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ROBERTS & ASSOCIATES BY THOMAS ROBERTS, RPR, CCR

1 PUBLIC SERVICE COMMISSION

2 STATE OF MISSOURI

3  
4 TRANSCRIPT OF PROCEEDINGS

5 Public Hearing

6  
7 August 20, 2007

8 Carrollton and Marshall, Missouri

9 Volume 2

10  
11 CASE NUMBER ER-2007-0291

12  
13 In the matter of the Application of Kansas  
14 City Power and Light Company for approval to  
15 make certain changes in its charges for  
16 electric service to implement its Regulatory  
17 Plan.

18  
19 RONALD G. PRIDGIN, Presiding  
20 Senior Regulatory Law Judge

21  
22 CONNIE MURRAY

23 STEVE GAW

24 Commissioners

25 REPORTED BY: THOMAS H. ROBERTS, CCR.

1                   A P P E A R A N C E S

2

3           For KC Power           MR. JAMES FISCHER  
4           and Light:           Fischer & Dority  
5                               101 Madison Street  
6                               Suite 400  
7                               Jefferson City, MO 65101

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AND

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For Office of           MR. LEWIS R. MILLS  
Public Counsel:       Public Counsel  
                          PO Box 2230  
                          Jefferson City, MO 65102

For Staff:           MR. DAVID WILLIAMS  
                          General Counsel  
                          PO Box 350  
                          Jefferson City, MO 65102

ALSO PRESENT:       MR. GREGG OCHOA  
                          MR. KEVIN KELLY

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

2 (Hearing commenced at 4:00 p.m.)

3

4 JUDGE PRIDGIN: We're on the  
5 record. Good afternoon. The Missouri Public  
6 Service Commission has set this time for a  
7 local public hearing in case number ER  
8 2007-0291.

9 The Missouri Public Service Commission  
10 regulates the rates charged by investor owned  
11 utility companies in Missouri to ensure that  
12 those rates are just and reasonable.

13 The Commission also regulates the  
14 quality of service and the safety of the  
15 operations of investor owned utilities.

16 The Commission is made up of five  
17 commissioners, two of whom are with me right  
18 now. They are appointed by the governor to  
19 fixed terms and confirmed by the senate.

20 The commissioners employ a staff of  
21 engineers, accountants, attorneys and  
22 financial analysts and other specialists in  
23 the field of utility regulation.

24 I'm Ron Pridgin, I'm the regulatory law  
25 judge assigned to preside over this hearing.

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1 With me today and to my right is Commissioner  
2 Gaw, and to his right is Commissioner Murray.

3 This an official hearing of the Missouri  
4 Public Service Commission and the statements  
5 and testimony of witnesses will be recorded  
6 by the court reporter and must be given under  
7 oath.

8 All of the commissioners will have a  
9 chance to read all of your remarks.

10 The purpose of this hearing is to hear  
11 from you. The company will not present  
12 witnesses and will not answer questions  
13 during this hearing. This is your chance to  
14 testify. Your remarks will be made a part of  
15 the official record of this case.

16 I will reserve the right to call  
17 witnesses out of the order they sign up if we  
18 start getting a long list of witnesses. If  
19 your name is called please come forward to  
20 the witness area, I will ask that you be  
21 sworn in and I will ask you some preliminary  
22 questions such as your name and your address  
23 and ask you to spell your name for the court  
24 reporter, then you may make your statement.

25 When you are through I may have

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1 questions or the commissioners may have  
2 questions. If there is someone who wishes to  
3 testify but for religious reasons cannot take  
4 an oath, please inform me and I will ask your  
5 testimony be affirmed instead.

6 Does anyone have any questions about the  
7 hearing procedure?

8 (No response.)

9 Hearing no questions we will begin the  
10 local public hearing in case ER-2007-0291. I  
11 would like to get entries of appearance from  
12 counsel, please, beginning with the general  
13 counsel's office.

14 MR. WILLIAMS: David Williams, PO  
15 Box 350 Jefferson City, MO, 65102 appearing  
16 on behalf of the staff.

17 JUDGE PRIDGIN: Mr. Williams,  
18 thank you. On behalf of Kansas City Power  
19 and Light, please.

20 MR. FISCHER: Representing  
21 Kansas City Power and Light Company, James M.  
22 Fischer with the law firm of Fischer and  
23 Dority, PC. My mailing address is 101  
24 Madison street Suite 400, Jefferson City,  
25 Missouri 65101. I also have with me today at

1 the counsel table the general counsel of  
2 Kansas City Power and Light Company, Bill  
3 Riggins. His address is 1201 Walnut, Kansas  
4 City, Missouri.

5 JUDGE PRIDGIN: Mr. Fischer,  
6 thank you. Mr. Riggins, thank you.

7 Anyone here on behalf of the Office of  
8 Public Counsel?

9 MR. MILLS: Yes, Judge, here in  
10 Marshall, Lewis Mills on behalf of the Office  
11 of Public Counsel and the public. My address  
12 is Post Office Box 2230, Jefferson City,  
13 Missouri 65102.

14 JUDGE PRIDGIN: Mr. Mills, thank  
15 you. Any other counsel that wish to enter an  
16 appearance?

17 (No response.)

18 All right. Hearing none I understand Mr.  
19 Kelly that you have two witnesses in  
20 Carrollton. Mr. Ochoa, you still have no  
21 witnesses; is that correct?

22 MR. OCHOA: That is correct,  
23 Your Honor.

24 JUDGE PRIDGIN: Mr. Kelly if you  
25 would call the first witness.

1 MR. KELLY: Mr. John Becker.

2 JUDGE PRIDGIN: Is that John  
3 Becker?

4 MR. KELLY: Yes, sir.

5 JUDGE PRIDGIN: Mr. Kelly, thank  
6 you. Mr. Becker, if you would come forward  
7 and be sworn, please.

8 I can't see Mr. Becker. Mr. Becker, can  
9 you hear me, sir?

10 (No response.)

11 JUDGE PRIDGIN: Mr. Becker. I'm  
12 sorry, I could barely hear you.

13 MR. BECKER: I'm hard of hearing  
14 so you will have to excuse me.

15 JUDGE PRIDGIN: That's quite all  
16 right, sir. I want to make sure we can hear  
17 each other. Are you able to hear me all  
18 right now, sir? I've got you on camera now  
19 that's better, thank you.

20 Mr. Becker, if you would raise your  
21 right hand and be sworn, please, sir.

22

23 JOHN BECKER  
24 called as a witness herein, being first duly  
25 sworn by the Judge, testified on oath as

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1 follows:

2 JUDGE PRIDGIN: Thank you very  
3 much, sir. And to the best you can if you  
4 will try to speak up, I can just barely hear  
5 you.

6 Would you please state your name for the  
7 record.

8 MR. BECKER: John Becker.

9 JUDGE PRIDGIN: And your address,  
10 please.

11 MR. BECKER: 29985 Highway 24.

12 JUDGE PRIDGIN: Mr. Kelly, is  
13 there some way we can get him closer to a  
14 mike, I could just barely hear him.

15 MR. KELLY: He's right next to  
16 the mike, I'll try to have him talk as loud  
17 as he can.

18 JUDGE PRIDGIN: Okay. We're  
19 getting it a little louder on this end.

20 Mr. Becker, if you could speak up to the  
21 best of your ability I would appreciate it.

22 MR. BECKER: My concern was how  
23 the electric bill is going to increase six  
24 dollars a month is that going to be a flat  
25 rate increase or depending on how the



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1 electricity is used?

2 JUDGE PRIDGIN: Mr. Becker, if  
3 you have questions you can certainly talk to  
4 the company or staff after the hearing. I  
5 don't know the answer to that question, and I  
6 don't know -- I'm sure the parties can talk  
7 to you after the hearing, but we were hoping  
8 to hear a statement from you on your opinion  
9 on the proposed rate increase.

10 MR. BECKER: We get our electric  
11 bill say it's in electric, we don't use that  
12 much electricity at all. The financial plans  
13 are made, this increase is to make more  
14 money.

15 THE REPORTER: I can't hear him.  
16 Judge, I can't hear him. I can't hear the  
17 witness.

18 MR. OCHOA: Your Honor.

19 THE REPORTER: Judge, this is not  
20 on the record, I can't hear him.

21 JUDGE PRIDGIN: Okay, Just a  
22 moment. Mr. Kelly, can you hear me, Mr.  
23 Kelly?

24 MR. OCHOA: The court reporter  
25 says he's not able to hear him.

1 JUDGE PRIDGIN: All right, we'll  
2 check it one more time. I think we've got  
3 this thing as far as the sound system maxed  
4 out as much as we can, Ron.

5 DANIEL PSC: Ray, this is Daniel  
6 at the PSC.

7 RAY: Yes.

8 DANIEL PSC: Is there KG turning  
9 your volume speaker all the way up at your  
10 facility?

11 RAY: We just did.

12 JUDGE PRIDGIN: Mr. Becker, can  
13 you hear me all right, sir? Mr. Becker, can  
14 you hear me, sir?

15 MR. KELLY: Ron, he can barely  
16 hear you. If we can for just a second let me  
17 see if we can't -- we've got some people back  
18 working on the sound one more time. The  
19 problem is when we get it up as loud as we  
20 can hear there's feedback in our room.

21 JUDGE PRIDGIN: I can hear it  
22 now. Is there some way that we can work on  
23 that while we take the other witness? See if  
24 the other witness wants to testify then be  
25 able to leave, then we'll see if we can get

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1 Mr. Becker's testimony. I hate to do that.

2 MR. KELLY: Yes, we can.

3 JUDGE PRIDGIN: If we can  
4 continue working on the volume and see how  
5 the other witness goes.

6 MR. KELLY: Okay.

7 JUDGE PRIDGIN: If you can, let  
8 Mr. Becker know if he could wait for a while  
9 then we'll get the other witness and we'll  
10 see if we can't get Mr. Becker where we can  
11 hear him better.

12 MR. KELLY: That will be fine  
13 with him, Judge. The next one we have here  
14 is Ralph Bingham.

15 JUDGE PRIDGIN: Mr. Kelly, if  
16 you would explain to Mr. Becker we're just  
17 trying to get the volume worked out, and we  
18 still want to hear his testimony.

19 MR. KELLY: Judge, I think the  
20 other thing we're going to do here is we're  
21 going to have them hold the mike versus  
22 putting it on the mike stand and see if that  
23 helps.

24 JUDGE PRIDGIN: Mr. Bingham, if  
25 you would, please, raise your right hand to

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1 be sworn, please, sir.

2

3 RALPH BINGHAM

4 called as a witness herein, being first duly  
5 sworn by the Judge, testified on his oath as  
6 follows:

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8 JUDGE PRIDGIN: Thank you very  
9 much. If you would please state your name  
10 and spell your last name for the court  
11 reporter.

12 MR. BINGHAM: Ralph Bingham,  
13 B-i-n-g-h-a-m.

14 JUDGE PRIDGIN: All right. And  
15 let me interrupt just briefly, are you able  
16 to hear me Mr. Ochoa in Marshall? Is the  
17 court reporter able to hear me?

18 MR. OCHOA: Yes, it's much  
19 better, Your Honor.

20 JUDGE PRIDGIN: All right, thank  
21 you.

22 Mr. Bingham, could I get your address,  
23 please.

24 MR. BINGHAM: 110 north Wright  
25 street, Ogard (phonetic), Missouri.

1 JUDGE PRIDGIN: Are you a  
2 customer of Kansas City Power and Light.

3 MR. BINGHAM: Yes, sir.

4 JUDGE PRIDGIN: All right. Do  
5 you have a statement for the commission?

6 MR. BINGHAM: Say that again.

7 JUDGE PRIDGIN: I'm sorry, is  
8 there anything you would like to tell the  
9 commission?

10 MR. BINGHAM: I'm just kind of  
11 here to comment that I think maybe the  
12 elderly are paying probably about what they  
13 can pay, and I'm just a little concerned that  
14 they keep raising the rates these folks may  
15 have a hardship, but I'm aware that the  
16 energy, fuel has been expensive to you all.  
17 But we can't consider going on up with fences  
18 for the ones on a fixed income. So you all  
19 may consider kind of holding the costs down,  
20 and you have done pretty good through the  
21 years and we hope you will continue that way.  
22 This is kind of my main concern.

23 JUDGE PRIDGIN: Okay. Mr.  
24 Bingham, if you have nothing else let me see  
25 if we have any questions from the commission.

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1 Is there anything else you wanted to say  
2 before I see if they have questions?

3 MR. BINGHAM: No, other than I  
4 have a son and a sister and several others  
5 are in the area that I come in and we  
6 appreciate what you have done through the  
7 years and hope you will continue the good  
8 service.

9 JUDGE PRIDGIN: Okay. Mr.  
10 Bingham, thank you. I'm going to see if we  
11 have any questions, and if we do if I could  
12 ask you to speak up. I heard you fine at  
13 first then I was having a hard time hearing  
14 you. So if you could try to speak up a little  
15 bit and project I would appreciate it.

16 Commissioner Murray, do you have any  
17 questions?

18 COMMISSIONER MURRAY: No.

19 JUDGE PRIDGIN: Commissioner Gaw.

20 COMMISSIONER GAW: No. Thank you  
21 for coming, sir, we appreciate you taking the  
22 time.

23 JUDGE PRIDGIN: Mr. Bingham, I  
24 don't have the questions for you. I would  
25 like to thank you for coming down and

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1       testifying today. Thank you very much, sir.

2               Mr. Kelly, if you could recall Mr.  
3       Becker. Have him hold the microphone. And,  
4       Mr. Kelly, as a last resort if he's not able  
5       to speak up enough we may borrow your radio  
6       voice and ask you to simply translate what  
7       he's telling me unless anybody objects.

8                       MR. KELLY: Judge, Mr. Becker  
9       just indicated to me that he would rather  
10      send his comments in to the commission.

11                      JUDGE PRIDGIN: That's perfectly  
12      fine. Absolutely, absolutely, he is  
13      certainly welcome to do that.

14              All right, Mr. Kelly, thank you.

15                      MR. KELLY: That's what Mr.  
16      Becker would like to do.

17                      JUDGE PRIDGIN: Mr. Kelly, any  
18      further witnesses from Carrollton?

19                      MR. KELLY: Not at this time,  
20      Judge.

21                      JUDGE PRIDGIN: Mr. Ochoa, any  
22      witnesses from Marshall?

23                      THE WITNESS: No, Your Honor.

24                      JUDGE PRIDGIN: All right. What  
25      I'd like to do is go off the record but not

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1 convene the hearing simply have an  
2 intermission while we await other witnesses  
3 because of the kind of unusual start time of  
4 the hearing. I want to be able to give  
5 people who work until five o'clock or so a  
6 chance to get here. I plan on lingering  
7 pretty close by and listening in to see if  
8 you have got any witnesses. If we have  
9 people show up between four and five we sure  
10 want to talk to them, have them testify and  
11 go on their way. Otherwise, we'll play it by  
12 ear. We'll be off the record, but we'll  
13 still be able to see and hear each other.

14 Does anyone have an objection to that  
15 plan?

16 MR. KELLY: No, Judge. We will  
17 make sure that Mr. Becker has the address to  
18 send his comments in to us.

19 JUDGE PRIDGIN: All right. If  
20 there's nothing further I'd like to go off  
21 the record and go into intermission, but  
22 continue streaming and continue staying on  
23 line in case somebody shows up.

24 Is there anything further from the  
25 parties before we go off the record? All



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1 right. Hearing nothing we'll stand in recess.

2

3 (Off the record.)

4 (Back on the record.)

5

6 JUDGE PRIDGIN: We're back on  
7 the record. We adjourned a few minutes after  
8 four to await any further witnesses. I show  
9 the time as now being about twenty after five  
10 or twenty five after five perhaps, and I  
11 don't believe we have any more witnesses.  
12 Mr. Ochoa, are there any more witnesses who  
13 wish to testify in Marshall?

14 MR. OCHOA: No, sir.

15 JUDGE PRIDGIN: Mr. Kelly, any  
16 more witnesses in Carrollton?

17 MR. KELLY: No, sir, Judge.

18 JUDGE PRIDGIN: All right, thank  
19 you. There being no further witnesses, unless  
20 there's anything counsel needs to bring to my  
21 attention I plan on adjourning the hearing.  
22 Is there anything further from counsel?

23 (No response.)

24 JUDGE PRIDGIN: All right.

25 Hearing nothing we will then adjourn these

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1 local public hearings from Marshall and  
2 Carrollton. Thank you very much. We are off  
3 the record.

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6 (Hearing concluded at 5:25 p.m.)

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1 I-N-D-E-X

2 PAGE NUMBER

3 WITNESS: JOHN BECKER 7

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5 WITNESS: JOHN BINGHAM 12

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