

In the Matter of:

UNION ELECTRIC COMPANY d/b/a AMEREN MISSOURI's TARIFFS TO ADJUST, etc.

ER-2021-0240; GR-2021-0241, VOL. VI

October 06, 2021



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BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

PUBLIC HEARING

October 6, 2021

HEARING VIA WEBEX

Volume 6

In The Matter Of Union Electric)
Company d/b/a Ameren Missouri's)
Tariffs to Adjust Its Revenues For) File No. ER-2021-0240
Electric Service)
In The Matter Of Union Electric)
Company d/b/a Ameren Missouri's)
Tariffs to Adjust Its Revenues For) File No. GR-2021-0241
Natural Gas)

MORRIS WOODRUFF, Presiding
REGULATORY LAW JUDGE.
Maida J. Coleman,
Jason R. Holsman.
COMMISSIONERS.

REPORTED BY:
Lisa M. Banks, CCR
TIGER COURT REPORTING, LLC

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A P P E A R A N C E S

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P R O C E E D I N G S

1
2 JUDGE WOODRUFF: Let's go ahead and get started.
3 My name is Morris Woodruff. I'm the chief regulatory law judge
4 for the Commission and I am the presiding officer for this
5 portion of the hearing. I understand you've already had a
6 chance to ask a lot of questions and hopefully you got a lot of
7 good answers. I want to emphasize that this portion of the
8 hearing now is the formal part of the hearing, in that we'll be
9 asking members of the public to provide testimony that they want
10 to -- however they want to inform the Commission. I want to
11 tell you that the Commission and myself cannot answer questions
12 at this point because we have to be impartial in making a
13 decision later in the case, after our formal portion of our
14 hearing.

15 This hearing is being recorded and it's going to
16 be transcribed by the court reporter. A transcript will become
17 part of the record in the case, and it will be reviewed by all
18 of the commissioners. If you want to see the file, you can do
19 so my going to the Commission's website at PSC.mo.gov.

20 And we have at least one commissioner on the
21 line with us, Commissioner Coleman. And I believe Commissioner
22 Holsman was going to be joining us also.

23 Is Commissioner Holsman there?

24 COMMISSIONER HOLSMAN: Can you hear me?

25 JUDGE WOODRUFF: I can hear you --

1 COMMISSIONER HOLSMAN: -- Commissioner Holsman.

2 JUDGE WOODRUFF: I can hear you loud and clear.

3 Thank you.

4 COMMISSIONER HOLSMAN: All right. I'm on.

5 JUDGE WOODRUFF: Very good.

6 Commissioner Coleman or Commissioner Holsman,
7 would you like to make any welcoming remarks?

8 COMMISSIONER COLEMAN: Thank you, Judge. I'd
9 only like to say that we appreciate those who have participated
10 in the Q and A section of this to get a clear understanding of
11 what this case is about and to thank you for your time and
12 attention tonight to these issues. Welcome.

13 JUDGE WOODRUFF: Commissioner Holsman?

14 COMMISSIONER HOLSMAN: Thank you. I just want
15 to say Commission welcomes all public input. It does matter.
16 It makes a difference. We listen and it influences how the
17 direction of how all of these proceedings go. So I want to
18 thank everybody or anybody who provides testimony. Thank you,
19 Judge. That's it. Thanks.

20 JUDGE WOODRUFF: Thank you very much.

21 The first thing we'll do with the formal part of
22 the hearing is we need to determine which attorneys are here on
23 behalf of the parties. So I'll ask them to enter their
24 appearances, first of all, for Ameren.

25 MR. LOWERY: Good evening, Judge. This is Jim

1 Lowery making an appearance on behalf of Ameren Missouri. Thank
2 you.

3 JUDGE WOODRUFF: And for the Commission staff?

4 MS. PAYNE: This is Whitney Payne on behalf of
5 the staff of the Missouri Public Service Commission. It's 200
6 Madison Street, Jefferson City, Missouri, Suite 800, 65101.

7 JUDGE WOODRUFF: Thank you.

8 And for the Office of Public Counsel?

9 MR. POSTON: Thank you. Marc Poston for the
10 Office of the Public Counsel.

11 JUDGE WOODRUFF: Are there any other parties
12 here that are represented by their attorneys? Okay.

13 What we'll do then is I'll ask for people to
14 come forward and testify. I will swear you in, to swear to tell
15 the truth and then I'll ask you to limit your comments to about
16 five minutes so we can keep things moving.

17 We had one person that preregistered to give
18 testimony, so I'll call that name first, and that would be Dana
19 Gray. Is Dana Gray on the line?

20 MS. GRAY: Yes, I am.

21 JUDGE WOODRUFF: Very good. Could you please
22 raise your right hand?

23 (Witness sworn.)

24 JUDGE WOODRUFF: Thank you.

25 And you said your name was Dana Gray?

1 MS. GRAY: Yes, sir.

2 JUDGE WOODRUFF: Okay. In what city do you
3 live?

4 MS. GRAY: I live in St. Louis, Missouri.

5 JUDGE WOODRUFF: Okay. What would you like to
6 tell us?

7 MS. GRAY: I work with an affordable housing
8 provider called Tower Grove Neighborhood Communities Development
9 Corporation, and we have roughly 76 affordable apartments here
10 in South St. Louis. During the last year and a half, more than
11 a quarter of those households have needed assistance, and an
12 added \$12 a month to their bill will create an undue burden.

13 One of the tenants submitted comments. Well,
14 I've got comments from 14 of our tenants that I have submitted
15 in writing. And most all of them went on about how they're
16 already struggling to pay their bills and that the additional
17 \$12 would be a burden. And one of them asked why would the
18 electric bill increase for my 800-square-foot apartment be the
19 same as a large home? This proposed fee increase is
20 disproportionate to our electric use.

21 So I just want to point out to the Commission
22 that low-income households would be subjected to an undue burden
23 when all residential customers are going to see a \$12 increase
24 in their bill. Also, in my written comments, I shared the
25 suggested calls to action for Ameren that were developed by a

1 collaboration of organizations, including the St. Louis COVID-19
2 Regional Response Team, People's Community Action Corporation,
3 Missouri Veterans Endeavor, The National Housing Trust,
4 Community First, plus Empower Missouri, Generate Health, Homes
5 for All, and Tower Grove Neighborhood CDC, and stating our
6 opposition to this rate increase, specifically bringing to the
7 forefront the struggles that low-income families are feeling at
8 this time, during the pandemic. And so we have outlined calls
9 to action for Ameren that we hope that they will consider and
10 that the Public Service Commission will consider as well. And
11 that was no bill increases for these low-income families, no
12 increase to the fixed monthly charge, include consumer
13 protections along with the new rate designs, no shutoffs for
14 nonpayment, invest corporate profits and debt forgiveness,
15 realistic and expanded payment and billing plans, no penalties
16 and fees when folks are facing disconnection, and greatly
17 increase funding for bill assistance and do more to help working
18 families and those on fixed income achieve lower bills during
19 the long term. And then last would be greater data
20 transparency.

21 I attended a MEEA low-income work group meeting
22 earlier this year, and we learned that the utility when they
23 collect data on bill disconnections, the information on
24 disconnection for someone that is moving to a new location and
25 puts in a request to have their service turned off is lumped

1 into the same data collection as those that are facing
2 disconnection because of inability to pay. So if the data was
3 collected and sorted better, there could be more effective ways
4 to help those folks that are facing struggles to pay their
5 utility bills.

6 JUDGE WOODRUFF: Thank you, Ms. Gray.

7 Any of the commissioners have questions for
8 Ms. Gray?

9 COMMISSIONER COLEMAN: I would like an
10 understanding, Ms. Gray, from your last comment regarding the
11 data collection. If I understand correctly, your impression is
12 that if the data was separated from those who are moving and
13 transferring service to some other location from those who --
14 this is where I need you to make be sure I understand correctly
15 -- from those who have trouble paying their bills, it would give
16 the utility company a better idea of how to address the low
17 income and those that have delinquent issues.

18 Is that what you were saying?

19 MS. GRAY: Yes, ma'am. And, also, then it would
20 provide more insight to stakeholders that are looking to
21 advocate on behalf of those individuals that are struggling to
22 pay their bills. But when all of that disconnection data is
23 lumped into one pile, it's difficult to tell how many of those
24 are struggling financially versus how many bills are just
25 moving.

1 COMMISSIONER COLEMAN: I get it now. I see that
2 your concern is that it's lumped together, there's no way of
3 knowing that. Is there any reason to believe that the utility
4 company doesn't have a method by which they can siphon that
5 material or separate that material? I would think that it's a
6 possibility that they do this already. And so I just wondered,
7 you had mentioned you were told that. So it's an interesting
8 idea, but I just wonder if it's not being separated some kind of
9 way already.

10 MS. GRAY: This was information that was gleaned
11 during a Missouri Energy Efficiency Advisory collaborative
12 low-income work group meeting.

13 COMMISSIONER COLEMAN: Okay.

14 MS. GRAY: And Ameren's representatives were
15 present, and also this was information that Geoff Markes (sic),
16 from the Office of Public Counsel brought to bear and was
17 questioning as well.

18 COMMISSIONER COLEMAN: Okay. I appreciate that
19 information. It's very interesting. Thank you.

20 MS. GRAY: Yes, ma'am.

21 COMMISSIONER COLEMAN: Thank you, Judge.

22 JUDGE WOODRUFF: Thank you. Any questions from
23 parties for Ms. Gray?

24 MR. LOWERY: None from the company, Your Honor.

25 JUDGE WOODRUFF: Thank you.

1 Then, I thank you for your testimony, Ms. Gray.

2 MS. GRAY: Yes, sir. Thank you.

3 JUDGE WOODRUFF: Ms. Gray was the only person
4 that preregistered. Is there anyone else who wishes to speak?

5 MS. BERGER: Yes. I would like to speak.

6 JUDGE WOODRUFF: Okay. Could you tell us your
7 name, please?

8 MS. BERGER: Yes. Do you need first and last
9 name?

10 JUDGE WOODRUFF: Yes, please.

11 MS. BERGER: All right. Joanne Berger.

12 JUDGE WOODRUFF: Is that B-U-R-G-E-R?

13 MS. BERGER: It's B-E-R-G-E-R.

14 JUDGE WOODRUFF: Okay. We want to get this
15 right so that the court reporter can get the names down.

16 MS. BERGER: Certainly. Thank you.

17 JUDGE WOODRUFF: If you would please raise your
18 right hand.

19 (Witness sworn.)

20 JUDGE WOODRUFF: Thank you. What city do you
21 live in?

22 MS. BERGER: I live in St. Louis, Missouri.

23 JUDGE WOODRUFF: All right. Thank you. What
24 would you like to tell us?

25 MS. BERGER: The first thing I would like to say

1 is that I believe that this rate increase will dramatically
2 affect a lot of the seniors, those on Social Security,
3 especially, who pride themselves in paying their bills, but
4 faced with something of this magnitude, and it doesn't seem like
5 it's a lot right now to most people, but it is for seniors.
6 Especially, now with, you know, we're coming off the back end of
7 COVID here. There's been a lot of turmoil in many seniors'
8 lives. They've lost love ones. They've had expenses that they
9 did not anticipate.

10 So I'm saying that asking that Ameren kind of
11 structure their current analysis of what they would supposedly
12 provide a bill for, that they would make it so that if you are a
13 senior you would fall in a different tier. I think that seniors
14 would not be opposed to paying something, but I think the level
15 that they're going to be required to give with this rate
16 increase, it's far too much. And I think that will create some
17 undue hardship on many seniors, who pride themselves on being
18 able to pay their bills, they're not delinquent, they just need
19 some help with the amount that's going to be levied each month.
20 So that would be my first -- my first comment.

21 The second one is the fact that I realize that
22 Ameren is trying to march into the future, and that's all fine
23 and good, but many of these items that they're going to be
24 investing in, like wind and solar, there are certain levels of
25 those particular, I guess, energy solutions, that often are not

1 very cost-effective. You know, they don't produce the bang for
2 what the cost is. And, as I was saying earlier to members of
3 Ameren, there are many times when wind and solar have negative
4 impacts for the neighborhood, for the community, especially
5 wind. There are many analyses that have been done which
6 indicate that there are some problems with wind for people who
7 live nearby, communities. Also for animals, their ability to
8 thrive in their local environment is often impacted and the same
9 for people.

10 So there is a downside, sometimes, to pressing
11 forward with something that is needed, and there may be a lot of
12 negativity for Ameren, as far as their profitability off of
13 those items, and they may find out later on that they are not as
14 profitable or as good for the community as once they were
15 thought to be. So that is something I would think that they
16 would need to look into and to really consider that, you know,
17 those up-front costs may not come back with excessive profits
18 and then what the customer will face is additional charges and
19 additional levies to their bills. And that's something we want
20 to avoid.

21 And I understand that the -- the general drift
22 is now to, you know, that everything new and better, and energy
23 efficient is always good and it is in most cases, but it also
24 can have a rocky road getting to that point. And I just want to
25 bring that in and that this type of levying of charges to the

1 consumer can be disastrous for a lot of people. Especially,
2 again, I bring in the senior section.

3 So that would be my main concern is that seniors
4 would be -- have a tier cost levied on their bills that would be
5 much less than maybe you would levy on the average person's bill
6 that still has a job, you know, funding, those kind of things,
7 and, you know, is still in the workforce, where the senior, many
8 times, is not. Also, I do think that if Ameren proceeds with
9 caution, maybe doing things at a shorter pace, then maybe they
10 won't have that investment outlay that won't come back with
11 profits and they'll be able to avoid some of that.

12 Those are my main two comments. I realize that,
13 you know, if we want more things and beneficial things in our
14 lives it's important to be able to pay for them. But this is an
15 excessive amount, I believe, based on the profitability of
16 Ameren, based on the success or failure of these new programs
17 that may or may not come to fruition.

18 And I thank you very much for taking time to
19 listen to me. I appreciate you giving us all a chance to voice
20 our opinions. Thank you so much.

21 JUDGE WOODRUFF: Thank you.

22 Any Commissioner questions?

23 COMMISSIONER COLEMAN: Not I. Thank you.

24 JUDGE WOODRUFF: Thank you. Or from the
25 parties?

1 MS. BERGER: All right. Thank you.

2 JUDGE WOODRUFF: Thank you, ma'am.

3 Anyone else wishing to testify?

4 If you want to testify, just speak up.

5 Okay, I'm not hearing anyone else coming

6 forward.

7 Any final thoughts, commissioners?

8 MR. REDDY: I'm sorry. I'll go ahead and

9 testify. I was just waiting for anybody else to speak up.

10 JUDGE WOODRUFF: All right. Go ahead. Tell us
11 your name, please.

12 MR. REDDY: Sure. My first name is Rajadhar,
13 R-A-J-A-D-H-A-R. I'm sorry, it's a bit of a mouthful. My last
14 name is Reddy, R-E-D-D-Y.

15 JUDGE WOODRUFF: Okay. Please, raise your right
16 hand.

17 (Witness sworn.)

18 JUDGE WOODRUFF: You live in St. Louis, also?

19 MR. REDDY: Correct.

20 JUDGE WOODRUFF: What would you like to tell us?

21 MR. REDDY: Sure. For everybody else on the
22 call, this might just be re-summarizing some of the questions I
23 asked earlier. So I apologize if you're hearing some -- if
24 you're hearing me repeat some of those same points. But I do
25 have some concerns, I think over the some of the transparency in

1 this plan and that these -- how some of these problems have been
2 described to the public.

3 You know there's been quite a bit of used car
4 jargon over the rate increase and Ameren's reasoning for it. I
5 am, you know, generally supportive of renewable energy sources
6 and moving towards that, and I'm not trying to disparage that.
7 But I do have concerns over the significant rate increase of \$12
8 or by 11 percent of average rate increases for houses across
9 Missouri.

10 I think others testified also made the very
11 eloquent point that this will very disproportionately effect low
12 income and older consumers. You know, during the question and
13 answer session with Ameren, I made several mentions of the
14 unprecedented -- it was a term that was used a lot --
15 unprecedented energy assistance funds available for consumers
16 who are having trouble paying their bills. However, still this
17 year Ameren disconnected, I think, more than 25,000, if I have
18 the number correctly from the PSC data, more than 25,000
19 households from their electric services. And another 209,000
20 are also behind in their bills.

21 So Ameren kept on making these points about this
22 unprecedented energy assistance available and all the phone
23 number you could call, and all these different things, but still
24 always seem to be having, essentially, tens of thousands, even
25 hundreds of thousands of households across Missouri having

1 issues paying their bills. So that didn't quite line up for me
2 and I didn't feel like Ameren really had appropriate -- or
3 really had a response to explain why that discrepancy stills
4 exited. Said they couldn't speak to their individual situations
5 or why people might be having trouble paying their bills on a
6 more individual level. But to me that doesn't quite line up if,
7 you know, they say that there's so many of these funds available
8 and people can apply for, and yet we have so many people still
9 having trouble paying their bills.

10 I think the other issue with that is that the
11 way energy assistance and the way financial assistance programs
12 in general, often set up is that they create this patchwork of
13 systems that have some many different hoops that you have to
14 jump through, so many different phone numbers that you have to
15 call, so many different registration forms that you have to
16 file, so many are online access filed, which obviously all form
17 various barriers, specifically for low income and older
18 consumers, but also just across the board that make it difficult
19 to access funds because the whole point is to make those funds
20 easier to access.

21 And so I would -- I, you know, think that
22 there's probably a lot of those issues why people still don't
23 have access to those services. So, you know, providing that as
24 a solution for people who can't pay their bills appropriately
25 and who will struggle to pay their bills even more with this

1 rate increase is not a sufficient justification for me from
2 Ameren. So I just wanted to make that whole point clear.

3 I think it's also important to note that I
4 believe, again, according to data, that I think we're quoting
5 some of this data from various nonprofits that have looked at
6 the public filings and all of that, they're interested in
7 housing issues, that Ameren gained about a 200 million profit in
8 the past two quarters. Forgive me if that number is not quite
9 correct, but that's my understanding from the nonprofits that
10 have collected that data.

11 So Ameren received a 200 million profit gain in
12 the last two quarters, again, is now asking for about a 300
13 million, and it seems like it was negotiated down by PSC by 224
14 million, but again asking for that much amount gain from their
15 consumers in the form of energy rate increases. And that \$300
16 million profit again, also included a \$9 million increase in
17 their CEO salary. I don't even know how that might've effected
18 their other chief executive salaries and other salaries down the
19 line.

20 So those are all of my concerns as well. And
21 that, you know, if Ameren was really concerned about not
22 increasing the rate as much as possible and trying to delay rate
23 increases during the pandemic and not trying to put people in
24 more trouble than they already are, I would say if they already
25 had a \$200 million profit gain, reinvest those funds in whatever

1 energy expansion they're making, and then see what additional
2 funds they still needed to make these renewable energy
3 expansions and all of that. But instead it seems like they're
4 both making \$200 million profit as well as asking for another
5 \$300 million from consumers, and that doesn't also seem to quite
6 line up for me.

7 The third point I think we made was that
8 obviously we all know the energy efficiency plan is going
9 through the federal government right now with a reconciliation
10 process in Congress, obviously because the reconciliation we all
11 expect that to be signed presumably by the end of the year or,
12 you know, around that time frame. And that's also expected to
13 include various pieces to also support expansion and that sort
14 of thing.

15 So I think a couple of callers previously in the
16 question and A section, made the point that, you know, is there
17 going to be any money available in that plan to, you know, avoid
18 the rate increases that Missourians would experience because of
19 these expansions. Ameren basically said that, Oh, well, those
20 -- any federal funds that are made available to that plan
21 would've be available for this rate review. And so if they
22 happen to affect finances in the future, then maybe we could
23 reduce the rates, and that was kind of their explanation for
24 that.

25 I would say if Ameren is already able to delay

1 their energy rate increases up until this point, we would delay
2 those a few more months until we know exactly if that plan is
3 going to come -- come forward with since we know it's going to
4 be -- it's going to have to be done this year. See what federal
5 funds are available and then recalculate from there. If Ameren
6 was already able to wait a year -- I understand these processes
7 are complicated and I'm not trying to diminish that, but I would
8 say that we can wait a little bit longer to see what is going to
9 be done at the federal level first, and then recalculate what
10 the rate increase will need to be from consumers.

11 Because it seems like there are going to be
12 significant federal funds made available through that, and my
13 issue is that Ameren might be asking for this \$12, you know, 11
14 percent rate increase, and then maybe federal funds will be
15 available, and then in the future, Ameren might say, Oh, we've
16 had these federal investments made so we can reduce rates a
17 little bit, but then they don't reduce them all the back to what
18 they were before the pre-- dollar rates. So they still end up
19 making that much of a profit margin. So I think it's important
20 to include these as much as possible prior any major rate
21 increases and not after, because it makes it that much harder to
22 make those decreases meaningful for consumers post hoc.

23 So I wanted to make all those points and again I
24 feel very eloquent concerns made by other speakers about the
25 effect that this will have on, especially on low-income

1 consumers, but also across the board. I don't think the reason
2 that's been given is sufficient. I don't think it's been
3 transparency to the public, all the financial implications at
4 stake here. I just wanted to make that comment. Thank you very
5 much.

6 JUDGE WOODRUFF: Thank you, sir.

7 Any questions from the commissioners or from the
8 parties?

9 COMMISSIONER HOLSMAN: No questions, Judge.
10 Thank you.

11 JUDGE WOODRUFF: Thank you, Commissioner.

12 Okay. Well, thank you very much for your
13 testimony, then, Mr. Reddy.

14 Anyone else wishing to testify?

15 All right. I'm not hearing anything else.

16 Any final comments from Commissioner Coleman or
17 Commissioner Holsman?

18 COMMISSIONER COLEMAN: No thank you, Judge.

19 JUDGE WOODRUFF: Thank you.

20 COMMISSIONER HOLSMAN: I would just say thank
21 you to everybody who participated.

22 JUDGE WOODRUFF: Very well. And with that,
23 then, we are adjourned. Thank you all very much.

24 COMMISSIONER HOLSMAN: Thank you, Judge.

25 (Adjourned.)

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CERTIFICATE OF REPORTER

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



Lisa M. Banks, CCR No. 1081

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