

In the Matter of:

THE REQUEST OF THE EMPIRE DISTRICT ELECTRIC COMPANY d/b/a LIBERTY, etc.

ER-2021-0312, VOL. III

November 17, 2021



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BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing, via WebEx

November 17, 2021

Jefferson City, Missouri

Volume 3

In the Matter of the Request)
of The Empire District Electric) File No. ER-2021-0312
Company d/b/a Liberty for)
Authority to File Tariffs)
Increasing Rates for Electric)
Service Provided to Customers)
in its Missouri Service Area)

JOHN T. CLARK, Presiding
SENIOR REGULATORY LAW JUDGE
RYAN A. SILVEY, Chairman,
MAIDA J. COLEMAN,
COMMISSIONERS

REPORTED VIA WEBEX BY:
Tracy Taylor, CCR No. 939
TIGER COURT REPORTING, LLC

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A P P E A R A N C E S

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1 JUDGE CLARK: Can everybody hear my okay?
2 Now, good evening. You just had the question and
3 answer part of the local public hearing and hopefully
4 some of you were able to get your questions answered.
5 Now it's part of the formal part of the hearing where
6 the public gets to offer comments to the Commission.

7 Now, first I'd ask that everybody mute
8 themselves unless they're speaking. That will cut
9 down on the noise level and prevent any kind of audio
10 feedback.

11 Now, today's date is November 17th, 2021
12 and the current time is 6:25 p.m. and the Missouri
13 Public Service Commission has set aside this time
14 today for a local public hearing in Case Number
15 ER-2021-0312, which is a general rate case captioned
16 as: In the Matter of the Request of The Empire
17 District Electric Company, doing business as Liberty,
18 for Authority to File Tariffs Increasing Rates for
19 Electric Service Provided to its Customers in its
20 Missouri Service Area.

21 Now, the Commission has scheduled this
22 local public hearing to give the members of the public
23 an opportunity to comment about Liberty's application
24 to adjust its rates. Missouri Public Service
25 Commission regulates the rates charged by

1 investor-owned public utilities in Missouri to ensure
2 that those rates are just and reasonable. The
3 Commission also regulates the quality of service and
4 safety of operations of public utilities.

5 Now, the Commission is made up of five
6 Commissioners. The Commissioners are appointed by the
7 Governor to a fixed term and confirmed by the Senate.
8 The Commissioners are Chairman Ryan Silvey and
9 Commissioner Scott Rupp, Maida Coleman, Jason Holsman
10 and Glen Kolkmeyer.

11 The Commission employs a staff of
12 engineers, accountants, attorneys, financial analysts
13 and other specialists in the field of utility
14 regulation.

15 My name is John Clark. I'm the
16 Regulatory Law Judge that will preside over this
17 hearing this evening. With me today are Chairman Ryan
18 Silvey and Commissioners Maida Coleman. And is Glen
19 Kolkmeyer there? Okay. Commissioner Kolkmeyer is not
20 on right now. He may join us. I don't know that for
21 certain.

22 Now this is an official hearing of
23 Missouri Public Service Commission and statements and
24 testimony of the public witnesses will be recorded by
25 a court reporter and must be given under oath or

1 affirmation. All of the Commissioners will have an
2 opportunity to read all the witnesses' remarks. And
3 the Commission does value your comments and inputs.

4 Chairman Silvey, would you like to make
5 any welcoming remarks?

6 CHAIRMAN SILVEY: Thank you, Judge. I
7 would just like to take this opportunity to thank
8 everyone for participating tonight. These public
9 hearings are really the only opportunity we get to
10 hear directly from ratepayers so it is important and
11 we do appreciate your participation.

12 With that, Judge, I'm going to turn off
13 my camera to save bandwidth and I will speak up if I
14 have any questions.

15 JUDGE CLARK: Thank you, Chairman. And
16 the Chairman has an excellent point there. While we
17 don't seem to be experiencing any bandwidth problems
18 at the moment, I'm going to ask that unless you're
19 testifying before the Commission, that you keep your
20 camera off. If you are testifying before the
21 Commission, you are welcome to turn your camera on.

22 Now, I'm going to begin by asking counsel
23 to enter their appearances for the record starting
24 with the Empire District Electric Company, doing
25 business as Liberty.

1 MS. CARTER: Good evening. This is Diana
2 Carter for the Empire District Electric Company.

3 JUDGE CLARK: Thank you, Ms. Carter.
4 For the Commission Staff?

5 MS. MERS: On behalf of the Commission
6 Staff, Nicole Mers.

7 JUDGE CLARK: Thank you, Ms. Mers.
8 From the Office of the Public Counsel?

9 MR. WILLIAMS: Nathan Williams.

10 JUDGE CLARK: Thank you, Mr. Williams.
11 Now, there are several intervenors in
12 this case. Are there any counsel for intervenors
13 present? Okay. I'm hearing no one.

14 Now, what I'm going do is I'm going to
15 call on the people that pre-registered to offer
16 comments first. After that, I'll allow an opportunity
17 for anybody else who would like to comment. Now, when
18 I call your name, please go ahead and unmute, which if
19 you're attending by telephone, you do by pressing *6.
20 I'll place you -- or I'll ask you to affirm or swear
21 to tell the truth and ask you to state and spell your
22 name for the record.

23 Also, after you finish giving your
24 comments to the Commission, I'm going to ask that you
25 wait just a moment in case the Commission has any

1 follow-up questions or in case I have any questions.

2 And Commissioners, if you just -- I will
3 just -- I'm not going to specifically ask if any
4 Commissioners have any questions. I'll just leave a
5 beat after the comments and if any Commissioners have
6 any questions, they can ask those at that time.

7 I'm going to ask, so that everybody has
8 an opportunity to speak that wants to speak tonight,
9 that you limit your comment to five minutes.

10 Now, the Commissioners are not going to
11 be able to answer any of your questions today and
12 that's because they have to remain impartial until
13 after all the evidence is presented at the evidentiary
14 hearing. The Commission has not made any decisions in
15 this case and the Commission is interested in your
16 comments and will use them in conjunction with the
17 evidence the parties present to make their decisions.

18 If you have questions after the hearing,
19 you can use the same e-mail address you used to
20 register to speak for this. I will also give some
21 addresses -- well, I will also give some contact
22 information at the end.

23 With that, I will call the names on the
24 list. Now, there are only two names that have signed
25 up to speak tonight so far. And oddly enough, they're

1 identical names, one under a business and one as a
2 person. So is a Richard Hatfield present? Richard
3 Hatfield with Joplin Auto Sales? Going once, going
4 twice. No takers?

5 Now, as I said, that's the only name that
6 I had signed up to offer comments to the Commission at
7 this time. At this time is there anybody who would
8 like to offer a comment to the Commission? Please
9 feel free to unmute yourself and let me know. Anyone
10 who would like to offer a comment to the Commission?

11 Okay. I don't see anyone offering any --
12 anyone who wants to offer any comments so here's what
13 I'm going to do. I'd like to thank you all for
14 showing up today. As I said, I hope you were able to
15 get your questions answered during the question and
16 answer portion of the hearing.

17 If you have additional comments -- or if
18 you have comments that you didn't get to make or
19 someone you know is -- was unable to be present but
20 would like to make comments, you can make written
21 comments. And those can be made by contacting the
22 e-mail address that you used to register for this
23 hearing. If you'll hold on just a moment, I should
24 have that. Bear with me just a moment.

25 Well, I don't appear to have that

1 present, but here's what you can do. You can offer
2 comments by contacting the Office of the Public
3 Counsel or by going to the PSC's web page.

4 Now, the Public Service Commission's web
5 page will have a tab for you to offer comments. If
6 you offer comments that way, be sure and include the
7 case number in this case, which is ER-2021-0312.

8 I'm going to ask one last time if there's
9 anybody who would like to make any comments?

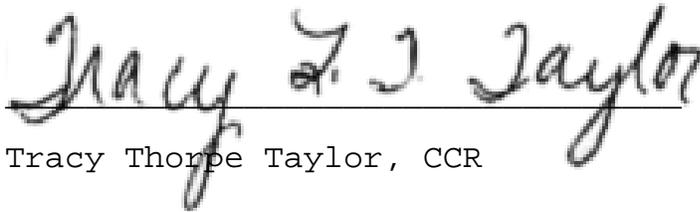
10 Okay. Thank you all for coming today and
11 this hearing is now adjourned. We will go off the
12 record.

13 (WHEREUPON, the hearing was adjourned.)
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CERTIFICATE OF REPORTER

I, Tracy Thorpe Taylor, CCR No. 939, within the State of Missouri, do hereby certify that the testimony appearing in the foregoing matter was duly sworn by me; that the testimony of said witnesses 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 matter 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.


Tracy Thorpe Taylor, CCR

<p style="text-align: center;">1</p> <hr/> <p>17th 3:11</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2021 3:11</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6 6:19 6:25 3:12</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>accountants 4:12 address 7:19 addresses 7:21 adjust 3:24 affirm 6:20 affirmation 5:1 ahead 6:18 analysts 4:12 appearances 5:23 application 3:23 appointed 4:6 Area 3:20 attending 6:19 attorneys 4:12 audio 3:9 Authority 3:18</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>bandwidth 5:13,17 beat 7:5 begin 5:22 behalf 6:5</p>	<p>business 3:17 5:25</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>call 6:15,18 7:23 camera 5:13,20,21 captioned 3:15 Carter 6:1,2,3 case 3:14,15 6:12,25 7:1,15 Chairman 4:8,17 5:4, 6,15,16 charged 3:25 Clark 3:1 4:15 5:15 6:3,7,10 Coleman 4:9,18 comment 3:23 6:17 7:9 comments 3:6 5:3 6:16,24 7:5,16 Commission 3:6,13, 21,25 4:3,5,11,23 5:3, 19,21 6:4,5,24,25 7:14,15 Commissioner 4:9, 19 Commissioners 4:6, 8,18 5:1 7:2,4,5,10 Company 3:17 5:24 6:2 confirmed 4:7 conjunction 7:16 contact 7:21 counsel 5:22 6:8,12 court 4:25 current 3:12 Customers 3:19 cut 3:8</p>	<p style="text-align: center;">D</p> <hr/> <p>date 3:11 decisions 7:14,17 Diana 6:1 directly 5:10 District 3:17 5:24 6:2</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>e-mail 7:19 Electric 3:17,19 5:24 6:2 Empire 3:16 5:24 6:2 employs 4:11 end 7:22 engineers 4:12 ensure 4:1 enter 5:23 ER-2021-0312 3:15 evening 3:2 4:17 6:1 evidence 7:13,17 evidentiary 7:13 excellent 5:16 experiencing 5:17</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>feedback 3:10 field 4:13 File 3:18 financial 4:12 finish 6:23 fixed 4:7 follow-up 7:1 formal 3:5</p>	<p style="text-align: center;">G</p> <hr/> <p>general 3:15 give 3:22 7:20,21 giving 6:23 Glen 4:10,18 good 3:2 6:1 Governor 4:7</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>hear 3:1 5:10 hearing 3:3,5,14,22 4:17,22 6:13 7:14,18 hearings 5:9 Holsman 4:9</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>impartial 7:12 important 5:10 Increasing 3:18 information 7:22 inputs 5:3 interested 7:15 intervenor 6:11,12 investor-owned 4:1</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>Jason 4:9 John 4:15 join 4:20 Judge 3:1 4:16 5:6, 12,15 6:3,7,10</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>kind 3:9</p>
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