at a competitive
3 disadvantage as far as residents pricing ourselves for
4 myself saying, well, I'm going to move over to
5 Franklin County in five, ten years because things just
6 keep on going up in the city.

7 MR. THEERMAN: On the slide, the green area
8 again is combined and outside of that is a separated
9 area. All those red dots are constructed sanitary
10 sewer overflows and they are all illegal. They were
11 put in as the lesser of two evils. They allow
12 overflows to occur instead of basement backups and so
13 the Clean Water Act says all those red dots have to
14 go. And the green area, all the green dots are
15 combined sewer overflows, now they're not illegal but
16 they have to be abated. And all 199 of those
17 discharge an average of 30 to 50 times a year with
18 rain events. And our program that has been approved,
19 has those discharging down around four times a year
20 with the exception of those that are along the
21 Mississippi River. The Mississippi River CSOs are
22 being addressed in a different matter with green
23 infrastructure work we're doing in the north side of
24 the City of St. Louis to try and reduce the amount of
25 water that is reaching our combined system and

1 therefore into the river. So your question is really,
2 what kind of benefit do we get? Well, our program is
3 designed to try and get the greatest benefit in the
4 urban streams. That is where people are close to the
5 overflows. People's backyards, the streams of
6 discharge in the River Des Peres that flow through the
7 parks, the River Des Peres itself, both down where
8 it's a big industrial channel but also up north where
9 it's more of a creek. The Maylene Creek and all the
10 unnamed streams in between. So that's why you see the
11 majority of our work occurring away from the
12 Mississippi River because everything we do to improve
13 water quality in the region, ultimately helps the
14 Mississippi, it all flows there eventually. So hard
15 to quantify benefit because you're right in
16 characterizing, there is more to the equation than
17 sewer overflows, there are a whole lot of stormwater
18 impacts that are going on and that's a different topic
19 for a different day. But MSD is intimately involved
20 in trying to deal with stormwater pollution, as well
21 as wastewater pollution. So that's sort of the
22 picture of the way the program is. The red dots are
23 illegal, the green dots have to be abated, there is no
24 way around that. Competitive damage, you can tick off
25 any major city in the country that is entering into a

1 Consent Decree or that already has one. You start
2 talking about our neighboring municipalities in the
3 region and nearby counties, systems aren't as old,
4 probably doing a very similar thing to what we have
5 done, under invested in their systems. Over time if
6 they don't choose to invest they will end up being in
7 a very similar place as we are. So hard to say
8 competitive advantage, hard to say what exactly that
9 turns into. There are some advantages to an MSD scale
10 utility. We have a very large economy scale, our
11 treatment plans our efficient as any plant in the
12 country in terms of cost to operate. So the reason
13 are rates have been low for a long time and we have
14 been able to get by with what we have done is because
15 of scale, we are big and we are able to achieve good
16 economies that way but there is a lot of pipe there to
17 fix too.

18 MR. SCHNEIDER: Does anybody else wish to
19 testify or have a comment on this specific rate
20 proposal tonight?

21 UNIDENTIFIED SPEAKER: Actually, yeah. I
22 would like to know why, why has it been under invested
23 for all these years? You keep telling us that, but
24 why?

25 MR. SCHNEIDER: Did you hear the question?

1 MR. THEERMAN: Yeah, it's the infrastructure
2 story you here about virtually all infrastructure.
3 Roads, highways, bridges, water, sewer, as a nation,
4 not just here in St. Louis, we have lived on borrowed
5 time. Rates should have been -- rates should have
6 been increased in the 70s and 80s and 90s. There is a
7 lot of reasons why they weren't. I mean, it's always
8 hard to raise rates. There are impediments to raising
9 rates in state law. So I mean, and these are all
10 things we value as Missourians, it should be hard to
11 raise rates but it does have an impact. If rates
12 aren't raised, an infrastructure investment isn't
13 made. It is not any different than other forms of
14 infrastructure. I think the real difference about
15 sewers and water mains for that matter, is it's buried
16 and it is easy not to think about it. When you're
17 driving on a bad road you know it. When your sewer
18 system is falling apart under your feet it's not as
19 obvious.

20 MS. BORDEAUX: Good evening. I don't know
21 that much --

22 MR. SCHNEIDER: Could you state your name,
23 please?

24 MS. BORDEAUX: I'm sorry, Delores Bordeaux
25 and I'm a homeowner just a couple of blocks over. I

1 don't know that much about the technology involved
2 with the things that need to be improved and the
3 infrastructure that needs be updated but other than --
4 and I heard NPR yesterday and I don't know if it was
5 you that was speaking, I think so, about the green
6 technology that might be used at this point. The only
7 thing I heard were the gardens to filter the water
8 primarily in North St. Louis and I was wondering with
9 this project, what other green technology or efforts
10 to strengthen the environment in the process are being
11 undertaken?

12 MR. THEERMAN: Our settlement agreement with
13 EPA includes a pilot project that we are currently
14 doing in the north side of the city. And that project
15 includes elimination of impervious area, more green
16 space, green techniques like rain gardens, planter
17 boxes that hold water rather than letting the
18 downspouts just flush directly to the system,
19 vegetated swales, porous pavement, these are all green
20 techniques and the list is quite long. Other areas of
21 the country are doing really interesting things with
22 reducing pavement widths and having more planting
23 areas to catch rainwater. There's really a very long
24 list. You can see some of those techniques on our
25 website. There is a lot of green on the web and lots

1 of websites. After the pilot program, our settlement
2 agreement has \$100 million of green infrastructure
3 that will go in the combined area, that green area and
4 predominately in the north side. There are -- there
5 are what we believe, that the north side of St. Louis
6 is going to see a lot of change in the next 20 to 30
7 years. There is a lot of vacant land that is
8 presently owned by the city. There are opportunities
9 for that to redevelop into something really terrific.
10 (loud noise from mic followed by laughter) I hope that
11 wasn't a comment about my statement. And that is part
12 of the reason the \$100 million leveraging in that part
13 of the combined system was something the public talked
14 to us about. We -- this combined sewer program, which
15 is sort of half of the program, went through a lot of
16 public comment about two years ago in its development.
17 And we asked the public to help us weigh options and
18 that green alternative on the north side is part of
19 it. That doesn't mean we are not doing green other
20 places, you get outside of that green area and you're
21 in that separate area, there are two systems there.
22 And the stormwater part is not part of this proposal
23 but stormwater work is being done with lots of green
24 alternatives in the county and we are playing a role
25 in that too. We are certainly not the only one, we

1 are partnering with others to try and find green
2 alternatives throughout the whole region.

3 MS. SYREN: My name is Mary Syren. I wanted
4 to ask you about this green initiative. You mentioned
5 pots, you know, they're collecting rainwater, where is
6 the money coming from to institute that?

7 MR. THEERMAN: The green infrastructure
8 program in the combined area because it will help
9 reduce overflows, is funded out of the wastewater rate
10 and that's because it is a lesser and hopefully more
11 effective approach to the combined sewer overflow
12 issue, which is a wastewater issue. When you get
13 outside of that combined area, the green
14 infrastructure alternatives that MSD would fund would
15 come out of the stormwater rate. And presently our
16 stormwater rate is being litigated, so it's really
17 been trimmed back to very bare bones stormwater work
18 outside that area. A lot of green infrastructure goes
19 in with private investment. MSD is also a regulator.
20 We permit new development and when we do that we are
21 seeking green infrastructure alternatives to be
22 considered in how the stormwater is managed on a new
23 development site as well. So green infrastructure is
24 not solely a public major, a lot of it is private,
25 both to construct and own and operate.

1 MR. SCHNEIDER: Is there any other comments,
2 you had one, is there anybody that has not spoken that
3 would like to testify?

4 UNIDENTIFIED SPEAKER: Where are you getting
5 with the city, we had projects when I worked for the
6 city where plumbing division literally would not let
7 us not hook up a gutter system to the stormwater
8 system and they wouldn't give us a pass on our final
9 inspection on the houses, so did that get resolved
10 yet?

11 MR. THEERMAN: The city has an ordinance
12 that prohibits the disconnection of downspouts from
13 the sewer system and that ordinance is a public safety
14 ordinance that is really designed to try and prevent
15 downspouts from spilling onto sidewalks and then that
16 freezing in the pavement in the winter. We work with
17 the city to try and get variances where there is a
18 green space for that downspout to discharge to. And
19 they are working with us on that. We have gotten it
20 all done yet but we are able to work with them on a
21 case-by-case basis. The disconnection of downspouts
22 in the combined area isn't as important as the
23 disconnection of downspouts in the separate area.
24 That separate area again, in many cases in those near
25 urban or those near suburban communities was plumbed

1 like it was a combined system. So you have downspouts
2 connected to the sanitary line that is not supposed to
3 be a combined sewer. So we are going to have to have
4 a program of getting those downspouts off to try and
5 get water out of the sewer system to try and stop
6 overflows but we are doing it in both respects. In
7 the county in the nongreen area, if you will, we will
8 be working with people to get them disconnected so
9 they're not adding extra water. In the city,
10 case-by-case, we are working with customers and with
11 the city codes to try and get disconnection to occur.
12 I'm not surprised it's a real common -- it's an
13 ordinance that they enforce and it's appropriate in
14 many places. They got a lot of areas where you really
15 don't have a green space to discharge to but where it
16 makes sense the city has been willing to work with us
17 on.

18 UNIDENTIFIED SPEAKER: We have developments
19 where there are plenty of green space to absorb the
20 water and they didn't.

21 MR. THEERMAN: I don't want to criticize the
22 city because there are times when we are permitting
23 and we are hardheaded too, so I --

24 UNIDENTIFIED SPEAKER: I believe you were
25 addressing the question that I had, you're talking

1 about downspouts from new constructions into the drain
2 system, right, and as I understand you, the answer to
3 that is not in yet?

4 MR. THEERMAN: Yeah, I think that is
5 accurate. I mean, right now the ordinance still
6 exists, you have to plumb downspouts to the sewer
7 system in the city. And they stand by that ordinance,
8 we work with them on a case-by-case basis to try to
9 get variances where they make sense. You know, over
10 the long haul I'm not sure where it is going to end
11 up. I think there is a willingness to work together
12 and to try and find solutions though.

13 MR. SCHNEIDER: Anybody else have any
14 comments regarding this rate proposal?

15 MS. WISE: Thank you, good evening. My name
16 is Erva Wise and I want you to look around at the room
17 and see all of these senior citizens and we are on the
18 fixed income. Everybody is in our pocketbooks for
19 everything. We can't get our 2 percent cost of
20 living, everything is sky high and I want some of
21 these officials to take notice. You got your
22 youngsters, they going to work, they don't want to
23 work and we have worked. They going to take our
24 Medicare and try to do everything to us. Where is the
25 solution to helping us -- 23 years from now I will

1 probably be dead. I will be close to 90 years old,
2 you know, so a lot of us in here will never even see
3 this project. So I want you all to take into
4 consideration we have been to the meetings, all the
5 meetings that you have held and we are constantly
6 talking, you all are constantly talking about raises.
7 Everybody wants to get in our pocketbooks. You can't
8 get in our pocketbooks if we got lint at the bottom of
9 them. So I want you all to think about some of the
10 things that you're putting the senior citizens
11 through. Thank you.

12 MR. SCHNEIDER: Anybody else that has not
13 spoken that would like to testify? Does the Rate
14 Commissioners have anything they would like to add?

15 MR. TOENJES: I would just like to say,
16 again, my name is Len Toenjes. I'm chairman of the
17 Rate Commission. We hit -- this is the third rate
18 case I have had the opportunity to represent you all.
19 I heard who will do the work, what is this going to
20 mean to me, when did we get behind on our investment,
21 why do we need a rate increase and how will we address
22 ways to make sure that every dollar is used carefully.
23 I think that the 15 member Rate Commission does a good
24 job of representing the community. I also think it is
25 tremendous -- I guess I would personally like to thank

1 each of you for taking time out of your evening and
2 your week to come here and express yourselves because
3 your concerns are all extremely important to us and
4 extremely important to everybody on the Rate
5 Commission. We have had these hearings where two
6 people show up and we are out of here in five minutes.
7 So I think it's tremendous to see the turn out
8 tonight. On behalf of the entire Rate Commission, I
9 would just like to thank all of you for being here
10 tonight.

11 MR. SCHNEIDER: The next public hearing will
12 be conducted on Thursday, August 18th, 2011, at 6:00
13 p.m. at the City of Chesterfield City Hall at 690
14 Chesterfield Parkway West in Chesterfield. The
15 remaining public hearings are all on the MSD website.
16 I do encourage you to go on that, stlmsd.com. You can
17 submit comments regarding the Rate Commission via the
18 website. All of the documents that the Rate
19 Commission is reviewing is also on that website. So
20 if you go into the about us section on the Rate
21 Commission you can find all the documents the Rate
22 Commission is looking at, in addition to the capital
23 plan that is being proposed as a part of this Rate
24 Commission. I just want to thank Mr. Theerman and the
25 MSD staff. Raise your hand, the MSD staff is in the

1 room. If you have any questions, they're all here to
2 answer further questions here. So with that, I will
3 conclude the public hearing for tonight and thank you
4 for taking the time.

5 (Hearing concluded at 8:03 p.m.)

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER

I, Suzanne M. Zes, Certified Court Reporter,
Notary Public within and for the State of Missouri, do
hereby certify that the witness whose testimony
appears in the foregoing deposition was duly sworn by
me; the testimony of said witness was taken by me to
the best of my ability and thereafter reduced to
typewriting under my direction; that I am neither
counsel for, related to, nor employed by any of the
parties to the action in which this deposition was
taken, and further that I am not a relative or
employee of any attorney or counsel employed by the
parties thereto, nor financially or otherwise
interested in the outcome of the action.

Certified Court Reporter