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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing
January 17, 2017
Cape Girardeau, Missouri
Volume 5

In the Matter of Union)
Electric Company, d/b/a)
Ameren Missouri's Tariffs) File No. ER-2016-0179
to Increase its Revenues)
for Electric Service)

MORRIS L. WOODRUFF, Presiding
CHIEF REGULATORY LAW JUDGE

Stephen M. Stoll
Maida J. Coleman
Commissioners

Court Reporter:
Georgia B. Rollins, CSR/CCR
Missouri CCR #622
Illinois CSR #084-004742
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A P P E A R A N C E S

For Staff of the Missouri Public Service Commission:

Ms. Casi Aslin
Public Service Commission
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Mr. Russell Mitten
312 East Capital Avenue
Jefferson City, Missouri 65102

1 PROCEEDINGS

2 MR. WOODRUFF: Good afternoon, everyone. We're
3 going to get started. My name is Morris Woodruff, and
4 I'm the Chief Regulatory Law Judge for the Public
5 Service Commission, and I'll be the presiding officer
6 here this afternoon. And to start off the afternoon,
7 we're going to have a question and answer session. This
8 is your opportunity to ask questions of our commission
9 staff, the Office of the Public Counsel, as well as
10 Ameren's representatives. This is going to be your only
11 opportunity to ask questions. When I come back in a few
12 moments, or however long it takes -- the question and
13 answer session -- then we'll be getting into the formal
14 part of the proceedings, and we'll bring people up to
15 give us testimony. I'll swear you in, and everything
16 you say is going to be taken down by the court reporter.
17 And the important thing to remember is the question and
18 answer session will not be recorded. So if you have
19 something you want to tell the commission, wait until I
20 come back and we'll get you on the formal record and
21 make a record of all this.

22 At this point then, I'll turn it over the Debbie
23 Qick, who is our representative for the commission, and
24 she'll start with the question and answer session.

25 (WHEREUPON, AN INFORMAL QUESTION AND ANSWER

1 SESSION WAS HELD)

2 MR. WOODRUFF: Good afternoon once again.
3 Welcome to the formal part of the public hearing. Now
4 that you have had a chance to ask some questions and
5 hopefully get some answers, we'll begin with the more
6 formal part of this. I have a sign-up sheet here that
7 was out in the hallway before. And I'll go down the
8 list and call the names of the individuals who have
9 signed up. After I've got through the list, if there's
10 anyone else I didn't call who would like to testify and
11 didn't sign up, we'll give you a chance to testify also.

12 When I call your name, just come on up to the
13 podium. You can make your statement, I'll swear you in
14 to tell the truth, the whole truth, and nothing but the
15 truth. As I indicated before, we'll have the court
16 reporter here who will be taking down everything you
17 say.

18 I have two of the five commissioners here with
19 me. To my right is Commissioner Stephen Stoll, and to
20 my left is Commissioner Maida Coleman. And once you've
21 testified, I'll ask the commissioners if they have any
22 questions for you. The attorneys for the parties are
23 here as well, and they may have some questions for you
24 also. So remain at the podium until we let you know.

25 You might also notice the timer up here. Just to

1 keep things moving, we like to try to limit people to
2 about five minutes. So once you're sworn in and start
3 testifying, I'll push the button and it will count down,
4 and we do that just to kind of keep things moving, so
5 one person doesn't dominate the entire hearing.

6 All right. Before we actually bring up -- we
7 have a question back there.

8 MR. CRANMER: Yes. So this is not a question
9 time, this is a statement time.

10 MR. WOODRUFF: That's correct. We can't answer
11 your questions because these are the decision-makers for
12 the hearing. All right. Before I call the first
13 witness, I need to find out which attorneys are here for
14 the parties. So I'll ask, is there an attorney here for
15 Ameren?

16 MR. MITTEN: Russ Mitten. Brydon, Swearngen &
17 England. 312 East Capital Avenue, Jefferson City.
18 Appearing on behalf of the Union Electric Company, doing
19 business as Ameren Missouri.

20 MR. WOODRUFF: Thank you. Attorney for the Staff
21 of Public Service.

22 MS. ASLIN: Casi Aslin. Counsel for the Staff of
23 Public Service Commission. 200 Madison Street, P.O.
24 Box 360, Jefferson City, 65204.

25 MR. WOODRUFF: And public counsel.

1 MR. OPITZ: Thank you, Judge. From the Office of
2 Public Counsel, my name is Tim Opitz. My address is
3 P.O. Box 2230, Jefferson City, Missouri, 65102.

4 MR. WOODRUFF: Thank you very much. Any other
5 attorneys here for any other parties? All right. I
6 don't see anybody else. So we'll go to the first
7 witness on the list here. Howard Scott Howes. Good
8 afternoon, Mr. Howes.

9 MR. HOWES: Good afternoon.

10 MR. WOODRUFF: Please raise your right hand.
11 I'll swear you in.

12 (Witness sworn)

13 MR. WOODRUFF: Thank you. What would you like to
14 tell us?

15 MR. HOWES: My name is Scott Howes. And I'm more
16 than happy to provide this written so she can make sure
17 that it's correct. To Ameren Missouri Public Service
18 Commission, the Public Counsel, and Commissioners: I
19 come to you today on the 17th in Cape Girardeau,
20 Missouri. Senator Doug Libla of Poplar Bluff announced
21 that there was going to be a public hearing, and I
22 decided to come. Ameren is a monopoly utility, and
23 there is evidence that they are earning more than the
24 citizens have allowed them to earn. I think that Ameren
25 is out of touch with the citizens of this area, and you

1 have to stand up and take this rate increase off the
2 table. Or if you think the citizens will walk away from
3 it, I will not. To this PSC, you are on notice as of
4 now, you either do your job and lower the rate of Ameren,
5 or I will ask Senator Doug Libla to bring a bill to
6 recall the PSC, and to have the governor to bring in new
7 citizens to work with the citizens of Missouri to lower
8 the rates of Ameren. Your service, Ameren, is a
9 monopoly, and you are making over the guaranteed income.
10 That needs to go down and be corrected immediately.

11 The PSC takes free lunches, Lake of the Ozark
12 weekends with Ameren, and does make it hard to take the
13 free gifts and be independent. This is very difficult,
14 but this needs to stop. It is hard for you to do your
15 job and be independent. That's why I'm also asking that
16 we bring Drew Juden, the new Public Service and Safety
17 Director, to look at the free meals and to the getaways
18 that everyone is going to, and tell him about the safety
19 is in the balance of your votes.

20 Why am I standing up for this? Well, in
21 November, the republicans won. The laws are coming in
22 and being voted in in Jefferson City, and by the middle
23 of February, we're going to have Right to Work, so all
24 wages will be lowered. So if this happens, the citizens
25 will have less income to spend and pay bills. I'm

1 calling on you not to increase in Missouri. Missouri
2 has to cut the budget. As of yesterday, Governor
3 Greitens has cut another 146 million from the budget.
4 That includes tens of millions of dollars from public
5 colleges and universities. Thank you very much for your
6 time.

7 MR. WOODRUFF: Thank you, sir. Anybody have any
8 questions?

9 MR. HOWES: I'm sorry.

10 MR. STOLL: That's okay. I would ask you to
11 maybe talk to the Office of Public Counsel about one of
12 your earlier statements regarding this case. Right now,
13 it skips my mind what it was.

14 MR. HOWES: Okay. I didn't mean to speak fast
15 for you.

16 MR. STOLL: No. You did okay. I was thinking
17 about some of your latter comments about the free
18 lunches.

19 MR. HOWES: Yes.

20 MR. STOLL: You must have mistaken us for someone
21 else. We don't even take so much as a bottle of water.
22 These were brought by the commission. So you might want
23 to talk to our staff about the realities of what we can
24 and cannot do.

25 MR. HOWES: Well, I think that it's more than

1 public record. It's in the St. Louis Post-Dispatch that
2 people have taken free weekends down to Lake of the
3 Ozarks -- and don't nod your head.

4 MR. STOLL: No. That's incorrect. Go ahead and
5 talk to staff.

6 MR. HOWES: I beg to differ with you.

7 MR. WOODRUFF: I will add, there is a statute
8 that's been in the books since 1913, that no public
9 service commission or anyone from their staff can take
10 anything from a public utility. That's already in the
11 statute. I'm not here to argue with you about it, I
12 just wanted to point that out. Commission Coleman, did
13 you have anything else?

14 MS. COLEMAN: No. Thank you, sir.

15 MR. STOLL: Thank you, sir, for your comments.

16 MR. WOODRUFF: I believe the next name on the
17 list is Ray Gunter? Am I close? Good afternoon.

18 MR. GUNTER: Roy Gunter.

19 MR. WOODRUFF: Gunter. G-U-N-T-E-R?

20 MR. GUNTER: Yes, sir.

21 MR. WOODRUFF: Okay. Please raise your right
22 hand.

23 (Witness sworn)

24 MR. WOODRUFF: Thank you.

25 MR. GUNTER: My main complaint with this

1 particular rate increase has nothing to do with Ameren's
2 expenditures on anything. And I'm sure they do their
3 very best to try to keep costs down. My main objection
4 is with the idea that Noranda Aluminum went to Ameren
5 somehow just out of the blue. I suspect this was a bid
6 process from Ameren UE against AECI to provide power for
7 the Noranda Aluminum plant. And Noranda -- I understand
8 why they wanted lower rates. But I suspect that that
9 wasn't something that was forced on Ameren UE.

10 If I go out and purchase a car, and it turns out
11 to be a bad deal, I'm stuck with having made that bad
12 decision. I believe the cost of Noranda Aluminum not
13 buying the electricity from UE should be borne by the
14 stockholders of the company, because they made a bad
15 decision. The ratepayers did not make that decision,
16 nor did we have anything to do with it. That's my only
17 concern with this rate increase.

18 I do understand and have seen a lot of the things
19 that Ameren has said. They put in special poles, you
20 know, to keep the price down, laminated poles. I pay
21 attention to all that stuff. And they do a good job
22 providing power in general. There's always some small
23 stuff. But this rate increase and the Noranda Aluminum
24 deal bothers me a lot. Like I said, I feel like if you
25 make a bad business decision, asking the ratepayers to

1 cover your business decision that you made is unfair.

2 Thank you.

3 MR. WOODRUFF: Thank you, sir. Any questions.

4 MR. STOLL: No. Thank you for your testimony.

5 MS. COLEMAN: Thank you Mr. Gunter.

6 MR. WOODRUFF: We've got Dan and Carol Phelps
7 signed up together.

8 MS. PHELPS: Hi. I'm Carolyn Phelps.

9 MR. WOODRUFF: Let me swear you in.

10 (Witness sworn)

11 MS. PHELPS: Anyway, what I don't quite
12 understand is you're going to raise these rates for 10
13 years. Why 10 years? Is that a statute of limitations
14 for these rate increases? Why not do it for 20, 30
15 years? One thing, too, is going to be a lot different,
16 we just had a president that seemed bent hell on not
17 creating jobs, a job killer, killing the regulations in
18 the United States. I mean, no growth. But we have a
19 new sheriff in town, and he's going to bring back jobs.
20 Does Ameren think that this president is not going to
21 bring jobs, not only to Missouri, but other states?
22 Where you're going to be able to increase your revenues.
23 So then we're stuck paying more for something when
24 they're growth is growing. Basically that's my comment.
25 But America is going to get better. And you guys have

1 to stop being negative. These little small businessmen
2 are going to explode, and the jobs are coming back.

3 MR. WOODRUFF: Any questions?

4 MR. STOLL: You might want to talk -- what was
5 your comment about 10 years?

6 MS. PHELPS: Why set it at 10 years? Why not 20
7 or 30 years?

8 MR. STOLL: What is that? What is set at 10
9 years?

10 MS. PHELPS: Your rate increases for 10 years.

11 MR. STOLL: Yeah. I would --

12 MS. PHELPS: You don't think -- you're not going
13 to make back the money before then?

14 MR. STOLL: I would ask -- I would ask you to
15 talk to either the Office of Public Counsel --

16 MS. PHELPS: It doesn't do any good to talk to
17 anybody.

18 MR. STOLL: It does, because the 10-year figure
19 is not quite correct.

20 MS. PHELPS: But that's what they said. It's
21 going to raised for 10 years, is what she said.

22 MR. STOLL: I don't know about that. Who said
23 that?

24 MS. PHELPS: Somebody said it was going to be
25 raised for 10 years.

1 MR. STOLL: Okay. Talk to our staff regarding
2 that.

3 MS. PHELPS: I don't know. I heard 10 years.
4 Thank you.

5 MR. STOLL: Thank you for your testimony.

6 MR. WOODRUFF: Ma'am, Tim Opitz is here from the
7 Office of Public Counsel. You can talk to him if you
8 like. He represents the public on this. Dan Phelps, do
9 you want to testify also?

10 (Witness sworn)

11 MR. WOODRUFF: What would you like to tell us?

12 MR. PHELPS: Well, I'm here to gripe about the
13 rate increase. Number one, they want this rate increase
14 in part to supplement their loss of revenue for the sale
15 of power to Noranda. That's crazy on two different
16 fronts. Number one, why should I have to pay for
17 something like that? They simply have lost business
18 there. And number two -- forgot what I was going to say
19 about this now. But you know, just because they lost
20 their biggest customer, I've wondered before why Noranda
21 never did build their own power plant and just be
22 independent. Anyway, another thing that really sticks
23 in my craws is why we have to pay for the cost of them
24 giving the efficiency incentive to customers,
25 businesses, residents, whatever. That's between them

1 and that customer. It's not me. And they keep saying
2 that the efficiency trickles down to me as well. Well,
3 that's really neat because they're always raising rates.
4 And I heard a comment a while ago, about that Ameren
5 might not be in touch with customers, or in touch with
6 the market. They are precisely in touch. They come at
7 you guys regularly, all these rate requests, these
8 increase requests. And you don't always give them
9 everything they want. It's a shell game. They say, oh,
10 we want 2, we'll ask for 12. They'll give us 1.75.

11 So I don't like the idea having a rate increase
12 to pay for other things that don't affect me. The loss
13 of business to Noranda, they didn't lose any business.
14 They're still generating all that power and they're
15 selling it for, I imagine, more than what they would
16 have sold it to Noranda. And something else about that,
17 Noranda kept coming at Ameren, wanting a rate decrease,
18 and I'm sure you guys had something, some part to play
19 in all that.

20 But they just, again, you were asking the
21 customers, all the ratepayers, to supplement that and
22 pay for it. And because they were selling the power to
23 Noranda at a lesser level, they have to make up for
24 that, so now we're going to raise your rates. That's --
25 it makes me wonder if both Ameren and you folks as well,

1 are not a part of the federal government. You don't
2 have to balance checkbooks. So anyway, that's about all
3 I wanted to gripe about.

4 MR. WOODRUFF: Thank you, sir. Any questions?

5 MR. STOLL: No. Thank you for your testimony.

6 MR. WOODRUFF: And I assure you, we're not a part
7 of the federal government. We're very glad of that
8 sometimes. All right. Next name on the list is Mary
9 Barnes. Mary Barnes.

10 SPECTATOR: I agree with everything he said.

11 MR. WOODRUFF: That was the last name on my list.
12 Is there anyone else who wishes to come up and testify?
13 Yes, sir. Come on up.

14 MR. WOODRUFF: Good afternoon. Could you tell us
15 your name.

16 MR. CRANMER: Robert Cranmer.

17 MR. WOODRUFF: Can you spell you last name,
18 please.

19 MR. CRANMER: C-R-A-N-M-E-R.

20 MR. WOODRUFF: All right. Please raise your
21 right hand. We'll sear you in.

22 (Witness sworn)

23 MR. WOODRUFF: Thank you. And what would you
24 like to tell us?

25 MR. CRANMER: Well I've recently joined this

1 world of fixed income people. And this past year, the
2 government saw fit to give us a .3 percent raise in our
3 social security. My health insurance has gone up 12
4 percent. Now my electricity, which are my two top
5 bills, is going to go up 8 percent. So my concern is
6 really not a thing to do with Ameren, other than they're
7 asking for a 8 percent increase. Matter of fact, my
8 service has been pretty good from Ameren. So that's not
9 my issue. So the issue boils down to, when is this all
10 going to stop? Because the City of Jackson will be
11 proposing some bills that was increase taxes. Before
12 long, everybody keeps increasing, increasing, the
13 government doesn't give me any increase in my social
14 security, I run out of money. And this population is
15 becoming more and more on fixed income. So it becomes
16 even more critical that we think about those people.
17 And sometimes I get concerned that people on the
18 commission, don't really know what the people down here
19 think, feel, okay. That are on fixed incomes and that
20 kind of thing. So my comment is just more around total
21 cost than it is around service. And I believe that
22 customer service boils down to two things: cost,
23 quality of service. My quality of service has been
24 good. But what about my cost?

25 MR. WOODRUFF: Thank you, sir. Any questions?

1 MR. STOLL: Thank you for your testimony.

2 MS. COLEMAN: Thank you, Mr. Cranmer.

3 MR. WOODRUFF: Anybody else wish to testify? All
4 right. Then once again, I thank you all for coming this
5 afternoon. And we are adjourned.

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CERTIFICATE OF REPORTER

STATE OF MISSOURI)
) ss.
CITY OF ST. LOUIS)

I, Georgia B. Rollins, a Certified Court Reporter (MO),
Certified Shorthand Reporter (IL), 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.

Georgia B. Rollins

In Re: Union Electric Company 1/17/2017

<p align="center">A</p> <p>ability 18:10 able 11:22 action 18:12,16 add 9:7 address 6:2 adjourned 17:5 AECI 10:6 affect 14:12 afternoon 3:2,6 3:6 4:2 6:8,9 9:17 15:14 17:5 ago 14:4 agree 15:10 ahead 9:4 allowed 6:24 Aluminum 10:4 10:7,12,23 Ameren 1:10 2:10 5:15,19 6:17,22,24 7:4 7:8,8,12 10:4,6 10:9,19 11:20 14:4,17,25 16:6,8 Ameren's 3:10 10:1 America 11:25 announced 6:20 answer 3:7,13 3:18,24,25 5:10 answers 4:5 anybody 6:6 8:7 12:17 17:3 anyway 11:11 13:22 15:2 Appearing 5:18 appears 18:7 area 6:25 argue 9:11 asking 7:15 10:25 14:20 16:7 Aslin 2:3 5:22</p>	<p>5:22 assure 15:6 attention 10:21 attorney 5:14,20 18:14 attorneys 4:22 5:13 6:5 Avenue 2:11 5:17</p> <hr/> <p align="center">B</p> <p>B 1:22 18:5 back 3:11,20 5:7 11:19 12:2,13 bad 10:11,11,14 10:25 balance 7:19 15:2 Barnes 15:9,9 Basically 11:24 becoming 16:15 beg 9:6 behalf 5:18 believe 9:16 10:12 16:21 bent 11:16 best 10:3 18:9 better 11:25 bid 10:5 biggest 13:20 bill 7:5 bills 7:25 16:5 16:11 blue 10:5 Bluff 6:20 boils 16:9,22 books 9:8 borne 10:13 bothers 10:24 bottle 8:21 Box 2:4,8 5:24 6:3 bring 3:14 5:6 7:5,6,16 11:19 11:21 brought 8:22</p>	<p>Brydon 5:16 budget 8:2,3 build 13:21 business 5:19 10:25 11:1 13:17 14:13,13 businesses 13:25 businessmen 12:1 button 5:3 buying 10:13</p> <hr/> <p align="center">C</p> <p>C 2:1 C-R-A-N-M-E... 15:19 call 4:8,10,12 5:12 calling 8:1 Cape 1:6 6:19 Capital 2:11 5:17 car 10:10 Carol 11:6 Carolyn 11:8 case 8:12 Casi 2:3 5:22 CCR 1:23 CERTIFICA... 18:1 Certified 18:5,6 certify 18:6 chance 4:4,11 checkbooks 15:2 Chief 1:14 3:4 citizens 6:24,25 7:2,7,7,24 City 2:5,9,12 5:17,24 6:3 7:22 16:10 18:3 close 9:17 Coleman 1:16 4:20 9:12,14 11:5 17:2 colleges 8:5</p>	<p>come 3:11,20 4:12 6:19,22 14:6 15:12,13 coming 7:21 12:2 14:17 17:4 comment 11:24 12:5 14:4 16:20 comments 8:17 9:15 commission 1:1 2:2,3 3:5,8,19 3:23 5:23 6:18 8:22 9:9,12 16:18 Commissioner 4:19,20 commissioners 1:16 4:18,21 6:18 company 1:9 5:18 10:14 complaint 9:25 concern 10:17 16:5 concerned 16:17 correct 5:10 6:17 12:19 corrected 7:10 cost 10:12 13:23 16:21,22,24 costs 10:3 counsel 2:7,8 3:9 5:22,25 6:2,18 8:11 12:15 13:7 18:11,14 count 5:3 court 1:22 3:16 4:15 18:5 cover 11:1 Cranmer 5:8 15:16,16,19,25 17:2 craws 13:23 crazy 13:15</p>	<p>creating 11:17 critical 16:16 CSR 1:23 CSR/CCR 1:22 customer 13:20 14:1 16:22 customers 13:24 14:5,21 cut 8:2,3</p> <hr/> <p align="center">D</p> <p>D 3:1,1 d/b/a 1:9 2:10 Dan 11:6 13:8 deal 10:11,24 Debbie 3:22 decided 6:22 decision 10:12 10:15,15,25 11:1 decision-make... 5:11 decrease 14:17 deposition 18:8 18:13 differ 9:6 different 11:15 13:15 difficult 7:13 direction 18:11 Director 7:17 doing 5:18 dollars 8:4 dominate 5:5 Doug 6:20 7:5 Drew 7:16 duly 18:8</p> <hr/> <p align="center">E</p> <p>E 2:1,1 3:1,1 earlier 8:12 earn 6:24 earning 6:23 East 2:11 5:17 efficiency 13:24 14:2 either 7:4 12:15</p>
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MIDWEST LITIGATION SERVICES

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