

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
3
4 TRANSCRIPT OF PROCEEDINGS
5

6 Local Public Hearing

7 July 26, 2012

8 University of Missouri St. Louis

9 Volume 5

10 In The Matter Of Union)
Electric Company d/b/a Ameren) File No. ER-2012-0166
11 Missouri's Tariffs To Increase)
Its Revenues For Electric)
12 Service)

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MORRIS L. WOODRUFF, Presiding
CHIEF REGULATORY LAW JUDGE
KEVIN D. GUNN, Chairman
ROBERT S. KENNEY,
COMMISSIONER

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REPORTED BY:
SUZANNE ZES, CCR
MIDWEST LITIGATION SERVICES

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

2 JUDGE WOODRUFF: Come to order, please.

3 Good evening everyone. My name is Morris Woodruff. I
4 want to welcome you to the formal part of the local
5 public hearing tonight. I am the chief regulatory law
6 judge for the Missouri Public Service Commission. I
7 do have a couple commissioners here with me. To my
8 right is Chairman Kevin Gunn and to my left is
9 Commissioner Robert Kenney. Mr. Chairman, do you have
10 any opening statements?

11 CHAIRMAN GUNN: I do. I just -- first of
12 all, I want to thank everybody for coming out and we
13 appreciate you spending the time here we want to be
14 very respectful of your time, so we're going to --
15 we're going to try to move this along as quickly as we
16 can but we are here until everyone has had a chance to
17 have their say. So, we're -- we are essentially here
18 to listen. I know it's probably frustrating for you,
19 because it's frustrating for us but because this is a
20 formal proceeding and because this is on the record
21 we're not allowed to answer any questions. So, we
22 will probably, if you do have questions, we will
23 direct you to talk to our staff who can be identified
24 at that blue table or standing in the background.
25 Your lawyer, Office of Public Counsel, Lewis Mills,

1 can certainly answer your questions, as well as any of
2 Ameren's staff. But you have very good representation
3 in front of us in Lewis Mills and I would encourage
4 you to talk to him if you do have questions. And I
5 apologize in advance because we can't answer questions
6 but I can assure you that we're as frustrated
7 sometimes because we can't have that dialogue that
8 sometimes makes things progressive.

9 Just a couple of kind of housekeeping items,
10 once you testify there is no great bit of information
11 that is going to be imparted at the end of the
12 hearing. Everybody has things to do, so once you
13 testify and it gets on the record there is really not
14 a need to stay afterwards. We're not going to really
15 say anything much at the hearing. So we want to be
16 respectful of everybody's time, so after you testify
17 there's no real reason -- you're not going to miss
18 anything if after you testify you feel like you need
19 to leave. And also, if someone says exactly what you
20 wanted to say, please feel free to say that you agree
21 with them. That's something we'd like to know and
22 certainly we want, again, to be respectful of
23 everybody's time. So please feel free to get on the
24 record and say you know what, this is my name, this is
25 my address, I agree with everything that was just said

1 and that's all, we're happy to take that down.

2 This is the beginning or the middle part of
3 process really. As you could tell hopefully from the
4 question and answer period, that some of the positions
5 have already been taken. We're doing 14 of these
6 local public hearings, is that right, Judge? 14
7 throughout the Ameren service territory. All of your
8 testimony here today will be put down in the public
9 record and will become part of the proceedings. We
10 have an evidentiary hearing starting in late
11 September, which is very similar to a trial and then
12 we will take what we gather at these local public
13 hearings, plus what happens at that evidentiary
14 hearing and will eventually come out with an order
15 that will be around the end of the -- end of the year
16 I think is the --

17 JUDGE WOODRUFF: January 2nd.

18 CHAIRMAN GUNN: January 2nd. So that's the
19 timeline. If you have folks that couldn't come here
20 tonight, our staff will have the ability for you to
21 get phone numbers. Our website is PSC dot MO dot GOV,
22 and on that website you can both put comments in or
23 have other folks put comments in. Just because you
24 testify here tonight doesn't mean you can't supplement
25 your comments with written comments through our

1 website or through the telephone and you can actually
2 watch our hearings. Those are streamed live over the
3 Internet, if you have access to the Internet and
4 they're open to the public. So if someone wants to
5 come to Jefferson City and watch them they're welcome
6 to do that but obviously it's a lot more convenient to
7 watch them over the Internet and I think we record
8 them as well. So if you, at some point later on after
9 the actual hearing -- it takes about two weeks
10 sometimes a little longer and you can go to the
11 website and take a look at those -- take a look at
12 those proceedings.

13 So, again, I want to thank you all for being
14 here tonight. This is an important part of our
15 process, that's why we have so many of these local
16 public hearings because we want to get the information
17 off and we want to certainly be respectful of your
18 time as well of your comments. So we'll get started
19 but first I will turn it over to Commissioner Kenney.

20 COMMISSIONER KENNEY: Thank you. Thanks,
21 Chairman Gunn. Let me just add a couple items. Thank
22 you all for coming. Your voice is a very important
23 and integral part of this process and we take it very
24 seriously and appreciate you taking time out of your
25 lives at six o'clock or seven o'clock on a Monday

1 night to come and participate in this hearing, so
2 thank you for that.

3 AUDIENCE: Thursday.

4 COMMISSIONER KENNEY: Thursday night, sorry.
5 In the middle of the week. And let me also add there
6 are five of us by statute, there are four
7 Commissioners currently sitting and this information
8 is being taken down by the court reporter and it will
9 be transcribed and will be made available to the other
10 Commissioners for them to read as well. So you
11 shouldn't assume by the fact that they're not here
12 that they're not going to be paying attention. They
13 will be reading your comments and taking that into
14 account as we deliberate for the hearing in September.
15 So thank you very much and we look forward to hearing
16 your comments tonight.

17 JUDGE WOODRUFF: All right. In a moment I'm
18 going down the list here of people who signed up to
19 testify and I'll call you up next and you can speak at
20 the microphone down here. Before I do that I need to
21 find out which attorneys are here to represent the
22 parties, so we will take entries of appearance at this
23 time beginning with Ameren Missouri.

24 MS. TATRO: Wendy Tatro, 1901 Chouteau
25 Avenue, St. Louis, Missouri 63109.

1 AUDIENCE: We can't hear you.

2 MS. TATRO: Wendy Tatro, 63109.

3 JUDGE WOODRUFF: If you didn't hear her, her
4 name is Wendy Tatro and she's the staff attorney at
5 Ameren Missouri. For Public Counsel?

6 MR. MILLS: Lewis Mills, post-office box
7 2230, Jefferson City, Missouri 65102 on behalf of the
8 Office of Public Counsel and the public. Thank you.

9 JUDGE WOODRUFF: For Staff?

10 MR. BORGMEYER: Yes, my name is John
11 Borgmeyer, here representing the Staff of the Missouri
12 Public Service Commission. My address is P.O. Box
13 360, Jefferson City, Missouri 65102.

14 MR. COFFMANN: My name is John Coffmann.
15 I'm the attorney representing The Consumers Council of
16 Missouri, as well as AARP. My address is 871 Tuxedo
17 Boulevard, St. Louis, Missouri 63119.

18 JUDGE WOODRUFF: I believe that's all the
19 parties that are represented by legal counsel here
20 today.

21 I'll call the first witness and that would
22 be Tamara Curtis. Good evening.

23 MS. CURTIS: Good evening.

24 JUDGE WOODRUFF: Could you please raise your
25 right hand, I'll swear you in. Do you solemnly swear

1 or affirm the testimony you are about to give in this
2 matter is the truth, the whole truth and nothing but
3 the truth?

4 MS. CURTIS: I do.

5 JUDGE WOODRUFF: Tell us your name, please?

6 MS. CURTIS: My name is Tamara Curtis.

7 JUDGE WOODRUFF: And what would you like to
8 tell us?

9 MS. CURTIS: The first thing I'd like to
10 explain is the fact that I'm very honored really to
11 have the opportunity to speak before you and all those
12 that are actually present. It's a case whereby I
13 reside with my grandmother, who is 85 years of age,
14 and that she was recently hospitalized in the month of
15 June and that she is very meticulous in making for
16 certain that her bills are paid. She has a very
17 limited income but she's made it a point, has
18 sacrificed many different areas as far as her own
19 livelihood to maintain but that she has been able to
20 keep that order, mind you, and that she has a
21 remarkable record on paying on time every month,
22 consistently. And that, by viewing this myself, it
23 makes me astute of her commitment.

24 And this is my first time actually taking
25 part in one of these meetings here and I find it -- I

1 find it very interesting really. And the comments
2 that were made from staff of Ameren and the counsel, I
3 appreciate those comments because it enables me to get
4 a better gauge on who's who and where everybody is
5 coming from. And I've also, while being in the halls
6 prior to the meeting starting, I've heard testimony
7 from others and they've shared their experiences not
8 knowing exactly who I am but the fact that they find
9 that there is somewhat of a common ground here and
10 that common ground I feel, and it is of my own
11 opinion, that people need to be heard. They need to
12 be represented in their own manner and it was funny,
13 because of the fact that I was looking over on -- at
14 the -- some of the words in the preamble of the
15 Constitution and it struck me when I looked at the
16 fact that it states that we the people of the United
17 States, in order to form a more perfect union,
18 establish justice, to ensure domestic tranquility to
19 provide for the common defense, to promote a common
20 welfare and to secure the blessings of liberty and to
21 secure the blessings of liberty -- I can't remember
22 the rest but -- but it touched me very much because of
23 the fact that really if we don't have any
24 representation, you know, we're never heard. And we
25 have come across very big fish with mighty swords with

1 a lot of power and a lot of these people from all
2 different walks of life have come here today. I am
3 sure I speak for veterans, poverty-stricken people
4 that have had and people who have lost, people who are
5 trying to maintain and nobody is here or is generally
6 there to assist them or to help them.

7 And it's interesting to see, you know. The
8 thing is whether or not we are going to allow for a
9 force greater than we, to open the flood gate and
10 allow for everyone to drown because if this happens
11 and continues to happen, at the capacity in which it
12 is, then they really may not be able to acquire a
13 profit if everyone is unable to pay or is dead,
14 literally because people are dying. These people are
15 sitting up in their homes with no air conditioning and
16 they would rather say well, my commitment is that if I
17 can pay that bill, I will sacrifice eating, maybe if I
18 just hold back a little more and therefore, they don't
19 have enough, you know, sufficient nutrition themselves
20 to nurture their own bodies but to make that
21 commitment to pay the utility companies, that's a
22 commitment. But the utility company will not make the
23 same commitment to them. That's a shrewd, shrewd,
24 shrewd move and it is, as I see, these two things. We
25 understand there is a market. We understand the free

1 enterprise. We understand all these things but the
2 thing is whether or not the investors are going to get
3 more of the attention and the ability to maneuver
4 everyone out of the road and just let the ball come
5 straight through and whoosh them because there are a
6 lot of people who have served this country 400 plus
7 years and more. You know they step aside because of
8 the irrigation. They step aside when the Hoover Dam
9 comes in, they step aside, you know, but there are
10 some here that have people that range from four
11 different continents. We have a lot of history here
12 in the United States.

13 So I'm not going to take too much more of
14 your all's time. I appreciate the time you've granted
15 me. I hope everyone here receives a part of the
16 Constitution, you know, and thank you very much and
17 thank you all because I have learned something today.

18 JUDGE WOODRUFF: Any questions?

19 CHAIRMAN GUNN: Thank you, ma'am.

20 JUDGE WOODRUFF: I don't want to put any
21 specific time limits on anybody because we want to
22 hear what everybody has to say but we do have about 40
23 people that have signed up to testify, so if you can
24 kind of keep it to about five minutes or so just for
25 the benefit of everybody else in the room that wants

1 to have a chance to speak. Delores McMillan?

2 MS. MCMILLAN: I'm next. I'm going to try
3 to give you all a break.

4 JUDGE WOODRUFF: Well, let me swear you in.

5 MS. MCMILLAN: Swear me in.

6 JUDGE WOODRUFF: That's right. Please raise
7 your right hand. Do you solemnly swear or affirm the
8 testimony you are about to give in this matter is the
9 truth, the whole truth and nothing but the truth?

10 MS. MCMILLAN: Everything I am telling you
11 tonight is the truth.

12 JUDGE WOODRUFF: Very good. You are Delores
13 --

14 MS. MCMILLAN: You know what, I am really
15 confused. Can you all hear me out there?

16 AUDIENCE: Yes.

17 MS. MCMILLAN: Okay. I am really confused
18 because one of the committees before you all came on
19 said that they had so much money for Dollar-Help.
20 Earlier, last Monday, July 23rd, said that Dollar-Help
21 do not have my no more funds on Channel 4 at six
22 o'clock. Now, who is telling a lie and who is not
23 telling a lie, that's what I would like to know.

24 And you know what, I am a chemo patient now.
25 I came before you all several times and I know you all

1 remember me. Okay, I am a chemo patient now. I have
2 breast cancer. I hadn't been to Dollar-Help in the
3 wintertime in 23 years because I usually work three to
4 four jobs to take care of myself. You understand?
5 Okay, I went there about five times and they finally
6 helped me, Laclede Gas Company. Then they told me I
7 had to get on a budget of \$127 a month and I refused
8 and the bill went higher. It was higher before I
9 went, after I got Dollar-Help. It went up and my bill
10 went up about three times. It was \$215. It went up
11 to \$598. Okay. I went back to Union Electric because
12 I was still going under chemo and anybody in here who
13 don't know about chemo, it's nothing but poison in
14 your body and I had to pay \$5900 each time I went for
15 chemo, so that's a lot of money and I am still in debt
16 trying to pay all these bills and everything. I'm on
17 Medicare. I'm going on 67-years-old but yet I still
18 need help on my medical bills because Medicare do not
19 pay everything. It used to, but it don't no more.

20 Okay, Union Electric, I went back with that
21 to try to get some help with that. They told me they
22 had so many people in front of me they would see what
23 they could do. By the time that they got around to me
24 I had a disconnection notice, so I had to turn around
25 and borrow money because I didn't want to be in the

1 dark. About three weeks after I paid the bill, they
2 came through and went and paid my Union Electric bill.

3 You know, old people are suffering and they
4 do not need to be harassed and down-beated by all
5 these utility companies. I'm talking about the water
6 company, Laclede Gas, Union electric, telephone
7 company and all these companies are beating people
8 down for no reason and cable, they need to get rid of
9 cable because you can't see a decent program on TV
10 nowhere. And it's really sad the way this stuff is
11 coming to. Old people are winding up going to nursing
12 homes, being mistreating and warehousing in these
13 nursing homes. If they stay at home they have a lot
14 of medical bills. Food is at an all time high. If
15 you go to the store now you want to turn around and go
16 back out because all you got is a high bill. Bread is
17 \$3, eggs are \$2 or \$3. There ain't no end to the
18 madness. Don't talk about toilet tissue. If I get to
19 talking about toilet tissue that ain't nothing but a
20 joke because one roll don't last one day in your
21 house. So you got to sacrifice what is a necessity in
22 your house and pay these corporate welfare. Thank
23 you.

24 COMMISSIONER KENNEY: I don't have a
25 question. Ms. McMillan, you probably -- I do remember

1 you.

2 MS. MCMILLAN: Yes, I know you remember me,
3 honey. I am glad you still on the board too.

4 COMMISSIONER KENNEY: Thanks, that's very
5 kind of you and thanks for coming out tonight. You've
6 probably heard us say this before, if you have some
7 specific issues in terms of your bills or connecting
8 with Dollar-Help, I would encourage you since our
9 staff is here in person and Ameren's staff is also
10 here in person, to take advantage of that opportunity
11 and talk directly to our staff or the Office of Public
12 Counsel or Ameren to get any additional help that you
13 need and I'm very sorry about your health condition.
14 Thank you.

15 JUDGE WOODRUFF: Next name on the list is
16 Gwen Sleet. Good evening.

17 MS. SLEET: Good evening.

18 JUDGE WOODRUFF: Please raise your right
19 hand. Do you solemnly swear or affirm the testimony
20 you are about to give in this matter is the truth, the
21 whole truth and nothing but the truth?

22 MS. SLEET: The whole truth.

23 JUDGE WOODRUFF: Thank you. Your name is
24 Gwen Sleet?

25 MS. SLEET: It's Gwendoline, but I cut it

1 off Gwen.

2 JUDGE WOODRUFF: Okay.

3 MS. SLEET: And Sleet like the weather.

4 JUDGE WOODRUFF: Right.

5 MS. SLEET: First, I would like to say that
6 Ameren wants an increase at the wrong time. There is
7 no one in this room today that has seen a season like
8 we've had this spring and summer. I am 86-years-old
9 and I have never had triple digits like we've had this
10 year, which with triple digits my gas bill for last
11 month was only \$116 but I read my meter today at
12 one o'clock, it was 47700. The last reading from last
13 month was 46346. That means I have used so far 1,354
14 kilowatt hours and I got another week to go on this
15 bill. I'm going to have a \$200 bill. Over \$200 on a
16 fixed income is rough. And I'm going to be frank with
17 you, I'm going to pay it. I'm too cheap to pay extra.
18 I don't believe in paying for being late. But what
19 does it mean, I have to cut off my food? I want to
20 know who owns most of the stock of Ameren. See, we
21 have a lot of foreign countries that come in here and
22 own a lot of stock. We have the tea party folks in
23 Washington that will pay people, are they paying you
24 all to push for the increase? I mean, let's be frank,
25 it seems to be -- that's not just with Ameren, it's

1 with everybody -- there seems to be somebody getting
2 money under the table to push the point and I think it
3 is terrible. People don't have jobs, people have lost
4 their homes. Those of us who are retired and on
5 disability cannot fill the void. So my point is this:
6 The Commission needs to prey over what they're doing
7 because the people -- I don't planning on dying
8 because I'm going to pay my bill but it doesn't make
9 sense what they're doing. When you originated the
10 bill we didn't have this weather but since May with
11 these 105, 106, and 108 we need to think about it.
12 Thank you.

13 JUDGE WOODRUFF: Thank you. Next name is
14 Robert Frazier. Robert Frazier? Carleton Stock?
15 Good evening.

16 MR. STOCK: Good evening.

17 JUDGE WOODRUFF: Please raise your right
18 hand. Do you solemnly swear or affirm the testimony
19 you are about to give in this matter is the truth, the
20 whole truth and nothing but the truth?

21 MR. STOCK: I do.

22 JUDGE WOODRUFF: Thank you. Your name is
23 Carleton Stock?

24 MR. STOCK: Yes. My name is Carleton Stock.
25 I am a retired Presbyterian pastor and minister living

1 in North County, St. Louis and I'd like to comment on
2 the rate hike using excerpts from an excellent letter
3 to the editor in the Post-Dispatch a couple of days
4 ago, maybe many of you have read that, there were
5 several in the paper at that time. His name was David
6 Mass (ph) from Troy, Missouri. And he says that
7 Ameren wants us to pay another \$14 a month for it to
8 continue in an environmentally unsound and
9 irresponsible way of providing energy. The fix is
10 simple he says, one, invest in renewable energy
11 sources such as wind turbines with minimal maintenance
12 cost and unlike coal, does not contribute to global
13 warming. Two, invest in solar power plants. As with
14 wind turbines, after installation maintenance cost is
15 minimal and it doesn't harm the environment.
16 Especially in this current drought we could have been
17 capitalizing on all the uninterrupted sunshine and
18 storing energy for the future. Reduce the
19 ridiculously high salaries of executives at Ameren and
20 other corporations of course. Many other workers have
21 had their salaries slashed in recent months and years,
22 why shouldn't corporate management do the same? They
23 are immorally and irresponsibly high. And the letter
24 ends: Why continue to rely on fossil fuels when the
25 technology exists to curb skyrocketing costs? Where

1 are your wind turbines, the solar panels, the
2 geothermal wells, all those ways of providing energy
3 without doing harm to the environment in the long run
4 at a fraction of the cost? Many businesses are
5 already doing this. I encourage Ameren and other
6 corporations to pursue, not only the single bottom
7 line of profits, but to work toward triple bottom
8 line, as I call it, the three P's: profit, people and
9 the planet.

10 The change over from fossil fuel dependency
11 to renewable energy is inevitable if we are to
12 preserve our environment for our grandchildren's
13 grandchildren. The sooner we start, the better.
14 Thank you.

15 JUDGE WOODRUFF: Thank you. Lou Jearls?
16 Good evening.

17 MR. JEARLS: Good evening.

18 JUDGE WOODRUFF: Please raise your right
19 hand. Do you solemnly swear or affirm the testimony
20 you are about to give in this matter is the truth, the
21 whole truth and nothing but the truth?

22 MR. JEARLS: I do. Good evening. My name
23 is Lou Jearls. I am director of public works for The
24 City of Florissant. I'm here to offer a statement
25 from Mayor Thomas P. Schneider from the City of

1 Florissant.

2 Dear Commission Members, there are a variety
3 of reasons that I cannot support this rate increase
4 and I urge the Commission to take a very hard look at
5 the specific details of their request.

6 First, I must applaud Ameren for the
7 extensive tree trimming that they have performed in
8 the City of Florissant over the last few years. I'm
9 sure all their efforts have contributed to the
10 increased reliability of electrical service to our
11 residents and our businesses. As Warner Baxter
12 stated, reliability is their highest priority and I
13 can attest that they have made significant progress in
14 this area in the city. However, it seems that Ameren
15 is requesting rate hikes every year, as if it's just
16 an annual normal routine event, like a birthday. And
17 unfortunately, it appears that the Commission is
18 beginning to treat these yearly events the same way:
19 granting increases like they're birthday gifts. If
20 this increase is approved, it will be Ameren's fifth
21 increase in six years, nothing new. But this request,
22 more than any other, comes at a particularly trying
23 time when everyone is truly struggling due to the
24 decline in our nation's economy, the decline in our
25 housing market, increased unemployment, record number

1 of foreclosures, not to mention the current heat wave
2 and drought conditions. Folks on fixed incomes and
3 those with no incomes are being beaten down to
4 desperation and despair as they watch there last dime
5 being sucked through the air conditioner every minute
6 of everyday.

7 Ameren contends that they have higher fuel
8 cost and maintenance costs and they haven't been able
9 to keep up with inflation. All I can say is welcome
10 to the real world. We all feel this pain but it's a
11 little selfish for them to ask us to relieve their
12 pain when no one is stepping up to relieve our pain.
13 We all have aging infrastructures and homes, higher
14 fuel costs, higher material costs, higher food costs,
15 higher employment and personal benefit costs, higher
16 medical and insurance costs. Shouldn't we, like
17 Ameren, be in entitled to a 10.75 percent return on
18 our equity.

19 Ameren proposes an \$81 million -- \$81
20 million for energy efficiency programs. Sorry, but
21 it's hard to believe their commitment. In fact, some
22 firmly believe that they have little intent on
23 becoming more energy efficient. For several years
24 many cities in St. Louis County have tried to work
25 with Ameren to develop a more justifiable, a more

1 reasonable and fair rate structure for street lighting
2 costs, but with absolutely no success. Further,
3 suggestions to convert from the high pressure sodium
4 fixtures to the more energy efficient LED fixtures
5 have been met with a flat no. In 2010 Ameren was
6 approved a 10.2 percent rate increase except for
7 street lighting, which saved the City of Florissant
8 about 48 -- 45.8 or \$45,800 per year. However, with a
9 more justifiable, reasonable, and fair rate structure,
10 we believe we could have been -- we could be realizing
11 a \$133,700 savings per year. So, you see, we believe
12 Ameren still has a long way to go in their commitment
13 to energy conservation.

14 Again, for the reasons stated above, I
15 cannot support this rate increase and I implore the
16 Commission to be very detailed and conservative in
17 their review of this request. Thank you for this
18 opportunity for offering my comments. If you have any
19 questions, please contact me, Mayor Thomas P.
20 Schneider, at your convenience.

21 JUDGE WOODRUFF: All right. I have been
22 handed a copy of Mayor Schneider's letter. I'm going
23 to mark it as Exhibit 1 and it will be received into
24 the record of the hearing. I'll move on to Patty
25 DeGonia.

1 MS. DEGONIA: DeGonia, yes.

2 MS. WALLACE: I just want to say I agree
3 with everything that that man just said. I agree with
4 everything Mayor Schneider said and I am Betty
5 Wallace, 1636 Summer Run Drive, Florissant, Missouri
6 63033. That is me.

7 JUDGE WOODRUFF: Okay. Thank you. Ms.
8 DeGonia, please raise your right hand. Do you
9 solemnly swear or affirm the testimony you are about
10 to give in this matter is the truth, the whole truth
11 and nothing but the truth?

12 MS. DEGONIA: I do.

13 JUDGE WOODRUFF: Thank you. And would you
14 spell your last name for the court reporter?

15 MS. DEGONIA: DeGonia, D-E-G-O-N-I-A.

16 JUDGE WOODRUFF: Thank you. What would you
17 like to tell us?

18 MS. DEGONIA: Well, I would like tell you a
19 little bit about myself. I was like you guys at one
20 time, I was young, I worked for TWA, we had a
21 retirement plan, I put into the retirement plan and
22 then after 40 years the politicians and the lawyers
23 thought that Carl Icahn could use my retirement much
24 more than I could and he got it. And then American
25 Airlines and our CEOs they got together and they

1 thought well, probably it would be better if I worked
2 for American because they all got their big payoffs
3 and left the company and then six months later we all
4 lost our jobs.

5 So let me tell you how this is coming down.
6 Now, we have a Public Service Commission, who probably
7 makes more than I do a month, which is a thousand
8 dollars because I have no retirement, Carl Icahn is
9 enjoying that, and I go around to many of these
10 meetings, you recognize me, I went to the one in South
11 County and I was sitting -- I got there earlier
12 because of the traffic and I was sitting in the
13 background and I heard someone who was on the panel on
14 his cell phone and the good thing about the cell phone
15 is that everybody gets to enjoy your conversation. So
16 this is the conversation and you can make up in your
17 own mind exactly what it was: Hi, yeah, I am at this
18 meeting tonight and then yeah, well, I told you about
19 it didn't I, yeah. And then oh, \$14, it's chump
20 change, of course it's going to go, what can you do
21 with \$14? And I sat there and I thought let me tell
22 you what I can do with \$14. In the last years you
23 have given the -- all the utility companies a big
24 increase. I no longer take vitamins. I don't drink
25 coffee. I don't get my haircut, I cut it myself. I

1 put my clothes on the clothesline because I don't want
2 to use the electricity and you wonder why. What am I
3 going to cut out now because I only get a thousand
4 dollars a month.

5 Now, the electric company, said oh, they
6 have assistance out there. Well, you know what,
7 that's \$300 a month. You have to make a minimum of
8 \$300 a month to classify for this. Nobody makes \$300
9 a month, that's what you call chump change. You know
10 it's ridiculous. We're talking about corporate greed
11 here. These people are robbing us blind. Why don't
12 we look at the other countries that have electricity
13 and use tremendous amounts of it and their people do
14 not pay anything like this. As I said, I worked for
15 TWA for 40 years. I was in Paris and London many,
16 many times and you go and they have a transit system.
17 They still have all the modern conveniences we have
18 and they do not pay these. So I think it's time we
19 sit down and say stop to the corporate greed. You say
20 it's not happening here and it is not happening there.
21 I had my 401K, which what happened there, with the
22 banks, our 401Ks are nothing now.

23 So, listen, I want you to take a look
24 around. I want you to look at my face and I want you
25 to see all the people around here around the same age

1 because one of these days you're going to be in this
2 position and let me tell you, it's not easy keeping
3 your ducks in a row when you get to be our age.
4 Rather than -- I spent three hours on the phone with
5 Union Electric saying, you know what about this, what
6 about this assistance, I don't know anything about it
7 I'll transfer you here. Three hours and then someone
8 said oh, do you make more than \$300 a month? I said,
9 yes. Well, you don't qualify. This is what you're
10 getting. And I want you to take a look at all these
11 old people because it's not easy for us. And you
12 wonder why they die rather than they get assistance?
13 Because they're proud people. They pay their bills,
14 they do not want to be humiliated before these
15 different areas and these people on the telephone. So
16 when you make this decision you remember our faces and
17 what are we going to give up today to pay this bill.
18 Maybe we should all become deadbeats because the
19 electric company doesn't care if you're a deadbeat.
20 They don't go after you.

21 I put my trash out one night and I went out
22 the next day and I was going to throw something in it
23 and there was a box in there and I took it out because
24 it looked like it was a box of mail and I found that
25 it was a neighbor from a couple blocks away who was

1 moving. In this box was many, many -- three years
2 worth of name changes, addresses changes of water,
3 sewer, electric bills. I sorted them all out. I
4 called each one of the companies and said this person
5 put this mail in my trash can but this is how you can
6 find them. You're talking thousands of dollars. They
7 said we just don't pursue that, it's not worth our
8 time. Now, if this is not worth their time, maybe we
9 should, again, all become deadbeats and then where
10 would everybody be? Thank you.

11 CHAIRMAN GUNN: I would like to talk about
12 being on the phone with Ameren, your experience there,
13 the one you just talked about being on the phone for
14 three hours. Did you -- I'd like you to walk me
15 through that, because -- just to get a little bit more
16 information. Did you call just the regular customer
17 service line?

18 MS. DEGONIA: Yesterday afternoon I was
19 watching TV because it was too hot to go out.

20 CHAIRMAN GUNN: Right.

21 MS. DEGONIA: At the bottom of the TV it
22 said, assistance for, you know, whatever, I can't
23 remember exactly how they worded it.

24 CHAIRMAN GUNN: Do you remember what channel
25 it was?

1 MS. DEGONIA: Channel 4.

2 CHAIRMAN GUNN: Four, okay.

3 MS. DEGONIA: Yeah, Channel 4, I think. And
4 it was, you know, one of those little lines at the
5 bottom. It says -- it didn't give a number, I don't
6 think. I thought -- I seen it go through a couple
7 times and I thought maybe I will give them a call and
8 see what they say. So I called just the general
9 number and then they said, well, I'm not real sure
10 what department that is, let me transfer you, so then
11 he transferred me and then they transferred me again.
12 Each person I asked I said do you know anything about
13 this and they go public assistance, you know, when you
14 can't pay your bill and you know if you're low income
15 and then they said no and they said but you know I'll
16 have somebody call you back. So I hung up and after
17 about an hour no one called back. So I called again
18 and I got the operator. I thought well, if I call the
19 operator who has general information, she will
20 probably know what department. So she said well, I'm
21 not real sure, let me see and she transferred me
22 around and then finally I got a very nice young lady
23 on the phone and she said, well -- she says yes, you
24 have to fill out all these papers and we have to send
25 you a form and you have to fill out all these papers

1 but if you make more than \$300 a month, you don't
2 qualify. And I said, well I make more than that, I
3 make \$1,000. I said \$1,000 in social security. She
4 said well, you don't qualify, I am sorry.

5 CHAIRMAN GUNN: Thank you very much. I
6 appreciate that.

7 COMMISSIONER KENNEY: Thanks for your time.

8 JUDGE WOODRUFF: The next name on the list
9 is Fredericka Lainoff. Please raise your right hand.
10 Do you solemnly affirm the testimony you are about to
11 give in this matter is the truth, the whole truth and
12 nothing but the truth?

13 MS. LAINOFF: Yes. I have copies of my
14 testimony. I have a lot of statistics in here.

15 JUDGE WOODRUFF: If you would like to give
16 us a copy I can make it an exhibit.

17 MS. LAINOFF: I would appreciate that.

18 JUDGE WOODRUFF: If you just hand it to me
19 I'll -- Mr. Mills is going to take it for you.

20 MS. LAINOFF: Thank you, Mr. Mills, and
21 thank you for your job.

22 JUDGE WOODRUFF: I'm going to mark this as
23 Exhibit No. 2 and it will be received as evidence.
24 And since this is all -- you don't have to read it, if
25 you just want to summarize it that's fine.

1 MS. LAINOFF: I'll be glad to. I live at
2 10367 Oxford Hill Drive, Unit 18, that's 63146. And I
3 found it interesting that the hearings are being held
4 throughout the region during the hottest summer we've
5 ever had and our air conditioners are going 24/7.

6 I'm here this evening representing the
7 seniors in America. Although, I can still speak for
8 myself -- my husband and myself and our own personal
9 conditions but I'm speaking for the area, particularly
10 the five counties, Franklin, Jefferson, St. Charles,
11 St. Louis and St. Louis City. As an active volunteer,
12 who has worked with and for seniors in these five
13 counties, as well as seniors throughout Missouri and
14 when we lived in Oregon and Georgia for about a total
15 of 19 years that we were away from Missouri, going
16 back for over 47 years, I do believe I can represent
17 them and speak for them. I am especially concerned
18 about the seniors living on a low to medium fixed
19 income.

20 This is the information I got from the 2006
21 American Community Survey of Missouri. There are
22 Missourians in 686,311 households who live on incomes
23 below the 60 percent median of \$42,200. This income
24 threshold was set by the Missouri Housing Development
25 Commission Task Force on senior housing in it's recent

1 report. Now, of 138,191 senior households that have
2 housing cost burdened, 79 percent were low-income
3 households. Senior households -- senior householders
4 who own their home but continue to have a mortgage,
5 have the single highest level of housing cost at 88.2
6 percent. Among those spending more than 30 percent of
7 their household income on housing, are 27,016 senior
8 homeowners with a mortgage, 39,388 without a mortgage
9 and 42,461 seniors who are renting. And any increases
10 they have, they're still paying that rent every month
11 along with the utilities.

12 In Missouri in 2006, 30 percent of the
13 householders over age 65 lived in houses constructed
14 prior to 1916. I have to remind you that older homes
15 require higher require maintenance and repair costs
16 than younger homes and often present a challenge for
17 us older homeowners, especially those with
18 disabilities. I understand that those living at 135
19 percent of poverty have access to funding that assists
20 them with the cost of their utilities, through the
21 Dollar More funds that we heard about this evening.
22 And I thank Ameren Missouri for somehow finding the
23 dollars contributed this summer. I understand that at
24 first they didn't have that money around until people
25 started to die.

1 However, this summer we have read, as of
2 yesterday, 24 people, all seniors living in only our
3 area, died in their home because they didn't have the
4 AC turned on. In most cases there was a working AC in
5 home but apparently they were concerned about not
6 being able to pay the bill.

7 I can't bring you the bills of seniors to
8 show you what it costs them to live on their fixed
9 income like the seniors I met many years ago when I
10 first began my journey as an advocate for the senior
11 population. A senior, before she presented her
12 testimony before a group such as you, although the
13 attorneys for the utilities company stayed, she
14 professed her fear to me that they might turn off her
15 electricity if she complained about getting an
16 increase at a public meeting. She wondered what she
17 would do if they did turn it off because there was no
18 other option for her to go to. Another stood in front
19 of the attorneys for the utilities and spoke with the
20 accent from her country of birth. After she shared
21 her monthly income, she listed each monthly bill she
22 paid, estimated her cost for food, told them what was
23 left to spend for something frivolous, such as a
24 birthday present for her grandchild. She summed it up
25 by asking: Is this how you would want your mothers to

1 live? I identify these seniors as the dignified poor.

2 Gentlemen, I want to share with you the
3 statistics and you have them there in the copy from
4 2006. It is prepared by the Missouri Department of
5 Health and Senior Services and I hope will further
6 clarify my position that for the senior population of
7 Missouri an increase in cost for electricity could
8 mean more reports of death in the next summer coming
9 up and we still have a few days to go before we get
10 out of this heat spell, this unprecedented heat spell.

11 Those who will die will be the dignified poor who
12 didn't want to accept a handout. I happen to have
13 this report in my files and I hope you can agree with
14 me when you look over the figures, that they still
15 hold true in 2012. The population figures are going
16 to be higher because we are going to be faced with
17 that tsunami and boomer generation that are coming
18 into our state and we are not getting younger people
19 coming in, that's for sure, because there's no jobs.

20 And following, I've given you the statistics
21 for the five counties that I mentioned, shows the
22 population of seniors at the time of the report, what
23 they filed, those who filed an income tax, Missouri
24 income tax, we have about 48 percent of our seniors
25 who don't file because they don't have enough income

1 to report. By the time they get through with their
2 deductibles and if they keep track of all their
3 medical costs, they probably have a deficit income on
4 their income tax. So it shows how many percent do we
5 have living on social security only and we just heard
6 from someone, aging in place in their homes, the
7 percentage of that -- and that saves our state, by the
8 way, a lot of money. A senior aging in place will
9 only cost the state for services to help them live
10 there about under \$6,000 a year. Compare that to the
11 cost if they had to go into a nursing home. We are
12 encouraging our seniors to age in place and trying to
13 provide them with the services they need, in spite of
14 the fact that our state government, our legislators,
15 for the past few years keep cutting the senior
16 budgets.

17 It also shows the median value of the
18 housing that they had back in 2005 and how many of
19 these are living in poverty. That is what is in this
20 book and the average income for each one of those
21 counties, the average income of seniors. And I ask
22 you to remember again those seniors aging in place
23 have to keep that roof over their head in good shape,
24 if they own that home and it costs a lot, even if they
25 have paid up their mortgage, for the upkeep, the

1 property tax, to replace the roof, the air conditioner
2 if it fails or the furnace in the wintertime. These
3 are old things in 1960 homes and they have to be
4 replaced.

5 I believe after you look at those statistics
6 you will agree with me, seniors living on a fixed
7 income are not living on any much higher than they had
8 in 2005. We all know the cost of living has risen.
9 This is not the time to come and ask for a 14 percent
10 increase from your customers who don't have another
11 option for the energy that will turn on their lights
12 and keep their homes cool in the summer. I ask you to
13 advise Ameren Missouri to go back to the books and
14 find a way to get that 14 percent with communities --
15 at a higher rate and keep our rates down. We thank
16 them for being able to sell electricity to the other
17 communities at a higher rate, most of them generated
18 by the Callaway Nuclear plant and we thank them for
19 doing that. It's good business and we appreciate that
20 it's used to keep our rates down. We don't like them
21 and, you know, they say well, you're getting the
22 lowest rates. Well, thank you, that's great business.

23 If this rate increase goes through, my
24 husband and I will also have to look at our own budget
25 and see where we can cut to pay the electric bill.

1 And I ask you, gentlemen, and members of Ameren,
2 people who work with Ameren, who sit on their board,
3 is that how you would like your mother or your father
4 to have to live?

5 Thank you for the opportunity for allowing
6 us to come and speak to you. I appreciate it. I
7 appreciate the time you volunteer to give us for the
8 work that you do.

9 CHAIRMAN GUNN: Thank you. For that very
10 detailed --

11 MS. LAINOFF: Oh, by the way, I would like
12 you to know, I do sit on several boards. I'm not
13 able, at this point, to list those that I serve on,
14 that provide me to present this testimony because they
15 have just for some reason, we have just neglected to
16 develop a public policy on rate increases with
17 utilities and I think that is going to change.

18 CHAIRMAN GUNN: The report that you
19 referenced, the 2006 report, is that -- and you just
20 happened to have that in your files, do you know if
21 that's an annual report, would there be --

22 MS. LAINOFF: Yes.

23 CHAIRMAN GUNN: -- a report? So would there
24 be a 2011 or 2012 version?

25 MS. LAINOFF: I couldn't find anything when

1 I went -- I have a very slow computer and I started
2 writing this together late last night and finished it
3 up about five o'clock this afternoon and I really
4 didn't have the time to try to find if I could get
5 anything updated since the last census was taken. So
6 that is about -- I got this in 2006 --

7 CHAIRMAN GUNN: Well, we can look for it.

8 MS. LAINOFF: -- and that's when it was
9 published. Oh, yes, I know you can.

10 CHAIRMAN GUNN: So you think there is
11 another -- an updated report?

12 MS. LAINOFF: Right and I believe it's going
13 to show the situation is much worse than it was in
14 2006 because of all that we have had happen to our
15 economy.

16 CHAIRMAN GUNN: It's a much different world
17 than it was in 2006.

18 MS. LAINOFF: You've got every county, I'm
19 sure. I think Ameren covers more than just the five
20 counties that I represented and you've got them all in
21 there.

22 CHAIRMAN GUNN: Thank you very much for your
23 testimony.

24 MS. LAINOFF: You're welcome.

25 CHAIRMAN GUNN: I very much appreciate it.

1 COMMISSIONER KENNEY: Ms. Lainoff?

2 CHAIRMAN GUNN: Ma'am? Ma'am, I'm sorry.

3 Commissioner Kenney has a quick question.

4 MS. LAINOFF: I'm sorry.

5 COMMISSIONER KENNEY: No, it's quite all
6 right. Thank you for preparing your detailed remarks
7 and taking what was obviously a great deal of time to
8 prepare it.

9 MS. LAINOFF: Would the transcriber, would
10 you like to have a copy?

11 COURT REPORTER: They will give me that one.

12 MS. LAINOFF: Oh, they'll give you that.

13 COMMISSIONER KENNEY: Yes, ma'am. You
14 referenced some organizations that you work with, are
15 you able to assist any other seniors in taking
16 advantage of any financial aid that is available, is
17 that part of what you do with the organizations that
18 you work with?

19 MS. LAINOFF: I try to inform them if it's
20 available to them.

21 COMMISSIONER KENNEY: Do you know if they're
22 having any success in accessing those resources?

23 MS. LAINOFF: I couldn't say. I haven't had
24 any follow up from any of them but I certainly let
25 them know what's available. That is about all I can

1 do, you know.

2 COMMISSIONER KENNEY: Yes, ma'am.

3 MS. LAINOFF: I do what I can, that's for
4 sure.

5 COMMISSIONER KENNEY: I can tell and thank
6 you for that.

7 MS. LAINOFF: I am very passionate about
8 what I do.

9 COMMISSIONER KENNEY: Thanks again.

10 JUDGE WOODRUFF: The next name on the list
11 is Donald Klein. Stan Hinton? Kyungae Han? Janet
12 Cuenca? Good evening. Please raise your right hand.
13 Do you solemnly swear or affirm the testimony you are
14 about to give in this matter is the truth, the whole
15 truth and nothing but the truth?

16 MS. CUENCA: I do.

17 JUDGE WOODRUFF: Thank you. And your name is
18 Janet Cuenca?

19 MS. CUENCA: Cuenca.

20 JUDGE WOODRUFF: C-U-E-N-C-A?

21 MS. CUENCA: Yes.

22 JUDGE WOODRUFF: And you gave me a phonetic
23 spelling which I thank you for. It can be quite a
24 challenge sometimes at these local public hearings.

25 MS. CUENCA: Yes, it can. I just wanted to

1 say that I came here wanting to hear other people's
2 comments and I want to say that I agree with the
3 previous testimonies that have been given in detail.
4 My particular concern is with the kind of fuel that is
5 being used to produce the electricity. Callaway, of
6 course, is nuclear and while they talk about this as
7 clean fuel and they talk about thinking of a future, I
8 keep thinking to myself that nuclear waste radiation
9 lasts forever and there is a cost to be paid down the
10 road from this, that would be well to be -- it would
11 be well to move away from this future cost, this
12 future unknown cost, for a future unknown amount of
13 time and move to the solar and wind capacities.

14 Coal is dirty. I don't care if they are
15 using the cleanest coal available, it's still not
16 clean enough. It's not as clean as solar and wind
17 power and it costs a whole lot more. And the damage
18 that is done to mountain top removal in various areas
19 of the country and the damage that is done out west to
20 Indian reservations and all of that sort of thing and
21 the pollution of air out there by Peabody Coal, is an
22 additional cost to the country as a whole that really
23 ought to be thought about too.

24 I don't know -- I know that in the long run
25 it is going to cost some money to replace all of this

1 and all I can say is unless you can see them actually
2 moving in this direction with all the speed instead of
3 dragging their heels and talking about how much a
4 scrubber costs or that the coal that they are using
5 has enabled them to reduce their emissions to below
6 the required amount -- that's still, you know, a whole
7 lot of emission and is damaging to the people with
8 asthma and is damaging to children and that cost also
9 comes into society. Although it doesn't fall on
10 Ameren UE's shoulders to pay for that, somebody is
11 paying for that additional cost.

12 I might also point out that Germany, even
13 though it lives in a much more northerly climate and
14 getting most of its energy from renewables including,
15 you know, farming, so to speak, not wide open spaces,
16 but getting solar rays off of the huge number of
17 factories and roofs that are being used to harvest the
18 solar power. And certainly this was true in Greece
19 where I visited, whereas you go up in a tall
20 building, you look down and you see everything. You
21 see everybody has a solar array on their roof. You
22 know, it's time to move.

23 Although I am concerned about the additional
24 cost and I would like to see this not be granted, I
25 would also like to see some oversight to push Union

1 Electric, kicking and screaming if necessary, into a
2 more affordable and ultimately cleaner form of fuel.
3 You don't have to pay for the wind.

4 JUDGE WOODRUFF: Thank you, ma'am. Next
5 name on the list is Daniel Marian. Good evening.
6 Please raise your right hand. Do you solemnly swear
7 or affirm the testimony you are about to give in this
8 matter is the truth, the whole truth and nothing but
9 the truth?

10 MR. MARIAN: Yes. My name is Daniel Marian,
11 I came here tonight not sure what I was going to speak
12 to you all about and listening to the testimony from
13 Ameren, as well as some of the other people, I do
14 agree with their concerns over the rate increases that
15 have happened over the last several years and that was
16 one of the points I was coming here to speak to you
17 all about and where their fiscal responsibility is
18 lied in and where they are providing evidence to us to
19 show us that they have been sound in their spending of
20 the monies that they have requested from your
21 Commission to be approved for us in our rate
22 increases. Particularly, when I hear testimony from
23 the people here, before your Commission sat down, when
24 they were talking to Ameren directly about the monies
25 that they asked for, for utility upgrades, for

1 infrastructural development in North County, in West
2 County, in the areas where the electric lines are
3 above ground, Ameren said they aren't able to bury
4 them, they aren't able to upgrade that system at the
5 time, that it's cost prohibitive, yet they come back
6 asking for more and more monies to upgrade their
7 infrastructure but they don't evidence to us where
8 that has been accomplished and I think if they're
9 coming to us asking for more money, they need to show
10 us more concrete evidence of where those monies are
11 going. Particularly, when we're talking about the
12 billions of dollars that they are asking for.

13 The second point that I wanted to make was
14 that our current administration allowed a great deal
15 of money to be given to state governments, to utility
16 companies to work on infrastructure, to update
17 infrastructure and I don't know if Ameren was given
18 any of those monies, as well as the monies that
19 they've have asked for from us in the rate increases,
20 but if they have, I would like to see your Commission
21 or the company come forward with those monies that
22 they obtained and how those monies were spent as well.

23 The last thing that greatly concerns me as I
24 see these continual rate increases come through from
25 Ameren, is something that I don't believe went before

1 your board to get authorized from the way it was
2 presented on the news and that was something they had
3 passed. It was not a rate increase but it was
4 authorization for the company to recoup their losses
5 from us as individual consumers of their electricity,
6 that if for some reason we bought more energy
7 efficient appliances, if for some reason we've done
8 updates to our homes that allow us to decrease our
9 electrical rates and our billing that they then are
10 within legal rights to raise our rates back to that
11 average that we had been at to recoup their losses.
12 And I think that needs to be talked about more on how
13 that's impacting each of us. If we're going to have a
14 rate increase that's going to raise our median
15 electric bill and we're trying to decrease those rates
16 by putting in more energy efficient appliances or
17 energy efficient lightings and those type of things,
18 if we're trying to reduce that and they're asking us
19 to raise our median, is that also going to raise what
20 they can come back at us from as we try to reduce
21 those bills?

22 Those were the points that I wanted to make,
23 something that I hope that you all would take into
24 consideration as you look toward this. Thank you.

25 COMMISSIONER KENNEY: Thank you, sir.

1 JUDGE WOODRUFF: Next name is Keith
2 Kallstrom. Keith Kallstrom? Kate Boyd? Good
3 evening.

4 MS. BOYD: Good evening.

5 JUDGE WOODRUFF: Please raise your right
6 hand. Do you solemnly swear or affirm the testimony
7 you are about to give in this matter is the truth, the
8 whole truth and nothing but the truth?

9 MS. BOYD: I do to the best of my knowledge
10 more.

11 JUDGE WOODRUFF: Thank you.

12 MS. BOYD: Thank you for allowing us the
13 opportunity to speak with you. I dislike utility
14 companies. I grew up here. I lived in California for
15 23 years, where in the wintertime my average gas bill
16 was \$5.38 and in the summertime my average electric
17 bill was about \$14, \$15. So I came home so glad to be
18 here but I am astounded by the utility costs in this
19 state.

20 Ameren's 2011 rate increase, 52 million of
21 that went to cover fuel increases from 2010, this is
22 according to their 2011 yearend report. Fuel -- well,
23 I'll come back to that. In reference to the scrubber
24 at Sioux Falls, also according to their 2011 report,
25 that was paid for by that same rate increase. They

1 want 85 million infrastructure and enviromental
2 compliance. Regarding that, according to their 2011
3 yearend report, in 2011 we invested more than
4 1 billion primarily in new regulated utility
5 infrastructure, generating enough cash from operations
6 to fund these investments and the common stock
7 dividend, while also reducing outstanding borrowings.
8 By its own account, Ameren has not only already paid
9 for these investments, it has been able to pay down
10 existing debt, raising the common stock dividend 30.9
11 percent per year for a total of \$2.60 per share, an
12 increase of \$2,426,000 from the previous year's
13 process. This expenditure is well and covered by
14 earnings and cash flows from our regulated business
15 segments. Ameren Missouri is one of those regulated
16 business segments.

17 They want \$103 million for higher fuel costs
18 on top of the 52 million they got last year.
19 According to their 2011 yearend report 100 percent of
20 Ameren Missouri's coal and coal transportation costs
21 are hedged against fluctuation. Through -- in price
22 through 2016 -- that's on page 77, I don't have a copy
23 of it -- the highest possible increase to Ameren
24 Missouri's costs, according to their report, is under
25 \$1 million until 2016. There should be no increase in

1 fuel costs. The contract that they made with Peabody
2 for 91 million tons of coal from 2012 to 2017 saved,
3 according to -- I beg your pardon -- well, as
4 Mr. Baxter said earlier, it saved \$500 million over
5 the course of the next five years which avoided a 15
6 to 20 percent rate increase. I would also point out
7 that the primary source of Peabody's coal for this is
8 the Powder River Basin in Montana and Wyoming. Now,
9 there are five basins in the United States. There is
10 the Central Appalachian Basin, the Northern
11 Appalachian Basin, the Illinois Basin, and the Uinta
12 Basin in Utah. The average price of a ton of coal
13 from Powder River Valley -- Power River Basin dropped
14 from \$12.40 in the second quarter of 2011 to \$7.87 in
15 the second quarter of this year. Now, Central
16 Appalachian, second quarter of this year, is \$58 per
17 ton. North Appalachia, \$65 per ton. Illinois Basin
18 \$46 per ton and the Uinta Basin \$35 per ton. So
19 Ameren is paying between 22 and 32 percent of what
20 other coal buyers are paying, people who are buying
21 from these other basins. So their claim that their
22 rates are 75 -- 25 percent lower than other
23 privately-held utilities isn't that wonderful -- yay,
24 because your fuel costs now are so low.

25 In addition, according to the U.S. Energy

1 Information Administration's July 11th report, diesel
2 prices are trending down from 384 per gallon in 2011,
3 to a forecast of 379 in 2012 and 358 a gallon in 2013.
4 Moreover, the American Association of Railroads
5 reports that fuel efficiency in railroads is
6 unprecedented and that one ton of weight can be
7 transported 469 miles on one gallon of diesel. That's
8 about a 10 percent increase over the last 10 years.
9 So clearly fuel prices and transportation prices are
10 trending downward. Given that Peabody has recently
11 been downgraded and coal production nationwide is
12 declining because there is a surplus, I believe Ameren
13 is in a position to renegotiate any contract it has
14 signed if fuel prices now are lower than what they
15 contracted to pay. Particularly -- well, that's the
16 end of that -- and possibly returning to ratepayers
17 their prior overpayments for coal and coal
18 transportation.

19 Enviromental expenditures. Also according
20 to 2011 -- oh, that's the same coal contract -- I beg
21 your pardon, I have covered that had already.

22 I would always like to say that Mr. Baxter's
23 salary, as he claimed here to us was something in the
24 order of 670-something thousand dollars, with an
25 \$800,000 bonus. According to Forbes 2012 report of

1 executives, his salary in 2011 was \$900,000 and he got
2 a \$1.2 million bonus. And I feel that you guys --
3 your function is to allow an opportunity for these
4 utility companies to profit. No company is guaranteed
5 a profit. You expend on infrastructure, that is an
6 investment in the future. That is an operating cost.
7 You don't get to re-get that back and you certainly
8 don't increase the dividends for shareholders in a
9 year that you're asking all of us to pay 14 percent
10 more on top of the 36 percent more they have gotten
11 from us in the last five years. That's about all I've
12 got.

13 JUDGE WOODRUFF: Any questions?

14 CHAIRMAN GUNN: You have a lot of stuff
15 there which is great, I really appreciate it. Do you
16 have a copy of the written -- do you want to submit
17 anything on the written or was that just your notes?

18 MS. BOYD: These are just my notes. I'm
19 happy to submit them online.

20 CHAIRMAN GUNN: That would be great. That
21 would be great, I really appreciate you coming.
22 Thanks very much.

23 COMMISSIONER KENNEY: Thanks for coming back
24 to St. Louis and thanks for contributing. Where were
25 you living in California where you rates were that

1 low?

2 MS. BOYD: In the Bay area. I was a
3 customer of PG&E and also a customer of Alameda Power
4 and Light.

5 COMMISSIONER KENNEY: Thanks for coming
6 down. You are obviously very well-researched and we
7 appreciate you sharing your thoughts with us.

8 MS. BOYD: Thank you, gentlemen.

9 JUDGE WOODRUFF: Jackie Hutchinson? Good
10 evening. Please raise your right hand. Do you
11 solemnly swear or affirm the testimony you are about
12 to give in this matter is the truth, the whole truth
13 and nothing but the truth?

14 MS. HUTCHINSON: I do.

15 JUDGE WOODRUFF: Could you tell us your
16 name, please?

17 MS. HUTCHINSON: Good evening. I'm Jackie
18 Hutchinson. Well, Jacqueline Hutchinson. And I am
19 the director of City Services for the Community Action
20 Agency, St. Louis County and I am a board member for
21 the Missouri Consumers Council also. I have been
22 actively involved, as some of you might know, in these
23 kinds of proceedings for the past 30 years on a state
24 level, on a national level also.

25 So I'd like to talk a little bit about --

1 give some facts about what the large portion of our
2 community is suffering from these days. Let's just
3 talk a little bit about the conditions that exist.
4 According to the 2011 census, 34 percent of the
5 residents of the City of St. Louis or 105,000
6 individuals, live below the poverty index and that
7 number has been increasing every year for the last
8 five years and that's \$1591 a month. While other
9 areas of the state have approximately a 19 percent
10 poverty rating, St. Louis is 34 percent. Forty-one
11 percent of the children in the St. Louis area live in
12 poverty and 135,000 children each day are at risk of
13 being hungry. After receiving no social security
14 increase for many years, probably three or four years,
15 senior citizens or those living on SSI, received a
16 modest 3.6 percent increase this year while the costs
17 of all goods and services -- all goods and services
18 increased dramatically over the last few years.

19 The unemployment rate in St. Louis is 9
20 percent but the working poor have seen their wages
21 decrease over the last years and their buying power
22 decrease even more. And excessive energy burden
23 impacts the health and safety of low-income people.
24 As you know, the average household in the state pays 6
25 percent of their income, those living at median income

1 pay about 6 percent of their income for utilities,
2 where low-income families are paying 26 and some 34
3 percent of their income just for utilities at this
4 time.

5 So we've seen extreme heat in the past few
6 days or few months and our elderly have been at
7 extreme risks. And you've seen that we've had deaths
8 because elderly will not -- often will not use their
9 utilities for fear that they will get an excess bill.
10 And even though there is assistance available, you've
11 heard the testimony that many of them do not want to
12 come and ask for assistance. They would prefer to
13 leave the utilities off and so we need to figure out a
14 way to address those issues.

15 In 2012 there were cuts in the lighting
16 program. It was cut last year from the state
17 receiving 104 million to this year 95 million. The
18 proposed budget cuts for next year may take it down as
19 low as 68 million and even with the private donation
20 dollars, like the Dollar-Help fund, the Dollar More
21 fund, it cannot make up for those cuts in private
22 donation funds. We appreciate the funds that Ameren
23 UE puts in those kind of programs but it is not -- it
24 is not enough to address the needs that we have. So
25 the high energy cost is making families take -- make

1 choices like buying their medicine or, you know,
2 buying proper food and we are seeing an increase of
3 homelessness due to high energy burden in our city.

4 And so, the thought that a 14 percent
5 increase in rates would -- is, you know, needed for
6 the -- whatever the electric companies needs it for,
7 has to be balanced against the conditions that
8 low-income families are findings themselves in and
9 those who are working everyday and cannot pay their
10 utility bills. There needs to be a balance there.
11 And so I ask that you all closely consider the, you
12 know, the rate of return needs for Ameren against the
13 needs for elderly people to have proper nutrition and
14 children to be able to have the food that they need to
15 thrive.

16 So, in conclusion, there are a couple of
17 things I'd like to ask the Commission to consider and
18 one of them is to continue and expand the Keeping
19 Current program that Ameren is participating in now.
20 I'd like to see the summer cooling portion of that
21 program expanded. As the program exists right now, a
22 person who would sign onto that program this month
23 would only receive a payment, one payment, toward
24 their utility bills, even though they may have high
25 bills going forward for a couple of months because of

1 the extremely high bills during the summer. And the
2 way it's designed right now, they would only get one
3 of those payments if they didn't start -- if they
4 didn't get signed up for the program in June. And so
5 if you have a really hot July and August, then if we
6 want to encourage people to continue to use their
7 utility bills, we need to kind of tweak the way that
8 program works.

9 And also we need some revisions to the
10 year-round program so that it is not so punitive if a
11 person misses a payment or if they get behind they
12 don't get kicked off the program if they are making
13 every attempt to pay. We would like to see more
14 dollars put in those program, so that more people
15 could take advantage of that program. Also, I would
16 like to see us expand the weatherization funding from
17 Ameren, private donation dollars for weatherization.

18 And last but not least, I'd like to have the
19 Commission consider rate restructure that would
20 introduce a low-income rate. Now, I have been talking
21 about this for a lot of years but there are -- I have
22 some examples of states that are doing it and I'd like
23 to enter those into evidence and I'm not going to go
24 through all of those, but California, Massachusetts,
25 Ohio, Pennsylvania and Texas all have determined that

1 it is within the Commission's ability to introduce a
2 low-income rate and to consider low-income individuals
3 as a separate class and to have a rate that would be a
4 different rate than is paid by all the other
5 customers. So I'd like to have the Commission
6 consider that as a long-term solution. Certainly, it
7 is a more humane way of providing assistance to the
8 low-income people. And in each state where it's being
9 done it is very popular -- well, in the states where
10 it's being done correctly -- and it's assisting a lot
11 of families and giving them the dignity and the
12 ability to afford their utilities without having to --
13 often without having to go in for assistance if they
14 qualify or if they need assistance, if the assistance
15 is available. But often it is the difference between
16 a person who is living a little bit above the poverty
17 line being able to make their ends meet and not
18 needing the other types of assistance and sometimes
19 they don't qualify for that. So I'm going to ask that
20 you strongly consider introducing a low-income rate.

21 Last but not least, I'd like to see some
22 kind of restriction on these annual rate increases. I
23 mean, it would seem to me that if the utility company
24 knows that they're going to need "x" number of
25 dollars, there should be some kind of long-term

1 planning and the rate increases -- you know, I have
2 never a seen a time in all the years that I've been
3 doing this work where utility companies came in year
4 after year for a rate increase and I really think that
5 you all should rethink the process that allows those
6 annual rate increases when the rest of the economy is
7 forcing everybody else to live with less and to make
8 due with what they have. You know, what is it that
9 allows the utilities to come in and ask and for higher
10 rates of return and I understand all of the things
11 that they said about reliability and infrastructure
12 and all of those and we appreciate that but there
13 needs to be some long-term planning for those kinds of
14 things and the ability to delay the things that are
15 not totally necessary at this moment.

16 CHAIRMAN GUNN: Question. First of all,
17 thank you for coming to testify. You've done this for
18 a long time and we appreciate the work you do in the
19 community, it's incredibly important and we appreciate
20 it. I actually have a request, you laid down some
21 very specific things that you would like us to take to
22 a closer look at. And I'm asking if you wouldn't mind
23 if you have -- I know you're going to submit the
24 different states that have the low-income rate but are
25 some of the details about how you would like us to

1 look at some of this in the written testimony because
2 if not, I would ask -- you should feel free to
3 supplement some of those points and you can submit
4 that online to give us kind of a framework about how
5 you would like to see, for example, the summer cooling
6 portion expanded, put a little meat on the bones for
7 us to take a look at.

8 MS. HUTCHINSON: Sure, I can. You want me
9 to turn this in and then put a supplement online?

10 COMMISSIONER KENNEY: That would be -- if
11 that's easy for you that would be fine.

12 MS. HUTCHINSON: I can do it either way.

13 CHAIRMAN GUNN: I think that's probably the
14 best way to do it and give you a little bit more time.
15 We're going to be doing these obviously until
16 September, so if you want to -- it gives you a little
17 bit of time to supplement --

18 MS. HUTCHINSON: Sure, I can do that.

19 CHAIRMAN GUNN: I would appreciate that.
20 Okay, thank you. That is all I have.

21 COMMISSIONER KENNEY: Ms. Hutchinson, thank
22 you very much for coming and I echo Chairman Gunn's
23 remarks, you do very important work and it has gotten
24 increasingly more difficult in recent years, so thank
25 you. I want to ask kind of a legalistic, procedural

1 question: Are you testifying on your own behalf or as
2 a board member of the Consumers Council?

3 MS. HUTCHINSON: I'm testifying on behalf of
4 the Community Action Agency of St. Louis County and as
5 a board member of Consumers Council.

6 COMMISSIONER KENNEY: Okay. Then my second
7 question is: The proposals that you're outlining, are
8 they contained in any prefiled testimony that's
9 already in the case, do you know?

10 MS. HUTCHINSON: That, I don't know. Are
11 you talking about the Keeping Current --

12 COMMISSIONER KENNEY: Well, expanding the
13 Keeping Current was one of them and then the
14 alternative rate structure for the low-income rate
15 class.

16 MS. HUTCHINSON: I don't think so. I don't
17 think so.

18 COMMISSIONER KENNEY: Well, I'm just -- I'm
19 asking because I think it's an intriguing notion and
20 I'm trying to figure out how we deal with it, whether
21 it's something you will have to provide as a
22 supplement or if there is something other vehicle by
23 which that would be presented to us. So that's why I
24 am asking the question. I don't have an answer. I'm
25 just asking a question and I don't think it's

1 something that we have to figure out tonight but all
2 the attorneys in the room I'm sure will be thinking
3 about it after they leave here today.

4 MS. HUTCHINSON: I will be talking with John
5 and I think there is going to be a call to discuss
6 some of that, so we will get the information back to
7 you.

8 COMMISSIONER KENNEY: Thanks again. Thank
9 you very much.

10 MS. HUTCHINSON: Thank you.

11 JUDGE WOODRUFF: Ms. Hutchinson, if you
12 would to bring me that document, I'll mark it as No.
13 3.

14 MS. THOMAS: I signed up to speak tonight
15 but it's kind of long-drawn and I don't know where my
16 name is on the list, but I want to -- my name is Clara
17 Beth Thomas. My address is 1269 Hafner Place, St.
18 Louis, Missouri 63130 and I just want to support what
19 Ms. Hutchinson said as one of those low-income people
20 who is in need of help right now, not tomorrow, not
21 next week, not five weeks from now. And we need to be
22 able to call the Public Service Commission and talk to
23 you, Mr. Kenney or you, Mr. Woodruff or you, Mr. Gunn
24 instead of talking to Ms. Beverly, who has defused
25 quite a bit for you guys and she needs a raise.

1 Thanks.

2 JUDGE WOODRUFF: Thank you. Going back to
3 Ms. Hutchinson's testimony, and her counsel is here
4 tonight also, if any of the other parties wish to ask
5 her any questions at this time I'll let you do that.
6 It's up to Mr. Coffmann if he wants to present any
7 further evidence at the hearing on this type of topic
8 but I'm not going to ask you to do it tonight. Do you
9 want to say something?

10 MR. COFFMANN: My client, Consumers Council
11 of Missouri, hasn't yet taken a specific position yet.

12 JUDGE WOODRUFF: Why don't you come up to
13 speak.

14 MR. COFFMANN: Ms. Hutchinson was speaking
15 on her own behalf. Consumers Council of Missouri, I
16 suppose, will be likely making recommendations
17 consistent with her testimony, they haven't done so
18 yet. I know the record currently consists of some
19 minimal testimony about the Keeping Current Program.
20 We will consider other ways to present evidence to you
21 more formally later.

22 COMMISSIONER KENNEY: Thank you. I didn't
23 mean to cause trouble.

24 MR. COFFMANN: No, that's fine. I
25 appreciate it.

1 JUDGE WOODRUFF: Thank you. Mr. Mills?

2 MR. MILLS: For the record I have no
3 questions for Ms. Hutchinson tonight. I do believe
4 that, you know, right now you have sworn testimony, on
5 the record, by someone who has a great deal of
6 experience in the matters to which she testified about
7 and she is here subject to cross examination. The
8 companies are represented and can ask questions, so I
9 think you got some solid evidence for things that she
10 talked about.

11 JUDGE WOODRUFF: Ms. Tatro, do you have any
12 questions?

13 MS. TATRO: No questions.

14 JUDGE WOODRUFF: Next name on the list then
15 is William Bryant. William Bryant? Marian Sharpe?
16 Good evening. Please raise your right hand. Do you
17 solemnly affirm the testimony you are about to give in
18 this matter is the truth, the whole truth and nothing
19 but the truth?

20 MS. SHARPE: I do.

21 JUDGE WOODRUFF: And you are Marian Sharpe?

22 MS. SHARPE: I am Marian Sharpe. 7131
23 Willow Tree Lane, University City, Missouri 63130. I
24 am elderly but at this point I am not having any
25 problems with paying our bills but if the utility

1 companies continue to raise rates at the rate they are
 2 going now we might have problems. I am concerned
 3 about what is happening to the elderly and I am
 4 concerned that somebody needs to speak up for public
 5 and we have generally been to the Public Service
 6 Commission to do that for us, where utilities are
 7 concerned. I don't know what is happening in America
 8 and in the world but I do know that something is
 9 askew.

10 I am a Bible scholar. I've been studying
 11 the Bible prophecy now for about 40 years and I'm
 12 beginning to see a lot of things that are happening.
 13 One thing that stands out very, very strongly is the
 14 love of money is the root of all evil. What I am not
 15 sure about, I know that wherever you have large
 16 corporations, I know that there are some people on
 17 these corporations who want to do the right thing but
 18 I am seeing that it's very difficult, like it's
 19 difficult for the whistleblowers, it's difficult for
 20 the person who wants to do what is right, to do that
 21 thing and I am concerned that the Public Service
 22 Commission will be able to do what is right and not
 23 look at the corporate greed or the love of money.
 24 We've got to be able to handle our situations without
 25 always resorting to money.

1 When I was very young raising two children,
 2 I believed in the system. Whenever we were told we
 3 need more money so the schools can do the job their
 4 suppose to do, I would encourage my neighbors. I
 5 would sit on committees. Let's vote for this. But
 6 after a while you begin to gain some experience and
 7 when money is the answer to everything, if we get more
 8 money the problem will be fixed but it hasn't
 9 happened. We've been voting more money so many years
 10 and the problems are not fixed. So I'm wondering now,
 11 if we keep giving rate increases and the problem is
 12 not being fixed, only more problems are being made. I
 13 am asking that the Public Commission will please
 14 consider, seriously, the impact of more money for a
 15 select few and what that will do to the masses who do
 16 not have that more money to give. Thank you very much
 17 and I appreciate that.

18 JUDGE WOODRUFF: Thank you, ma'am. Next
 19 name on my list is Rob Peterson. Rob Peterson? Tim
 20 Fishchesser? Good evening, sir, I'll let you
 21 pronounce your own name.

22 MR. FISHCHESSER: It's better than most.
 23 Fishchesser.

24 JUDGE WOODRUFF: Okay. Please raise your
 25 right hand. Do you solemnly swear or affirm the

1 testimony you are about to give in this matter is the
2 truth, the whole truth and nothing but the truth?

3 MR. FISHCHESSE: I do. Thank you for the
4 opportunity to be here. I wanted to just testify on a
5 fairly narrow topic on behalf of the St. Louis County
6 Municipal League, where I'm the executive director. A
7 couple of years ago we formed a municipal group as it
8 was known. The league kind of arranged for a number
9 of cities to contribute funding to an effort to try to
10 examine the street lighting costs, which has recently
11 gone up because of our recent rate increase and it's a
12 frustrating scenario because most streetlights are not
13 on a meter. We just pay a flat amount for different
14 types of streetlights. Older streetlights were -- are
15 owned, were owned, by Ameren prior to about 1988 and
16 then after that usually somebody who built a
17 subdivision, they install the lights and they became
18 managed then by the subdivision trustee. So there's
19 kind of two different categories of streetlights.

20 So 45 cities over the last couple of years
21 contributed to this kind of municipal group that
22 intervened in the last two rates cases, resulted in a
23 cost of service study being done that we don't -- we
24 can't question, we don't have the resources to
25 question, but indicated we may actually be underpaying

1 what we should be paying as a class.

2 But the frustrating part of street lighting
3 is it's not energy efficient. So a number of our
4 cities and you heard reference to it in Mayor
5 Schneider's remarks, would like to try to figure out a
6 way to become more energy efficient when it comes to
7 street lighting. In the last rate case you responded
8 to a staff observation and their report that generally
9 said that more modern street lighting can improve
10 efficiency, offer longer lamp-life, improve night
11 visibility due to higher color rendering, reduce
12 maintenance costs, you know, mercury is involved, lead
13 or other known disposable hazards and it's an
14 opportunity to implement programmable controls. And
15 your staff went on to cite some other states that have
16 implemented these more progressive policies toward
17 street lighting and you require that Ameren either
18 come up with a tariff by the end of this month or
19 explain -- issue some sort of report by the end of
20 this month regarding the issue. So when Ameren filed
21 for a new rate increase our membership, at it's March
22 meeting, passed a resolution, which I'll leave with
23 you, opposing the rate increase largely out of
24 frustration and a sense of feeling sandbagged that
25 there's no way for municipal governments to go green

1 and save the tax payers and the cities any money on
2 these streetlights. We just have to keep eating these
3 increases and that's extremely frustrating.

4 So I'm here on behalf of all the cities that
5 have these street lighting bills that keep going up,
6 hoping that someone can kind of come in between us and
7 Ameren and force some really progressive strategy that
8 gives us a lot of options to either purchase the
9 streetlights so -- it's not -- the energy cost is
10 actually a small part of it, so going green on the
11 lighting itself would be of some help but we still
12 have these maintenance fees for the poles. So we not
13 only have a monopoly on the electricity, we have a
14 monopoly on the maintenance. So that's kind of a
15 double whammy that we're stuck with and the mayors
16 would love to try to figure out a way to try to get
17 some control over this simply to join the new century
18 of people that are trying to be more efficient when
19 they address street lighting. So we're hoping that
20 the feeling that the elected officials have about kind
21 of being sandbagged by Ameren on this will change,
22 that the report will really be progressive that's due
23 by the 31st and that the Commission will do everything
24 it can to make sure that in this narrow world that we
25 operate in on, street lighting that I'm talking about,

1 can really take a big giant step forward on
2 progressivity in Missouri. I'll leave the resolution
3 and a summary of my statement.

4 JUDGE WOODRUFF: If you want to bring it on
5 up here. I believe the Municipal League has not
6 intervened in this case; is that correct?

7 MR. FISHCHESSE: That's right, we have not.
8 I think there's a feeling among -- particularly among
9 the city managers that have been so active in this,
10 they're caught in a catch 22 with all the legalisms
11 around the PSC process and they want to deal with the
12 physical structure out there and so they were hoping
13 maybe this report would have been in by now but they'd
14 like to see this report before they spend a lot more
15 money on attorneys, on intervening. We spent
16 somewhere in the neighborhood of a hundred thousand
17 dollars and instead got higher rate increases. So
18 that was not a very encouraging model for us to
19 continue to follow until we can see what the report is
20 that Ameren submits that we're -- we're kind of, you
21 know, at your mercy and just wanted to express our
22 frustration with the situation the last several years
23 and hope that we wouldn't -- I think the City of
24 Ballwin's city manager told me their increase in, you
25 know, the last five years was something like somewhere

1 in the 300,000s to 500,000s, so it hasn't quite
2 doubled but it's gone up substantially. And since
3 it's not metered, you know, we can't turn them off --
4 we could pay to decommission them but we can't
5 regulate the amount of energy that we use because it's
6 an unmetered light. We just pay \$18 a month for one
7 type and 24 a month for another type and things like
8 that and that includes the maintenance of it. Not --
9 that's not the energy cost. I think the energy cost
10 is three to six bucks on some of those lights and the
11 other money is for the maintenance.

12 If we could -- if we had an option to get
13 out of the, as I mentioned earlier, get out of the
14 business of being stuck with a monopoly on the
15 maintenance, that might be valuable too. We have
16 talked to some subcontractors who think they could
17 offer us a lower monthly charge on maintenance than
18 what we're paying for Ameren, for example. That's why
19 we are hoping that whatever comes out of the
20 Commission on this, when the report is submitted and
21 stuff, would really give us very substantial options
22 to figure out a way to save ratepayers some money and
23 use less energy.

24 JUDGE WOODRUFF: I marked the resolution as
25 No. 4. Questions?

1 CHAIRMAN GUNN: I just have a couple. And
2 thanks, this was an issue in the last rate case and
3 that's when we ordered the report, correct?

4 MR. FISHCHESSER: That's right.

5 CHAIRMAN GUNN: Okay. I just want to
6 clarify this, did you guys -- most of the
7 municipalities pay a flat fee for streetlights?

8 MR. FISHCHESSER: Right.

9 CHAIRMAN GUNN: So that includes the
10 electricity usage, plus the maintenance?

11 MR. FISHCHESSER: Right.

12 CHAIRMAN GUNN: So the request is, is that
13 you get either more efficient lights so there is less
14 maintenance?

15 MR. FISHCHESSER: Well --

16 CHAIRMAN GUNN: Because if you went to an
17 LED -- because you're paying a flat fee, I don't
18 understand how that would reduce costs?

19 MR. FISHCHESSER: We're not sure how that
20 flat fee is determined but at least some of it
21 probably is on the amount, the wattage used.

22 CHAIRMAN GUNN: Okay. So you would assume
23 that if you went to a more efficient light, that the
24 flat fee would be reduced because whatever is built
25 into that percentage of the flat fee would be reduced

1 by the more efficient bulbs.

2 MR. FISHCHESSER: Yeah, but the energy usage
3 is a small part of the bill --

4 CHAIRMAN GUNN: So the larger issue is the
5 maintenance?

6 MR. FISHCHESSER: That's correct.

7 CHAIRMAN GUNN: And so you would like either
8 to do it yourself or be able to bid out a contract
9 with somebody for that in order to take care of that?

10 MR. FISHCHESSER: Right.

11 CHAIRMAN GUNN: Okay. I just wanted to be
12 clear on that.

13 MR. FISHCHESSER: Now, you know, there's
14 property rights that come in there and all that sort
15 of stuff, it's a confusing issue, so we're anxious to
16 see what the report is and see just how far Ameren is
17 willing to kind of dance with us to try to achieve
18 these objectives and we feel we need your help.

19 CHAIRMAN GUNN: And we kind of, in the last
20 one, I -- and obviously the order speaks for itself
21 but we kind of froze everything while we were waiting
22 for this report.

23 MR. FISHCHESSER: But two years ago you did
24 and then last year we got the full increase, plus a
25 part of the shortage that Ameren thought we were

1 underpaying as a class.

2 CHAIRMAN GUNN: Because that was based on
3 the cost of service study?

4 MR. FISHCHESSER: Yeah.

5 CHAIRMAN GUNN: Okay.

6 MR. FISHCHESSER: And there was also a big
7 question of -- there was no records on these older
8 systems just on the pole, what I call a pole rental
9 for poles installed by Ameren prior to 1988 and the
10 Commission ordered that those be -- pole rental fees
11 be discontinued over the next two rate increases. So
12 for cities that have older poles, the pole part of
13 their bill went down but their lighting went up and
14 other places that they didn't -- where Ameren didn't
15 own the poles, post-1988 --

16 CHAIRMAN GUNN: Right.

17 MR. FISHCHESSER: -- the lighting went up
18 dramatically.

19 CHAIRMAN GUNN: All right. Thank you.

20 JUDGE WOODRUFF: Do any of the parties have
21 questions for Mr. Fischesser? Commissioner?

22 COMMISSIONER KENNEY: Mr. Fischesser, thank
23 you for coming and thanks for including the
24 resolution. Can you just remind me, how many members
25 are a part of the St. Louis County Municipal League,

1 do you know?

2 MR. FISHCHESSER: We are a voluntary
3 membership organization and there's 90 municipalities
4 and there's maybe one or two that don't join each
5 year.

6 CHAIRMAN GUNN: So pretty much everybody?

7 MR. FISHCHESSER: Yeah.

8 CHAIRMAN GUNN: And St. Louis County and St.
9 Louis City are also members.

10 COMMISSIONER KENNEY: And the primary
11 decision to not join this rate case was mostly a
12 financial, economic decision?

13 MR. FISHCHESSER: Well, and also pending the
14 study. We weren't able to determine it was worth
15 considering engaging legal counsel a third time.

16 COMMISSIONER KENNEY: Without the report?

17 MR. FISHCHESSER: Without the report.

18 COMMISSIONER KENNEY: Okay.

19 JUDGE WOODRUFF: Any questions from any of
20 the parties for Mr. Fischesser?

21 UNIDENTIFIED FEMALE: I --

22 JUDGE WOODRUFF: From the parties? If you
23 want to ask him a question afterwards, you can feel
24 free --

25 UNIDENTIFIED FEMALE: I just wanted to ask

1 if he's talking about lights on a pole that Ameren has
2 put in or lights or a separate streetlight or is he
3 talking about both of those lights?

4 JUDGE WOODRUFF: Streetlights.

5 MR. FISHCHESSER: Yeah, lights on the
6 streets.

7 UNIDENTIFIED FEMALE: Lights on the street,
8 oh, okay. In our subdivision we put them on a pole.
9 I don't know if that's the same thing or not.

10 MR. FISHCHESSER: I'd be happy to talk to
11 you in back.

12 UNIDENTIFIED FEMALE: Okay.

13 JUDGE WOODRUFF: Okay. Thank you. The next
14 name is Charles Meador.

15 MR. MEADOR: Meador.

16 JUDGE WOODRUFF: Okay. Do you solemnly
17 swear or affirm the testimony you are about to give in
18 this matter is the truth, the whole truth and nothing
19 but the truth?

20 MR. MEADOR: I do, sir.

21 JUDGE WOODRUFF: Okay.

22 MR. MILLS: Thank you. I have brief things
23 to say, I think. First of all, a little history, you
24 gentlemen, probably all are aware of it, before
25 Callaway went online, you know Callaway went online

1 several years ago but before it went online the
2 electric company requested a 100 percent rate
3 increase. At that time the PSC allowed them over 50
4 percent and then six months later they asked for more
5 and they were given perhaps 40 percent of that or some
6 percentage of that and then six months later they
7 asked for more and within two years of that I think
8 they got more than their 100 percent increase they had
9 asked for originally. And since then it has gone up
10 appreciatively as one gentleman pointed out and other
11 people pointed out, because it continues to go up
12 every year and every six months they ask for more.
13 They're not the only utility that does this, all the
14 utilities do this. And it seems that while these
15 increases were to pay for the cost of construction of
16 Callaway, in advancement of being open and also so the
17 investors could recoup their investments immediately.
18 Not over a period of time but immediately they wanted
19 their investors to recoup their investments. My
20 question at the time was why couldn't the investors
21 wait for the profits to begin coming in?

22 So anyway, the citizens of the State of
23 Missouri have paid for construction of Callaway and
24 reportedly most, if not all, the energy generated by
25 Callaway has been sold to Canada and other states

1 through the grid. Very little of that power from
2 Callaway is going to the State of Missouri, at least
3 according to the people I have talked to who work for
4 them, you know, Ameren. Why haven't the rates
5 decreased since Callaway has been paid for? You know
6 we paid for the increase of money that went into
7 paying for Callaway, Callaway is paid for I'm sure by
8 now but why I haven't the amounts decreased? All
9 right. So they still need our monies for other
10 things.

11 Partial justification for those increases,
12 for the increases that they are asking for now is so
13 the stockholders can get a return. Why would the
14 stockholders expect a return? You put your money in
15 to stocks, you're taking a chance. I've never heard
16 of a utility company of any kind going bankrupt,
17 completely bankrupt, because they got a monopoly
18 wherever they're located so they can't really go
19 bankrupt. They might sell out to another firm or let
20 somebody else take them over, small businesses but
21 they don't go bankrupt.

22 This was mentioned briefly by one of the
23 gentlemen for Ameren. Tree cutting that has been over
24 the last three years or so, it hadn't gone on for
25 about 17 years before that, according to my neighbors

1 and the neighborhood I live in, they haven't cut one
2 tree in our neighborhood at all and that is not the
3 only neighborhood that way. The community I lived in
4 before the one that I'm living in now in Florissant,
5 in Jennings they hadn't cut that for maybe once in 20
6 years, so I don't see why they keep saying they do a
7 lot of tree cutting but I haven't seen it nor have
8 many other people. Another little thing about tree
9 cutting, when they cut them back, why don't they seal
10 the ends of the limbs they cut? Because within two
11 years those limbs are going to grow back out, they'll
12 be back in the lines and they are going to have to do
13 the whole thing over and over again. Why not do it
14 once and have it done?

15 As replaced -- and another thing, we replace
16 older appliances, everyone tries to at least. My wife
17 and I have replaced a few items over the years in
18 order to save energy but still our rates go up.
19 Supposedly, according to the literature that Ameren
20 gives out, this is going to save you money but it
21 doesn't.

22 When will they ask for more money? To
23 mothball Callaway? Callaway is going to need to be
24 mothballed someday and I don't know how soon it is
25 going to be but according to the reports I have been

1 reading it might be within the next five to six years,
2 that may or may not be true. But what is that going
3 to cost? Are they going to ask for more money or is
4 that money built into the rate increases they have
5 gotten for the building of Callaway which continues --
6 their offers to mothball Callaway and put it away for
7 30, 40 years until it can be utilized for something
8 else because it can't be touched in all that time with
9 the generation of the -- what was I going to say --
10 radiation, I'm sorry. And they are also going to ask
11 for more money when they build several small atomic
12 energy plants that they're talking about doing now in
13 the State of Missouri and other states are asking for
14 the same thing. This is supposedly going to cost less
15 than building a huge plant like Callaway is but they
16 are going to ask for more money for those. Why not
17 use the profits from what they are making now to make
18 up for any short falls of monies the future? Why not
19 set that aside, rather than pay it out for stockholder
20 returns, big salaries for the executives, for the
21 bonuses for executives?

22 Bonuses for the executives, my question is
23 not just for this company but with most every company:
24 Why? I have not seen one executive who produced one
25 kilowatt of power. The people at the bottom of the

1 totem pole are doing everything. Have they streamed
2 one wire? So what are they doing to justify their
3 bonuses? Good question. I'm finished.

4 JUDGE WOODRUFF: Thank you sir. Questions?

5 CHAIRMAN GUNN: Thank you for your
6 testimony. There are actually, for some of those
7 questions there are actually some explanations and
8 some answers, so I would encourage you to talk Lewis
9 Mills over here and maybe some of our staff that might
10 be able to give you a little bit more information but
11 there are at least some explanation for some of that
12 but thank you very much for your testimony. We
13 appreciate it.

14 JUDGE WOODRUFF: Thank you, sir. Moshe
15 Pinto? Moshe Pinto? Denny Watts? Denny Watts? Jane
16 Mendelson? Jane Mendelson? Penny Watts? Stephanie
17 Walker?

18 MS. WALKER: Yes.

19 JUDGE WOODRUFF: Please raise your right
20 hand. Do you solemnly swear or affirm the testimony
21 you are about to give in this matter is the truth, the
22 whole truth and nothing but the truth?

23 MS. WALKER: Yes.

24 JUDGE WOODRUFF: Could you tell us your
25 name, please.

1 MS. WALKER: My name is Stephanie Walker. I
2 live at 7441 Marillac Drive, St. Louis, Missouri.

3 JUDGE WOODRUFF: Okay.

4 MS. WALKER: I live in the Greendale area.
5 First and foremost, I would like to thank you
6 gentlemen for giving me an opportunity to speak. I am
7 a middle-aged person moving into my 50s here in the
8 next five years. I'm a college student. I have two
9 sons that are college students and it has been pretty
10 dreadful for me tonight, this is the first time I've
11 attended one of these my meetings and my mayor
12 inspired me to come here tonight. I did get the
13 notice prior to this and I was kind of debating if I
14 was going to come out to this. I really should have
15 went over to my university tonight to register for
16 some fall class and I pushed it back to the spring
17 because I just don't have the money due to the high
18 electric costs over the last three to four years
19 really. I only have eight more classes to finish up.
20 Having two young men in college as well has taken a
21 toll, so me, being the parent, I have to kind of push
22 things back for myself.

23 With that being said, I don't have a
24 long-drawn-out lecture for you gentlemen tonight or a
25 really dignified report to give you tonight but I do

1 have reality talk. And it's getting really, really
2 hard for just young people like me to try to -- and a
3 single parent on top of it, Lord knows if I was
4 married it probably wouldn't even help either, you
5 know, just knowing that the high electric cost is
6 unbearable now and this month the bill was almost
7 \$500.

8 So you got a lot of young people that is not
9 coming to these meetings and you really need to reach
10 out to the college students and the young people in
11 the community, as well as myself, the middle-aged that
12 haven't even began to cross over to the elderly stage
13 of retirement. I can't even save for retirement
14 because of the electric bill. Well, two of my sons
15 had to go live with other people so we can save
16 electric in the house and it's just getting that tough
17 now. So I just hope you gentlemen take that into
18 consideration.

19 I do disagree with the 14 percent increase.
20 It needs to be long planned out to inform people at
21 least a year or two ahead of time, so we can kind of
22 get things together because this year I believe they
23 had about two or three rate increases, am I correct,
24 somewhere around there, at least two and I just think
25 that's a lot within a year. It does need to be really

1 long planned out, so not only the young people, the
2 middle-aged people, retirees, elders, can really get
3 themselves together to be able to continue to pay
4 their bills, in addition, to paying their electric
5 bill on time.

6 A lot of times people are sacrificing. I am
7 one, I sacrifice and I do call in. I do get some
8 assistance sometimes. It does work sometimes it has
9 been very rarely, very rarely. I've been through the
10 telephone waiting situation. I've been to the
11 agent -- one particular agency where I couldn't get
12 any help from them because they were out, out of money
13 and they just had got the money within a week. And so
14 I just want to propose a challenge to you gentlemen, I
15 know you're making those six-figure salaries that is
16 all great, that is part of a perk for highly
17 intelligent, talented, skilled people, such as
18 yourselves, to donate to these agencies, a third of
19 your salary, rather than take some, what do you say,
20 freeload days or a break in pay. Take that money and
21 give it to some of the agencies to increase the dollar
22 amount that -- so these agencies can help more people,
23 such as myself, in addition to elders and young
24 teenagers that's out here on their own and college
25 students, because we do it. I mean, I don't know how

1 many young people or college students come to these
2 meetings but I was kind of glad that I came tonight,
3 because boy, I tell you, I was tempted to leave
4 because things were getting really drawn out and I'm
5 watching my time as I speak because I'm very
6 respectful of everybody's time and I am just glad I
7 hung around just to address you guys. So thank you
8 for the opportunity and everyone else here tonight.
9 So hopefully you guys can put your heads together, I
10 know you can, and come up with a better resolution
11 then a 14 percent rate increase.

12 CHAIRMAN GUNN: Thank you, ma'am, and we are
13 happy you stuck around. So thank you very much.

14 JUDGE WOODRUFF: Tim O'Leary? Tim O'Leary?
15 Margaret Moulton? Margaret Moulton? Marilyn Morton?
16 Good evening.

17 MS. MORTON: Good evening.

18 JUDGE WOODRUFF: Please raise your right
19 hand. Do you solemnly swear or affirm the testimony
20 you are about to give in this matter is the truth, the
21 whole truth and nothing but the truth?

22 MS. MORTON: Yes.

23 JUDGE WOODRUFF: And you are Marilyn Morton?

24 MS. MORTON: Yes, I live in St. Louis County
25 and do you need anything else? Okay. I'm here

1 tonight, actually I -- there has been so much said but
2 basically I'm just a regular person who retired and
3 got involved with healthcare. And this has been an
4 incredible, I guess, story of what I have been doing
5 since I retired. And I have met so many people who
6 are one step away from bankruptcy because of
7 healthcare and this is -- I am on Medicare and my
8 husband over there had a heart transplant. Now, the
9 drugs for that can cost \$2,500 a month. I have kept
10 my health -- my insurance, which gives me the right to
11 buy these drugs at a reduced rate. But this isn't
12 just me, I'm getting phone calls from all over the
13 country saying, how did you do this? I said, you've
14 got to work Medicare. Part D does not do a thing, it
15 was written by the drug companies. If you need an
16 expensive drug, they don't cover it. You can't get to
17 the doughnut hole. So they just simply say well, we
18 don't cover that drug that you have to pay for, this
19 is what you're looking for in the future, take my
20 word.

21 My girlfriend called me and said, Marilyn,
22 what do I do, I got cancer and Medicare Part D won't
23 cover the cancer drugs? And I have to be honest, I'm
24 an advocate and got into a Pfizer meeting about four
25 years ago and at the time I was running for office --

1 or maybe six years ago -- anyway, and I got my proxies
2 from nuns, okay, I'm not Catholic. And I was
3 interviewed by Cee Cee from the Washington Post. And
4 she said, what's your story and I told her and I met a
5 governor from another state and he said would you go
6 out to lunch with us and I said sure. He said I'd
7 like you to meet this man from Winnipeg and he said
8 we've checked all his drugs, they would be perfect.
9 And I said oh, well -- he said, when you win your
10 office, because I was running for state rep at the
11 time, have your people call my people. I don't live
12 in a good neighborhood where I ever got those people.
13 But the difference is, is that I told my girlfriend, I
14 said do you remember Canada? And she said oh, yeah.
15 I said call there. She called Canada and they said
16 oh, honey, you can get them cheaper from Great
17 Britain, want that number? She said well, I really do
18 need the chemo therapy drugs now and she said okay,
19 well, we'll pay shipping and it was less than half the
20 costs as here. Now, that's intolerable but that's
21 what all these people and you probably are looking at
22 if some disaster happens in your family. And this is
23 why you can't constantly let these prices go higher
24 and higher and higher because if you do, you're going
25 to have all these people just simply going into

1 bankruptcy and this is a real true -- I mean, this is
2 what's going on. I had a woman from Florida call me
3 and said I need a heart transplant, what do I do, I am
4 52-years-old and Blue Cross Blue Shield Florida says
5 you have to put up \$250,000 of your own money before
6 we'll put you on the list. I said how did that
7 happen? There's a wish price and a real price. She
8 said the wish price is the real price in Florida and I
9 don't know if she lived or died. I told her to go to
10 my husband's heart surgeon who moved to Jacksonville.
11 But anyway, so this is what is really going on in this
12 country and you have to be aware of it. And it has to
13 stop somewhere. It just has to stop. And when you
14 hear these people and he got up and told us the wrong
15 amounts of money he made. Then he said my salary
16 doesn't come -- it comes from the rates but my bonuses
17 don't. Well, that comes from the stockholders and
18 they're trying to guarantee the stockholders, I mean,
19 who else is it coming from. If it's coming from the
20 stockholders that -- they're going to make you have a
21 higher rate so they can pay the stockholders even
22 more. So let's get with it. We have got to work for
23 all of people, not just the wealthiest and the
24 corporations. So thank you very much.

25 CHAIRMAN GUNN: Thank you, ma'am.

1 JUDGE WOODRUFF: I've got Karen and Ronald
2 Goodman on the list, are they still here? John Veal?
3 Good evening, Mr. Veal.

4 MR. VEAL: Good evening.

5 JUDGE WOODRUFF: Please raise your right
6 hand. Do you solemnly swear or affirm the testimony
7 you are about to give in this matter is the truth, the
8 whole truth and nothing but the truth?

9 MR. VEAL: I do.

10 JUDGE WOODRUFF: What would you like to tell
11 us?

12 MR. VEAL: Well, my name is John Veal. I'm a
13 citizen of St. Louis County and I'm a customer of
14 Ameren and I'm just here as a concerned citizen to
15 basically share my thoughts. I've got some questions
16 I would like the Commission to consider, some comments
17 and some suggestions. I am just going to start it.

18 Well, we're here to talk about Ameren's
19 request for rates so it can earn a reasonable rate of
20 return and to cover some projects going out in a few
21 years. And the first comment I have is that the
22 timing of this rate increase is just wrong. Just
23 simply the wrong timing. Many of the people in this
24 room are having a great difficulty in this economy.
25 Their income is not going up or some of them have lost

1 their jobs or their income is static but costs have
2 been going up. They have no recourse to remedy their
3 situation. They are impacted by the recession. So
4 the first question I have is should a monopoly
5 utility, such as Ameren, be insulated from the effects
6 of the recession on the economy? Should Ameren and
7 their investors be allowed to earn a rate return on
8 equity that reflects business as usual, as though
9 these were normal times, while the rate paying
10 customers bear the impact that this same economy has
11 placed on them? If Ameren's earnings are flat, maybe
12 that's the way they should be.

13 Many customers are conserving electricity to
14 reduce their costs so that they can live within their
15 means and if that's being reflected in Ameren's
16 revenues then it's just an effect of the recession and
17 they should bear that and their investors should bear
18 that.

19 If a -- if customers have reduced their
20 usage 10 percent and you grant Ameren a 14 percent
21 increase then you have pretty much offset any savings
22 they had from trying to conserve electricity and
23 Ameren's going to get the benefit of increased
24 revenues while providing fewer kilowatts and, to me,
25 that just doesn't seem right.

1 Some other comments I have is that many of
2 the investment projects that they mentioned in they're
3 filing are going to occur over multiple years, they
4 said even decades. I would ask the Commission to look
5 at any increase that you're going to award them, that
6 you look at spreading the rate increase in increments.
7 I would think that if the rates would increase 2
8 percent and then maybe two years from another 2
9 percent, that's a lot more digestible than 14 percent
10 all at once. I don't know that they need to have all
11 the money up front to have revenues coming in for
12 long-term projects.

13 They also mention and I haven't studied
14 this, I don't have the numbers, but they mentioned,
15 the gentlemen that was up here mentioned what they
16 also wanted to cover in the rate increase was aging
17 infrastructure and I would think that should be
18 largely paid for. That is a called depreciation. As
19 an example, if they went out ten years ago and spent
20 \$100 million on trucks and poles and turbines and what
21 have you, they have been depreciating that in their
22 books, they've been getting a tax deduction for it and
23 when they came in here and filed for rate increases
24 that depreciation expense was included in the cost
25 that those rates were increased to cover. And the

1 purpose of depreciation is to allow corporations to
2 replace that investment as it gets old. It's a
3 non-cash out-of-pocket expense and if they were
4 managing their business properly most of that old
5 infrastructure should have already be paid for, I'm
6 not saying that depreciation expense would have
7 covered it 100 percent but most it, so I encourage the
8 Commission to look at it very carefully, maybe that is
9 something that should be excluded.

10 They mentioned some rate case costs. I
11 think rate case costs, the cost of filing this case,
12 is going to benefit the investors. They're not filing
13 this case for the benefit of ratepayers. It's going
14 to benefit the investors, they should pay that cost.
15 Employee buyouts, that cost should be borne by
16 investors, not by the ratepayers.

17 The other thing is they are filing for a
18 10.75 increase or rates to allow it to get to 10.75.
19 That sounds like a pretty high rate of returns in this
20 economy. You're not going to make that in the stock
21 market, you're not going to get that on bonds. So I
22 don't know -- I realize that there are formulas that
23 allow them to come up with what's a reasonable rate of
24 return but I think it's about more than just numbers.
25 Nobody else is making these type of earnings in the

1 market. This is a very good market rate and I don't
2 think that in this economy, with what their customers
3 are going through, that that level rate of return is
4 just entirely too high. That is all I have to say.
5 Thank you.

6 CHAIRMAN GUNN: Thank you, sir.

7 JUDGE WOODRUFF: Any questions? Aubrey
8 Warren? Lester Sykes? John Saxton? Latasha Barnes?
9 Good evening.

10 MS. BARNES: Good evening.

11 JUDGE WOODRUFF: Please raise your right
12 hand. Do you solemnly swear or affirm the testimony
13 you are about to give in this matter is the truth, the
14 whole truth and nothing but the truth?

15 MS. BARNES: Yes.

16 JUDGE WOODRUFF: Thank you.

17 MS. BARNES: I have written testimony and I
18 have reports for you all that will be submitted. If
19 you would like them in advance, I can give them to you
20 now.

21 JUDGE WOODRUFF: That would be fine. I will
22 mark this as No. 5 and receive it into evidence.

23 MS. BARNES: Good evening. My name is a
24 Latasha Barnes. I'm an attorney with Legal Services
25 of Eastern Missouri and we are here this evening --

1 we've waited awhile so that we can share with the
2 Commission that a rate increase at this time would be
3 very detrimental to the clients in the communities
4 that we serve.

5 Legal Services of Eastern Missouri, we
6 provide free civil legal assistance to low-income
7 individuals. A lot of the outcomes that we look for
8 in our cases are economic stability, safe and secure
9 housing, health and well-being, education, family
10 stability, and overall human dignity and we do feel
11 strongly that this will undermine those efforts that
12 we now undertaking.

13 We service individuals in 21 county areas,
14 most of whom are covered by Ameren UE. Our two
15 largest service areas are St. Louis City and St. Louis
16 County. For the past three years my work in
17 particular, has centered around medical/legal
18 partnership where I'm working with pediatricians in
19 the community to address issues that impact their
20 patients' lives. This is one that comes up repeatedly
21 in the clients that are referred to me for assistance.

22 Each year Legal Services receives over
23 17,000 calls for assistance. We cannot assist all of
24 these families but of the families we work with, it is
25 a very rare occasion that any of them, whether their

1 issue be with housing, public benefits, education or
2 other needs, it is very rare that any of them have --
3 do not have a utility problem that is a barrier to
4 achieving positive outcomes for them.

5 And so at this time I would like to share
6 with you some examples of common cases that we work
7 with in our office in general. Ms. K is a mother of a
8 4-year-old and a 8-year-old who has autism. She
9 invited me into her home to meet with her to discuss
10 an issue with her landlord. When I walked into her
11 living room I could see from her living room down into
12 her basement. Her housing was very substandard but it
13 was all that she could afford. It was everything that
14 she could do to conserve energy but she was just not
15 in the a position where it meant anything. Not
16 turning the air on, not turning the heat on, not using
17 any appliances, were not very helpful and it did not
18 help to control the cost where she was. She was in a
19 lease. It was very difficult for her to try and break
20 that lease because she was very afraid of what the
21 landlord might do. She has to make decisions about
22 what she will and will not pay for each month.
23 Electricity is one of those. She has to decide how
24 many dollars she will contribute towards that bill and
25 how many dollars she will take from other places in

1 order to fulfill that need.

2 I work with an individual, we'll refer to
3 him as "H", he has a brain tumor and he has to decide
4 whether or not he can afford his Medicaid spend-down
5 so he can have healthcare services or pay his electric
6 bill. If he does not pay his electricity bill he will
7 lose his federally subsidized housing. He will become
8 homeless and he will be without the assistance that he
9 needs.

10 My first case as a young attorney was a
11 woman who was referred to us because her children were
12 removed from her custody because her electricity had
13 been cut off. As a lawyer it was very devastating for
14 me to have to work with her, to have to meet with her
15 and hear her story. Her children were taken from her
16 and they were placed in separate homes. It was
17 devastating for her and for her children. Eventually
18 we were able to get the electricity cut back on, her
19 children were reunited with her but that is an
20 experience that none of them will ever forget.

21 I've had the opportunity to work with an
22 individual I will refer to as "V". She is a homeless
23 mother. She has four children. She had to pay out
24 the last cash that she had so that they could have
25 somewhere to stay together. When I met Ms. V she had

1 just lost her housing, she went into a shelter program
2 and through the shelter program she had the
3 opportunity to obtain transitional housing. So we
4 worked very hard with her to get her into that
5 program. She was unable to successfully transition
6 out of that shelter and into transitional housing
7 because of an outstanding utility bill. To this day
8 she is still homeless. She still lives wherever she
9 can. One of her children is still in a shelter, not
10 even able to be placed with her.

11 These are families that I know personally,
12 that I've worked with. These are very typical stories
13 of the clients that we work with and their plight is
14 not just for those who are extremely poor, their
15 plight is the plight of all of us. Each month I'm
16 wondering am I going to have a job? And a couple of
17 days before I think my job will end, I'm informed that
18 I'm given another extension. So I feel for them and
19 my heart definitely goes out to them because I am one
20 of them and we are all trying to survive in this
21 economy.

22 More than half of Ameren's current customer
23 base is located in St. Louis City and St. Louis
24 County. These are two of our largest service areas.
25 In 2010 we conducted a need's assessment of the

1 low-income community and of social service agencies in
2 our area. Utility concerns were one of the top five
3 areas identified among the community and among the
4 agency. And so we wonder where are the testimonies?
5 Where are the people? Why aren't they speaking up?
6 Many people feel, as some have stated earlier, they
7 feel tired, they feel disenfranchised and they do not
8 believe their voices are important. They believe that
9 they can say everything they want to say and that it
10 wouldn't matter. And Legal Services is interested
11 because it does matter to us and their issues are
12 important to us and we know, from the professionals
13 that we work with, that paying utilities destabilizes
14 low-income communities and especially with the heat
15 that we have been experiencing lately it's becoming
16 even more difficult for our clients to get by. They
17 are constantly balancing their safety, their housing,
18 their medical, their food needs with their ability to
19 maintain utilities in their home. Some of them even
20 sacrifice family stability and the opportunity to be
21 with their loved ones.

22 The lack of sustainable utility access
23 creates even greater systemic problems throughout the
24 communities we serve in our office. It does
25 contribute to poor educational outcomes. It does

1 contribute to weakened housing markets, poor health
2 outcomes and inadequate work force. Each day it pains
3 me to have to say that another black child is disabled
4 and needs special education because their family is
5 unstable and unable to maintain their housing.

6 The current energy affordability gap in our
7 community is rapidly increasing. I attended the
8 hearing this morning and I listened as an Ameren
9 representative talked about the \$2.9 million that they
10 have contributed towards energy assistance. Research
11 indicates and I've researched this and have provided
12 it to you all, that we would need almost \$700 million
13 in order to fill the affordability gap in Missouri.
14 2.9 is a very small percentage of that.

15 Programs like Budget Billing are not
16 sufficient to meet the needs of the population that we
17 serve. Other programs designed to help low-income
18 households like LIHEAP and Keeping Current, those
19 things are not sufficient to meet the needs of the
20 households that we serve. These programs will be
21 unable to meet increase burdens that would be placed
22 on them by this rate hike and in any event, they would
23 definitely have to be substantially better funded in
24 order to minimally address the need that is present in
25 the community.

1 Approximately 270,000 areas in our service
 2 area alone, 21 counties in the State of Missouri, are
 3 within the federal poverty level. Some estimates
 4 indicate that almost 200,000 additional families,
 5 working families, not extremely poor families, but
 6 those who are working are still unable to meet rising
 7 utility burdens. The already dire circumstances of
 8 these individuals in our community are a great concern
 9 to Legal Services of Eastern Missouri and we are
 10 asking that the Public Service Commission remember
 11 them, show them that they are important and that they
 12 are individuals that you care about when you are
 13 making a decision about whether or not 14.6 percent is
 14 fair and reasonable. Thank you.

15 JUDGE WOODRUFF: Questions?

16 CHAIRMAN GUNN: Ms. Barnes, let me just say
 17 I'm very familiar with the work that Legal Services
 18 has done and this is important testimony and I really
 19 appreciate you hanging around. So I thank you for the
 20 testimony. More importantly, I thank you for work you
 21 have done for our community.

22 COMMISSIONER KENNEY: Thank you. I, too, am
 23 familiar with your work and I appreciate the fact that
 24 Legal Services is engaging in the rate case process,
 25 and is it a medical/legal --

1 MS. BARNES: Partnership.

2 COMMISSIONER KENNEY: -- partnership. Is
3 that a new program with Legal Services?

4 MS. BARNES: Yes, it is. We've been
5 operating or participating in that program for the
6 past three years.

7 COMMISSIONER KENNEY: Okay. And is that the
8 program that you're working exclusively with?

9 MS. BARNES: Yes, Your Honor. The
10 partnership is between Legal Services of Eastern
11 Missouri, St. Louis University, Cardinal Glennon
12 Medical Center, Children's Hospital, and Grace Hill
13 Health Centers.

14 COMMISSIONER KENNEY: And so is the
15 engagement around the utility increase issue one
16 component of the partnership?

17 MS. BARNES: Yes, it is.

18 COMMISSIONER KENNEY: Okay. Is it your
19 intention or is it the program's intention to continue
20 to stay engaged on a going forward basis or will you
21 be working with others entities that perhaps are
22 already parties to the rate case?

23 MS. BARNES: Yes. Well, that is our
24 intention, pending allowable funds. At the current
25 time Legal Services is suffering some pretty severe

1 budget cuts, so we're definitely trying our best and
2 linking up with our partners and trying to find ways
3 to continue to promote the work that we're doing
4 currently.

5 COMMISSIONER KENNEY: Well, thank you for
6 staying and listening to all of the other testimony
7 and thank you for the work that you are doing with
8 Legal Services. We appreciate it.

9 MS. BARNES: Thank you.

10 JUDGE WOODRUFF: Marilou Keil? Good
11 evening. Do you solemnly swear or affirm the
12 testimony you are about to give in this matter is the
13 truth, the whole truth and nothing but the truth?

14 MS. KEIL: Yes.

15 JUDGE WOODRUFF: Thank you.

16 MS. KEIL: My name is Marilou Keil. I live
17 in South St. Louis. In April the Post-Dispatch had an
18 editorial and one of the items in the editorial, they
19 said that the Ameren UE CEO received a 21 percent
20 raise last year. What did he do to earn that raise?
21 He got a lot of rate increases for his company. This
22 is supposed to be a regulated company. They're
23 getting enormous, enormous rate increases that -- who
24 else -- how do you -- what kind of legitimate
25 person -- everybody is getting cutbacks. If they even

1 got a job, they're lucky to get 1 or 2 percent raises
2 a year. 20 percent raise, he must haven't gotten some
3 enormous, enormous rate increases for that.

4 And then UE is still pursuing their nuclear
5 delusions. Nuclear has been -- before Three Mile
6 Island, nuclear was very questionable economics.
7 Before Chernobyl, nuclear was very questionable
8 economics and then they had all kinds of stupid things
9 they did with their nuclear plants in Japan. Every --
10 all those problems were because of stupid, stupid
11 decisions by the nuclear industry and by the
12 regulators. They put them in stupid places. They
13 didn't handle their back-ups properly. They didn't
14 site the back-up generators properly. They don't
15 think of what's going to happen. They say oh, that's
16 one in a hundred years but every year that one in a
17 hundred years goes down by ten years and something
18 that was going to happen in one and a hundred years a
19 couple years ago, it happens every five to ten years
20 nowadays.

21 And Ameren UE wants the ratepayers to pay
22 for the permits and preliminary drawings on another
23 nuclear plant that is never going to be -- probably
24 never even going to be built and it's going be an
25 economic monstrosity if they ever even start

1 construction. I think UE doesn't deserve any rate
2 increase. I think the stockholders should jump up and
3 down and praise God for a 5 percent return over a 10
4 percent return. I think it's all outrageous. Thank
5 you.

6 JUDGE WOODRUFF: Thank you, ma'am. Eve
7 Payne?

8 MS. PAYNE: Thank you. I've sat here a long
9 time and I've got to go to work.

10 JUDGE WOODRUFF: Let me swear you in. Do
11 you solemnly swear or affirm the testimony you are
12 about to give in this matter is the truth, the whole
13 truth and nothing but the truth?

14 MS. PAYNE: Nothing but truth. I'm Eve
15 Payne. I live in St. Louis, Missouri, zip code 63110.
16 Okay, let's just start at the top. I was looking to
17 see what the Commissioners are over and what you all
18 sanctioned and stuff like that. Well, first of all, I
19 have a house, a little old house, built in 1907 and I
20 live across the street from this huge project, which I
21 went to several meetings that said they were going to
22 just come through the whole neighborhood and do
23 something about it. Well, they didn't. Where they
24 built all the new stuff at is where all the crooks
25 lived and they paid them off and they've moved out and

1 they put all these \$600,000 worth of homes in there.
2 And guess what, they increased my tax, double, for my
3 little raggedy house because they had a new sanction
4 there. Okay, you know, I just lost my husband two
5 years ago, so now it's down to me and one income where
6 they've doubled my property income tax and then, you
7 know, I have all these utilities bills which I think
8 is totally unfair in these economical times.

9 Everybody is suffering. I've been on a job
10 for almost 35 years. These last few years, three
11 years, I have not received one penny of increase.
12 Okay. The bread is still going up. I go to the same
13 store that everybody else goes to. I mean, you know,
14 every bill I look at, it's to the point where I hate
15 to even see what the mail is on the floor because I
16 know it's somebody asking for some money I don't have.
17 And you know, when the economy and people like
18 yourselves, who have the ability to do something about
19 small things, you know, to take some of the burden off
20 the little people. We the little people make up
21 thousand of little things that make up big things that
22 help everybody in this world. This world is run on a
23 domino effect. We live off of each other. We need
24 each other. We could be kind to one another.

25 You know, my job, I can't tell them I feel I

1 deserve an increase rate but then I can't tell the
2 electric company I've paid you -- and I have paid
3 every month on time, I have not received any help
4 because as other people said, I sacrifice too but you
5 know what, I budgeted, I planned, I understand that.
6 I'm responsible and I feel that everybody else should
7 be responsible. If you know you have things that
8 you're going to have expenditure for, then plan,
9 budget, be responsible, allocate some time and you
10 know what, I couldn't get no 10 percent raise. If I
11 did it was prorated over a amount of time. I think
12 that these companies should be prorated over a few
13 years. I heard one gentlemen say that in so many
14 words and I agree. You can't just slap you over the
15 head all at once with a huge monstrosity, you know,
16 little increments at a time. You know, ease up on us.
17 Maybe sooner or later the economy might catch up and
18 allow us to catch up. When you burden us so heavy
19 this creates crime. This impacts reactions from
20 people. Some people are not stable-minded to
21 comprehend or understand or hold or carry these
22 burdens and so they resort to robbing people to make
23 ends meet. Breaking in folks' houses. I work
24 everyday. I don't want nobody breaking in my house.
25 I don't want nobody to rob me because I have worked

1 awful hard for every penny, 35 years and I worked
2 before that. I started working in 1966 when I was 14.
3 I told a lie because I wanted a job, so that I could
4 work. Now, I will be able to be 61 this year and 62
5 next year but I'm afraid to retire, looking at the
6 circumstances I don't think that my ends will meet. I
7 don't want to suffer and I certainly don't want to be
8 begging or depending on someone as long as I'm able to
9 work and take care but at least give me a fair deal.
10 Let me have some kind of, you know, room or air to
11 just kind of be able to deal with things on even keel.
12 Don't make it so lopsided, even the justice has a
13 blind thing but I think the scales are kind of even
14 when she's holding them up. You know, the way things
15 look like now, the people are way down here and the
16 cost of living is way up there.

17 And you know to increase at this time, it
18 is -- how do you accommodate that, how do you justify
19 that, even with the gas, I mean, it's an old saying:
20 The poor get poorer and the rich get richer. I mean,
21 these fat cats they want more money, more money, more
22 money, more money. It's just like squeezing a lemon,
23 pretty soon you ain't going to have no lemonade, no
24 juice and no lemon rind. Thank you for listening.

25 CHAIRMAN GUNN: Thank you.

1 JUDGE WOODRUFF: Kathy Friederich? Please
2 raise your right hand. Do you solemnly swear or
3 affirm the testimony you are about to give in this
4 matter is the truth, the whole truth and nothing but
5 the truth?

6 MS. FRIEDERICH: I do.

7 JUDGE WOODRUFF: Thank you. What would you
8 like to say?

9 MS. FRIEDERICH: My name is Kathy Friederich
10 and I live in unincorporated St. Louis County. And I
11 want to give you some hands on experience I have had
12 with Ameren. Okay. On the subcontracting that they
13 do on the tree trimming, my own experience was that I
14 would not have hired those people. They did come in
15 and cut limbs down, however, they were going to leave
16 the limbs in my side yard and I told them they
17 couldn't do that and they had to remove, so they did.
18 So sometimes I don't know if it's a very cost saving
19 measure to hire subcontractors to do the work because
20 you really don't have hands on as far as the type of
21 job they're doing, control situation.

22 Also, the changing of the poles, my neighbor
23 and I had called, her pole had been marked and they
24 did send around an engineering person and that
25 individual had stated that the pole would be changed

1 in matter of six months but I believe it was three to
2 five years before the pole was changed and she did
3 have hanging wires which were kind of dangerous
4 because there's kids playing in that yard and they
5 came out and they disagreed about tightening up those
6 wires. And then finally, I was able to talk to
7 somebody that did send someone out when they did the
8 pole to tighten up those wires because they were
9 hanging rather low in the yard.

10 And I do feel like some of the other people
11 that have testified about the energy saving utility
12 replacements in our houses. I did replace my air
13 conditioner and my furnace at a very high price and my
14 bills are much lower than on the old equipment that I
15 had. However, now that the cost is starting to go up,
16 I'm almost coming to the point that I was with the old
17 equipment. So I guess like other people, I'm kind of
18 wondering or questioning that and I know there's two
19 other entities that you don't regulate, which is water
20 and sewer, but that same thing happens because a lot
21 of people that I've talked to have stated to me that,
22 for instance, on your water heater, you have to -- on
23 the newer ones they cost a lot more, they were at one
24 time, I believe, \$250 and now they're anywhere between
25 \$800 and \$1,000 and when you turn your water on it

1 takes a longer period of time for that water to come
2 to a point, so you have to run it longer so your bills
3 are higher, you know, with MSD and your water. And I
4 know you don't control those but I'm seeing on the
5 energy saving equipment and I am sure other people,
6 because I had talked to them also, are seeing the same
7 thing happening. So basically that's about it.

8 I mean I think -- I work with a lot of older
9 people and they, you know, like a lot of people have
10 already stated out here, they're having difficulty
11 paying their bills and most of our younger people that
12 I've talked to also, they're working a lot of service
13 jobs, so they really don't make a whole lot of money.
14 And some people, you know, work for somebody for a
15 long period of time with the hope of getting a job and
16 they're really not even getting paid sometimes. And
17 some companies are crossing between the W2s and the
18 1099s when they hire people on anyway. So I think
19 like a lot of these other people, people are just to a
20 point where they haven't gotten anything left to pay
21 out anymore on their electric bill. Okay.

22 JUDGE WOODRUFF: Thank you.

23 COMMISSIONER KENNEY: I have a question. Do
24 you remember the name of subcontractor?

25 MS. FRIEDERICH: I'm sorry?

1 COMMISSIONER KENNEY: The name of the
2 subcontractor that you --

3 MS. FRIEDERICH: I believe it was Nelson's
4 Tree Trimming at one time and then there was another
5 company also that had come into -- I'm in Warson
6 Meadows subdivision and that's where they were doing
7 the trimming and there were two or three entities that
8 came out. One group of people that I talked to were
9 from kind of a rural area. Is there a town called
10 Huntsville? They came all the way up from there and
11 something, like I think work on the poles and I was
12 kind of surprised, maybe they were working for the
13 other contractor that does the lines, is there --

14 CHAIRMAN GUNN: It's okay if you don't
15 remember.

16 MS. FRIEDERICH: Oh, okay. I'm sorry.

17 CHAIRMAN GUNN: I'm just trying to maybe get
18 some specifics on it so we can bring it up if we talk
19 about in the hearing. Did the pole that took a lot
20 longer than you thought it should to be replaced, did
21 you believe it was a dangerous condition? Did you
22 believe the pole was in danger of falling down or --

23 MS. FRIEDERICH: Well, it had a lot of
24 overgrowth on it and then the wires were connected to
25 and they were --

1 COMMISSIONER KENNEY: They were drooping?

2 MS. FRIEDERICH: Yeah, they were drooping.

3 COMMISSIONER KENNEY: And the pole
4 eventually did get replaced but did that solve the
5 drooping problem?

6 MS. FRIEDERICH: Yeah. Well, they had to
7 come out and clear the foliage off of it. Then they
8 had to change the pole and then they tightened the
9 wiring that ran -- the drop wires that ran from the
10 pole to the house.

11 CHAIRMAN GUNN: And although we don't
12 regulate MSD, we do regulate Missouri American Water,
13 so if you have issues with them, you can always talk
14 to our staff and somebody can help you with that.

15 JUDGE WOODRUFF: Lizzie McCray? The last
16 name on the list is Curtis Faulkner, I think? That
17 was the last name on the list. Is there anybody here
18 that would like to testify that didn't sign up?

19 MS. SMITH: I don't want to testify but you
20 had said previously about you can go on record as
21 being in agreement with a comment.

22 JUDGE WOODRUFF: Come on up and tell us your
23 name.

24 MS. SMITH: I'm Gina Smith and I live in
25 Florissant, Missouri 63033. And I just wanted to say

1 --

2 JUDGE WOODRUFF: Since you are here we'll
3 have you testify.

4 CHAIRMAN GUNN: It's okay, just go on the
5 record.

6 MS. SMITH: I don't have a testimony. I
7 just wanted to go on record as being in agreement.

8 COMMISSIONER KENNEY: That's perfectly fine
9 but in order to get it official we just need to --

10 JUDGE WOODRUFF: Do you solemnly swear or
11 affirm the testimony you are about to give in this
12 matter is the truth, the whole truth and nothing but
13 the truth?

14 MS. SMITH: I do.

15 JUDGE WOODRUFF: Thank you, ma'am. You are
16 Gina --

17 MS. SMITH: Smith. I just want to go on
18 record as being in agreement with the testimony of
19 Mayor Tom Schneider that was presented by Lou Ralls --
20 I think that was his name -- Jearls. So I just want
21 to go on record in being in agreement with his
22 testimony.

23 JUDGE WOODRUFF: Thank you very much. Anyone
24 else wish to testify? All right. With that, we are
25 adjourned. Thank you all for coming.

1 (Exhibits 1 through 5 were marked for
2 identification by the court reporter.)

3 - - - - -

4 (Public Hearing concluded at 9:59 p.m.)

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1 CERTIFICATE OF REPORTER

2 I, Suzanne M. Zes, Certified Court Reporter,
3 within and for the State of Missouri, do hereby
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8 under my direction; that I am neither counsel for,
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13 financially or otherwise interested in the outcome of
14 the action.

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