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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
TRANSCRIPT OF PROCEEDINGS
Local Public Hearing
September 13, 2012
Lee's Summit, Missouri
Volume 12

In the Matter of Kansas City Power &)
Light Company's Request for Authority)File No.
to Implement a General Rate Increase)ER-2012-0174
for Electric Service)
In the Matter of KCP&L Greater)
Missouri Operation Company's Request)File No.
for Authority to Implement a General)ER-2012-0175
Rate Increase for Electric Service)

DANIEL JORDAN, Presiding
SENIOR REGULATORY LAW JUDGE
KEVIN GUNN
CHAIRMAN

1 APPEARANCES:

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

2 (Starting time of the Hearing: 7:26
3 p.m.)

4 JUDGE JORDAN: Good evening, everyone and
5 thank you for attending this Local Public Hearing.
6 My name is Daniel Jordan. I'm the Regulatory Law
7 Judge assigned to these actions. I'm not a
8 Commissioner. I'm an employee of the Commission.
9 I will begin by calling the case in its formal file
10 number. You already know what it's all about.

11 The Commission is calling the actions in
12 File Numbers ER-2012-0174 and ER-2012-0175. These
13 actions relate to the filing of tariffs and seek
14 rate increases for the applicant utilities. This
15 is the Local Public Hearing on those actions. We
16 will be recording witness's testimony on the
17 proposed rate increases. To my right is
18 Commissioner and Chairman of the Commission, Kevin
19 Gunn. Any remarks?

20 CHAIRMAN GUNN: First of all, I want to
21 thank everybody for coming out. I know it's kind
22 of a lousy evening, but we appreciate you coming
23 out and your participation is very important.

24 What you'll say tonight on the record
25 will be transcribed. It is read by all the

1 Commissioners. We have a lot on our plate as
2 Commissioners. We've got a lot of rate cases going
3 on right now. And so the fact that they're not
4 here, they still read the transcript of really
5 every local public hearing.

6 Just a couple of housekeeping items.
7 There's not going to be any kind of more
8 information that's going to be done at the end of
9 the Hearing, so once you testify, please feel free
10 to leave. There's not going to be any wrap up or
11 anything like that, so don't feel like you have to
12 stay. I know everybody's got things going on and
13 we don't want to keep you unnecessarily.

14 I know it might be frustrating to you
15 and, believe me, it's frustrating to me, but I
16 cannot answer any questions that you might have
17 tonight. There are people that can answer the
18 questions. Your lawyer, Lewis Mills, for the
19 residential rate payer is here. He does a great
20 job. Our staff has people here in the room and the
21 company has folks here. So I might direct you to
22 talk to one of those folks.

23 It's just the way that the proceedings
24 go that things could be looked upon as pre-
25 judgment, so there might be times when I would love

1 to answer questions and there might be answers to
2 your questions, but I just can't do that tonight.
3 And I apologize for that and like I said, I know
4 it's frustrating. It's frustrating for me, as
5 well.

6 We don't have that many people signed up
7 and even if you're not signed up and you want to
8 say something, there will be a call at the end to
9 have anybody else that wants to say things. I'm
10 here until folks are done, and so we won't cut
11 anybody off. I do ask you, though, to be
12 respectful to other people's time, just because
13 there are a lot of folks that want to say things.
14 But I'm here to listen until we're done. So I will
15 turn it back over to the Judge to take Entry of
16 Appearance and we'll get started.

17 JUDGE JORDAN: Thank you. I do want to
18 note, in addition, not only will the Court Reporter
19 be recording what you say, but we're also recording
20 this by video. Those are a couple of media that
21 the other Commissioners can review so that they
22 understand your testimony and review your
23 testimony. We'll go to entries of appearance now.
24 For the applicant utilities?

25 MR. STEINER: Roger W. Steiner. I'm

1 appearing for Kansas City Power & Light Company and
2 KCP&L Greater Missouri Operations Companies, 1200
3 Main Street, Kansas City, Missouri, 64105.

4 JUDGE JORDAN: Thank you. For the Staff
5 of the Commission?

6 MR. BORGMEYER: Yes, my name is John
7 Borgmeyer, representing the Staff at Missouri
8 Public Service Commission. My address is P.O. Box
9 360, Jefferson City, Missouri, 65102.

10 JUDGE JORDAN: Thank you. For the Office
11 of the Public Counsel?

12 MR. MILLS: On behalf of the Office of
13 the Public Counsel and the public, my name is Lewis
14 Mills. My address is P.O. Box 2230, Jefferson
15 City, Missouri, 65102.

16 JUDGE JORDAN: Thank you. And are any of
17 the Interventors present for this Local Public
18 Hearing?

19 MR. COFFMAN: My name is John B. Coffman.
20 I represent two organizations that are consumer
21 organizations, AARP, and the Consumers Council of
22 Missouri. My address is 871 Tuxedo Boulevard, St.
23 Louis, Missouri, 63119.

24 JUDGE JORDAN: Thank you, counsel. A few
25 tips on testimony. Here's how it's going to work.

1 I will be calling the witnesses from the sign-up
2 sheets. When I call you name, come up here to the
3 microphone. I will administer an oath or if
4 religious convictions prohibit you from taking it,
5 I will administer an affirmation. Be concise and
6 respectful for other people's time, but do be
7 complete. You tell us what you think and what you
8 have to say, and if you I want to make this point
9 also what has gone before has not been on the
10 record, so if there's something that you've said or
11 something that you feel needs to be said that you
12 heard during the question and answer period, say
13 that now on the record so that the Commissioners
14 may consider it. If you simply agree with
15 something that's already been said, you can say
16 that, too. But do come up here and tell us that.
17 We want to hear that.

18 And when you're done with your
19 testimony, hang on for a while, because the parties
20 are entitled to cross examine you. Now, that
21 usually take the form of a clarification, if
22 anything at all, but they do have the right to ask
23 you some questions about what you've said. The
24 Commissioner may also do so, and maybe I will have
25 a question for you. So, wait until you're excused.

1 And I think with that, we are ready to
2 begin taking testimony unless somebody has a
3 question about our procedure. Any questions? Very
4 good, then, I will go to the first name on my list,
5 which is Brian D. Petersen, and that's Petersen
6 with an EN.

7 BRIAN D. PETERSEN, being first duly
8 sworn, testified, under oath, as follows:

9 JUDGE JORDAN: Mr. Petersen, what's your
10 relation to the utilities?

11 MR. PETERSEN: My name is Brian Petersen.
12 I'm the Director of Operations and Development at
13 John Knox Village, which is a care center in Lee's
14 Summit, Missouri.

15 JUDGE JORDAN: And is that entity a
16 customer of the utilities?

17 MR. PETERSEN: Yes.

18 JUDGE JORDAN: Please tell the Commission
19 what you would like it to know.

20 MR. PETERSEN: This is my third time
21 here, I think. Perhaps if you were here a couple
22 years ago, you remember me. And I represent about
23 1,200 senior citizens that are at our community. A
24 10 percent rate increase equates to about \$200,000
25 to our utility bill. Our electric bill runs about

1 2 million dollars a year. Gas and water, another
2 million dollars a year. We try very hard over the
3 year to try not to pass on these increases for our
4 residents. There's a lot of overhead at John Knox
5 Village, but there's also a lot of folks there,
6 more importantly, a lot of residents there who are
7 on fixed incomes.

8 A lot of us here, myself included, a
9 small hike such as this I mean it will not affect
10 me near as much as our residents. They have
11 difficulty in helping with recycling sometimes,
12 because they can't afford the bags, et cetera, et
13 cetera, that we try and do this for them.

14 Just this year, you will know that the
15 public utilities for the water utilities in Lee's
16 Summit, Missouri, we raised the rates 5 percent,
17 it's the recommendation. I'm actually on the water
18 utilities board. It's 5 percent a year probably
19 the next three or four years.

20 I got a letter in the mail today, that
21 the recycling that we do at John Knox Village
22 that we do we're going to be getting less rates,
23 a less amount of money for recycling that we get
24 every year.

25 Talking about our staff, we are

1 decreasing staff in my specific operations, we have
2 over the last few years, because of an increase in
3 costs. We did not get raises for our staff the
4 last two years because of the increases in costs.
5 We have also decreased our vacation allowances and
6 hours that we receive from our staff, all in part
7 to the increased costs.

8 So I guess my point is that we talk
9 about what this will mean to the utility the
10 needs of the utility, but have we really sat back
11 and looked at those folks who are on fixed incomes,
12 who sometimes get a raise in their Social Security;
13 sometimes, don't. Have we looked at the collective
14 increases that we as a community are putting on
15 these folks. And, again, I say that, you know, a
16 10 percent increase for me and you probably
17 wouldn't kill us, but it does hurt these folks. So
18 I will say that about it.

19 On the good side of the case now, we do
20 take advantage of the rebate programs. And so we
21 are we try with every ounce that we have, we try
22 to save as much money as we can up there with these
23 costs. We also have some solar fields that we've
24 put on our facilities, but we're not for profit, so
25 they have been through a lease program through a

1 company called Bright Energy. But we're trying as
2 best we can to keep our utility costs down.

3 As far as service, we have the lights go
4 on and off, but I do expect that in the Midwest,
5 with winds, et cetera. But I will say that a
6 couple of years ago, we sat here and you know, we
7 try and get people in to buy our homes, to put a
8 lot of money down for future costs that we'll take
9 part of their money and use for capital
10 improvements, et cetera, and part of their dollars
11 that they give to us go to a future health fund
12 that we have. It's a continuing care retirement
13 community.

14 I sat here two years ago and discussed
15 the part about a lot of our facilities, our
16 transformers and stuff outside our units are
17 getting old. They're leaning over, they're rusted.
18 They're very, very bad to look at. And a lot of
19 our sales is on, you know, curb appeal. We get our
20 customers in. We'll fix up a home. And then in
21 the backyard will be this transformer that's, I
22 mean, literally leaning 45 degrees, rusted. As
23 long as, you know, it's and it needs work, it
24 needs to be fixed up.

25 We sat here last year and oh, don't let

1 me get you out of the room, don't I'll give you a
2 card. An so we had a card. A gentleman came out.
3 We itemized them all with one through five, five's
4 needing to be fixed right now. Well, none of 51
5 were five. One four, which hasn't been fixed yet.
6 And there were ten of the threes, that were rated
7 as a three, and said, you know, we'll get out to
8 them as time allows. We won't get them painted,
9 but we'll get them straight. Not one has been
10 fixed in two years since we were told, you know,
11 hey, we'll get out there to you.

12 Again, this is a big part of our
13 business to try and get people in within thousands
14 and ten of thousands of dollars of infrastructure.
15 And, again, I just felt kind of blown off by the
16 utility company after they put together this list.
17 So that's what I have and I appreciate your time
18 and efforts and any discussion. I'd be glad to
19 take your questions.

20 CHAIRMAN GUNN: I just have a couple of
21 questions. So how do the seniors do you pay the
22 utility bill and then apportion a certain amount to
23 the seniors or do the seniors pay the-

24 MR. PETERSEN: We pay the utility bill
25 for them. The only thing they pay is if they get a

1 phone and then the upgrades on cable or something
2 like that. But the utility bills come through my
3 office and we pay those.

4 CHAIRMAN GUNN: Well, one of the things
5 that we're doing in a separate proceeding that I
6 wanted to invite you to come talk about, because I
7 don't think that this situation - we started to
8 take a look at potential low income rate that helps
9 folks with low or fixed incomes or low income. And
10 I think that what you're talking about is a unique
11 challenge, because you are paying the utility bill
12 for somebody else, but the people that are paying
13 your bills are on the fixed incomes.

14 And so I'd like to get your name to give
15 your name to our Staff so that we might be able to
16 pick your brain about some of the best ways in
17 orders to do that.

18 MR. PETERSEN: I actually researched that
19 and there's a lot of confidential information that
20 has to be guarded to do something like that.
21 Again, we have 1,200 residents. Not all of them
22 are on a fixed income like that. I tried to do
23 that a year a half ago and it didn't kind of work
24 out. Maybe there's a little more energy for it
25 now.

1 CHAIRMAN GUNN: Well, we're taking a look
2 at it seriously and we're trying to have a
3 conversation, so that we can get it right, so we
4 can kind of overcome recognize what the hurdles
5 are and overcome it, if it's even possible. So I'd
6 like to do that. I'd also like you to have an
7 input. We'll have our Staff followup on the
8 transformer issues as well. Just another quick
9 question about the outages. They seem to all be
10 storm or wind related or are you having other
11 reliability issues?

12 MR. PETERSEN: That's been about one
13 time we were remodeling one of our apartment
14 complexes and there was some outages, but it had to
15 do with the transformer had been leaning over so
16 far it broke the conduit and we were getting water
17 in our basement in our mechanical room. But that's
18 what I'd like to, you know-

19 CHAIRMAN GUNN: Try and get fixed?

20 MR. PETERSEN: Well, no. That got fixed,
21 but not until we got water in the basement. You
22 know, let's fix it now before it does happen. And
23 this is winter this summer, rather, has been
24 difficult with the foundations and all those types
25 of things and things are settling more and more.

1 But again, I hate to say it's a personal
2 appearance curb appeal. I mean we're a business
3 just like everybody else, although not for profit.
4 That curb appeal, walking up, we put a lot of
5 money, 60,000 to \$70,000 into renovation, repaint a
6 house and put a nice back porch on it and, you
7 know, Mr. and Mrs. Smith that we're trying to get
8 into our facility and trying to take care of them,
9 they sit on the back porch and they look at this
10 transformer that hasn't been painted or is leaning
11 for 30 years and the answer is with KCP&L, well, if
12 it work, that's good enough. And that's really
13 what it is.

14 I've got a list here that says this one
15 needs painted, this one's fades, this one's
16 leaning, this one's rusted. But none of those get
17 fixed unless they really are interrupting your
18 power.

19 CHAIRMAN GUNN: I appreciate it. I don't
20 have anything else, but if you would, before you
21 leave, just leave - the folks, our Staff if you
22 could raise your hands real quick, so he can see
23 who they are and pass that information and we'll
24 contact you on the low income stuff.

25 (Inaudible.)

1 CHAIRMAN GUNN: But thank you very much
2 for coming.

3 JUDGE JORDAN: Anything from the
4 utilities?

5 MR. STEINER: No questions.

6 JUDGE JORDAN: Anything from Staff?

7 MR. BORGMEYER: No questions.

8 JUDGE JORDAN: Anything from the Office
9 of Local Counsel?

10 MR. MILLS: No questions.

11 JUDGE JORDAN: And from the Interventor?

12 MR. COFFMAN: I have no questions for
13 you, thank you.

14 JUDGE JORDAN: The next name on my list
15 is Roger Wiltz, W-I-L-T-Z, Wiltz. No response to
16 that name, so I'll move on to the next one, which
17 is Bill Cowling. Bill Cowling, C-O-W-L-I-N-G.

18 MR. COWLING: That's right. Thank you,
19 and I also have some handouts.

20 JUDGE JORDAN: Very good. If you would
21 like the Commission to consider those, please hand
22 those to the Court Reporter and she will mark them
23 as Exhibits and she will hold on to them. She will
24 file them with the transcript.

25 BILL COWLING, being first duly sworn,

1 testified, under oath, as follows:

2 JUDGE JORDAN: And what would you like to
3 tell the Commission?

4 MR. COWLING: My name is Bill Cowling and
5 I represent I work for the Blue Springs School
6 District and I'm representing here tonight five of
7 the area school districts that are listed there on
8 your handout. First of all, I just appreciate the
9 opportunity to allow us to present some additional
10 information that might be helpful for you as you
11 consider this really important decision that I
12 understand has yet to be determined.

13 We represent, like I said, five area
14 school districts, but many, many more are
15 represented here jointly: Blue Springs, Fort Osage,
16 Grain Valley, Lee's Summit, and Raymore and
17 Peculiar represent 7 million square feet of
18 classrooms. Now, let's think about that. That's
19 170 acres under a roof, a lot of space. And that's
20 just the five.

21 School districts have taken responsible
22 measures over the last several years to reduce our
23 energy consumption. We've installed high efficient
24 lighting systems. We've installed or replaced air
25 conditioning and heating units that are highly

1 efficient. And we've fully embraced automation of
2 these systems so that we can maximize savings
3 potential, and these modifications we're going to
4 refer to a mechanical changes.

5 While taking advantage of the mechanical
6 side of the house, we've also fully embraced
7 behavior changes. Our staffs at these school
8 districts represent pardon me our schools
9 represent 43 percent of all Missouri schools that
10 are energy star rated. That's just in those five
11 school districts, which is in KCP&L's area. Nearly
12 6,500 public school employees have fully embraced
13 the behavior changes and we've nested those
14 behavior changes with the mechanical changes to
15 maximize savings.

16 These staff members fully understand
17 that our resources are constrained and they're all
18 in. Teachers are literally removing light bulbs in
19 hallways and common areas, so that they and
20 they're turning off their lights. They're
21 providing lessons on energy conservation. They're
22 increasing the constraints on their own temperature
23 settings that we've already put out there. We are
24 significantly changing behaviors that go along with
25 the mechanical changes made in the previous several

1 years.

2 Our school districts each saw the
3 reduced revenues coming years ago and responded in
4 different ways, but everyone responded. We are
5 looking at every facet of our operations. In order
6 to protect the integrity of our classrooms, we're
7 cutting operational costs.

8 In the same time period that KCP&L has
9 increased rates and revenues, we've increased our
10 class sizes, we've packed our school buses, we
11 frozen salaries, we've reduced our staffs in those
12 five school districts by 582. That's just in the
13 five districts. And over those last few years of
14 rate increases, our electric bills have increased 1
15 and a half million dollars. This correlates to 46
16 of those teaching positions.

17 With an approval rate, or with your
18 approval of a 15 percent rate increase, this would
19 cost our school district, just in 2013, 1.1 million
20 dollars. At 6 percent, which was communicated in
21 an earlier meeting today, it would increase our
22 costs \$450,000 in an already constrained budget.
23 Our districts have adopted policies that require
24 conservation. We are seeing the results of our
25 usage drop, yet our bills continue to rise each

1 year due to the imposed rate increases.

2 I don't work for the Lee's Summit School
3 District and I don't want to name a school
4 district, but I'm going to tell you a quick story.
5 And everybody in here has read the papers. So,
6 it's common knowledge. There's a lot of ways to
7 approach reduced revenues. Some ask their patrons
8 to increase their revenues to respond to the
9 increases in operational costs. This community
10 said no. They didn't increase the revenues.

11 So, we're asking this, our request is
12 real basic for the Commission. Deny the rate
13 increase. We concur with the gentleman over here.
14 Go back to the books, guys. Find more savings in
15 your operations. Our patrons resources are
16 constrained. Help us protect the integrity of the
17 classrooms. Provide some relief. And again, hold
18 the current rates of return and utility rates flat
19 for the coming year.

20 I'm ready for your questions or
21 afterwards, we can speak with anyone. There's a
22 couple of us here, and we can further elaborate on
23 our case. So, that concludes my comments. Thank
24 you very much.

25 CHAIRMAN GUNN: Thank you very much.

1 It's important testimony and I appreciate it. I'm
2 just interested, do you know what percentage of
3 usage decrease you have achieved over the period of
4 time and when did you start that and when that if
5 we're measuring that until today, what-

6 MR. COWLING: The data I have with me
7 tonight just strictly correlates to the exact same
8 time period of the rate increases. So, just the
9 last four years.

10 CHAIRMAN GUNN: Okay.

11 MR. COWLING: And I can speak for our
12 school district. Our school district has reduced
13 consumption 20 to 26 percent. And again, those are
14 measurements drawn from the Energy Star program,
15 and in our school district, we have fourteen
16 schools that are Energy Star have won the Energy
17 Star award out of a total of 22.

18 CHAIRMAN GUNN: So during the time period
19 in which the increases have been granted, you
20 reduced usage by 26 percent and you've seen an
21 increase of 1.5 million dollars?

22 MR. COWLING: Considering all five school
23 districts. So that's Blue Springs, Fort Osage,
24 Grain Valley, Lee's Summit, and RayPec.

25 CHAIRMAN GUNN: That 1.5?

1 MR. COWLING: Yes.

2 CHAIRMAN GUNN: That 26 percent, is that
3 just your school district?

4 MR. COWLING: That's just my-

5 CHAIRMAN GUNN: That's just your school
6 district. Have-

7 MR. COWLING: And again, we can go back
8 to the data and we can pull any information you'd
9 like.

10 CHAIRMAN GUNN: No, I understand. I
11 think this is actually fine. We can figure it out.
12 I don't have anything further. I appreciate your
13 testimony and appreciate that-

14 MR. COWLING: We appreciate the
15 opportunity. Thank you.

16 JUDGE JORDAN: Any further questions?
17 Any questions from the applicants? Anything from
18 Staff?

19 MR. BORGMEYER: No.

20 JUDGE JORDAN: Office of Public Counsel,
21 questions?

22 MR. MILLS: No.

23 JUDGE JORDAN: Or from the Interventor?

24 MR. COFFMAN: No, sir. Thank you.

25 JUDGE JORDAN: I have no questions for

1 you. Thank you. Yes, this will be entered into
2 each of the file folders and accompany the
3 transcript of this Local Public Hearing, yes. And
4 do you already have your copy of that?

5 COURT REPORTER: Yes, sir.

6 JUDGE JORDAN: Very good. The next name
7 on my list is Allie Robbins.

8 MS. ROBBINS: Good evening. I only
9 represent myself, not any big organization or any
10 group of people, but I'm sure that there are-

11 JUDGE JORDAN: I need to swear you in.

12 MS. ROBBINS: Oh, I'm sorry.

13 ALLIE ROBBINS, being first duly sworn,
14 testified, under oath, as follows:

15 JUDGE JORDAN: Please state your name for
16 the Reporter and spell it for her also.

17 MS. ROBBINS: Allie, A-L-L-I-E, Robbins,
18 R-O-B-B-I-N-S.

19 JUDGE JORDAN: Thank you for being here
20 tonight and please tell us what you'd like us to
21 hear.

22 MS. ROBBINS: I am just a normal,
23 general, Joe plumber, American housewife, whatever
24 you want to call it, that has to live on a given,
25 fixed budget. I have to live within my means and

1 those means depreciate and lessen every day with
2 the cost of everybody putting their hand into my
3 pocket and taking out my money for gas, for
4 groceries, for medical bills, for the utilities,
5 just for just the ordinary, day to day living
6 expenses to be able to stay alive.

7 A lot of people don't keep and can't
8 make medical appointments because they it's
9 either that or their utilities are going to be
10 disconnected. Or you don't go out to eat or you
11 don't go do the things with your children because
12 you can't afford the gas anymore. This is just one
13 more nail in the coffin, as someone said earlier,
14 to get rid of the rest of us that have to do
15 ordinary living.

16 We don't anybody to pass this off on.
17 It's just it stops here and that's it. There's
18 no one I can't go to my neighbor and say, "Hey,
19 you know, why do you have to have this and I can't
20 have that?"

21 And as far as their notification about
22 increasing expenses and inadequate revenues, why do
23 they not have adequate revenues? I mean, where are
24 they expecting these revenues to come from? That's
25 the end of my testimony.

1 JUDGE JORDAN: Thank you for your
2 comments. Commissioner?

3 CHAIRMAN GUNN: I don't have any
4 questions. Thank you.

5 JUDGE JORDAN: From the parties?

6 MR. BORGMEYER: No questions.

7 MR. MILLS: No questions.

8 MR. STEINER: No questions.

9 MR. COFFMAN: No questions.

10 JUDGE JORDAN: Thank you, very much. The
11 next name on my list looks like Hite.

12 MR. HITE: Yes.

13 JUDGE JORDAN: Is that Hite?

14 MR. HITE: Bob. Bob Hite.

15 JUDGE JORDAN: Bob Hite. Okay. That's
16 H-I-T-E.

17 BOB HITE, being first duly sworn,
18 testified, under oath, as follows:

19 MR. HITE: Mr. Chairman, thank you very
20 much for allowing us to speak this evening. My
21 name is Bob Hite and I'm the General Manager of the
22 Double Tree Hotel, Kansas City Overland Park. And
23 yes, I'm across the state line, but I'm here
24 tonight to represent the Hotel and Lodging
25 Association of Greater Kansas City. There are

1 about 130 hotels, give or take, on both sides of
2 the state line. But what I'm talking about here
3 this evening, obviously, is Missouri.

4 First and foremost, we certainly
5 understand and we agree with the fact that a lot of
6 the residents here, that these rate increases are
7 far, far too much. And so both from a personal or
8 a residential rate increase and a business or
9 commercial increase, they're way to high, to say
10 the least.

11 Certainly none of the residents in the
12 State of Missouri are going to get any kind of 15
13 percent increase in their salaries this year, nor
14 are there any hotels that I'm aware of that are
15 going to get a 15 percent increase in their
16 revenues and profits this year. The hotel industry
17 itself peaked in 2007, not only here, but all
18 across the United States. And I can tell you it
19 was the third week in October in 2008, we fell off
20 a cliff. Clearly, every hotel in this Greater
21 Kansas City area has seen at least 20 or 30 percent
22 declines in their profit, 20 to 30 percent declines
23 in their revenues, and a 15 percent increase just
24 in one item alone in utility costs or in
25 electricity, alone, is simply far too much at one

1 time.

2 Second, we are intervening in the Kansas
3 KCP&L rate case also. My hotel is intervening in
4 that case. And I understand from talking to our
5 attorneys and one of our expert witnesses that the
6 Commission is already aware of expert testimony
7 that in this case indicates the general services
8 rates are already too high in the State of
9 Missouri.

10 Almost half of the hotels in the
11 Missouri KCP&L service area maintain all electric
12 due to the PTAC units that they have in the hotels.
13 And just so you understand what I mean by PTAC,
14 when you go into a hotel and you see your window
15 and you've got that little electric unit that's
16 underneath there that's your air conditioning and
17 your heating, that's a PTAC.

18 Now that the economy is finally showing
19 some signs of a cautious, slow recovery, demand for
20 hotel rooms is up slightly and hotel owners should
21 be in the mindset of looking two to three years in
22 advance and planning for expansion and/or new
23 hotels. Yet KCP&L wants to increase rates even
24 further and possibly slow down the recovery of one
25 of the top five revenue producing industries in the

1 State of Missouri.

2 And as witnessed in previous expert
3 testimony before the Commission, a properly
4 designed general services rate could produce the
5 same low cost or low energy cost as the space
6 heating rate.

7 Third, the hospitality industry is very
8 unique and my friends here from KCP&L have already
9 heard me talk about this two other times. But our
10 owners and operators spend countless hours trying
11 to train our staff to conserve energy. What we do
12 is our guests almost invariably leave the hotel
13 at 8:00 in the morning and they come back about 5,
14 6, 7, 8:00 at night. So when they leave, our
15 housekeepers go in their rooms. The first thing we
16 do is shut the blackout drapes so that we're
17 conserving energy. The next thing we do is crank
18 up the air conditioner because we want to conserve
19 energy. Then we turn off every light that they
20 left on. Then we turn off the television that they
21 left on. Then we turn off the light in the
22 bathroom that they left on. So hopefully, we get
23 that all done by 4:30 in the afternoon. They start
24 coming back at 5.

25 What's the first thing they're going to

1 do. They're going to go in, they're going to open
2 up the blackout drapes. They're going to crank
3 down the air conditioning. They're going to turn
4 on every light in that room. They're going to turn
5 the TV back on. They're going to turn the light on
6 in the bathroom. And in addition to that, they're
7 going to start plugging in their laptops, and then
8 they're going to plug in their iPod, and then
9 they're going to plug in their telephone.

10 We can't control the amount of energy
11 that they use. I think it's very, very simplistic
12 that I think the best analogy is here. We're open
13 24 hours a day, seven days a week, 365 a year. We
14 never, ever, ever, ever, ever close. Wal-Mart is
15 open 365 well, probably 360 days a year, let's
16 say. Right? Have you ever seen anybody go into a
17 Wal-Mart and say, "Oh, gosh, I'm cold. I'm going
18 to go over and adjust the thermostat." It doesn't
19 happen. And I can assure you it will never happen.
20 So even though a business is open 24 hours a day,
21 they can at least control what their expenses are
22 going to be. We, on the other hand, have
23 absolutely zero control.

24 Lastly, I would argue this is a time for
25 KCP&L to change the way they do business and begin

1 thinking outside the box like other businesses.
2 All 130 hotels in the Greater Kansas City area have
3 drastically changed the way we do business since
4 2008. And still, each day, we don't know what
5 normal is yet. And once again, all 130 hotels had
6 to find ways to reduce our expenses by 20, 30, and
7 sometimes even more than that, percent. We've laid
8 off hundreds, probably thousands, I don't have the
9 exact number, of employees. I don't know of one
10 person in our industry who ever got a raise in 2009
11 or 2010. And if a small hotel, let's 40 or 50
12 rooms, can reduce their costs by 20 percent, why
13 can't KCP&L, with a budget of, from what I
14 understand, of 1.2 billion dollars, lower their
15 expenses by even 5 percent. 1.2 billion dollars at
16 5 percent is a mere 60 million dollars.

17 From what I understand, also, KCP&L is
18 asking for 109 million dollars total for the State
19 of Missouri and they're asking for 63 and a half
20 million dollars from the State of Kansas. All
21 told, it's 172 and a half million dollars which is
22 about 14 and a half percent on a 1.2 billion
23 dollars budget.

24 If hotels, large or small, can save 20
25 percent, I'm not understanding why KCP&L cannot

1 come up with at least 5 percent. If you're looking
2 at 58 million dollars in this district alone,
3 saving 5 percent would make this rate increase null
4 and void.

5 So all I'm asking is for the Commission
6 to do four things for us. Consider that 15 percent
7 rate hike for commercial use as way too high. I
8 don't know of anybody, school districts, anyone
9 else, who can handle a 15 percent rate increase.
10 Design a new general service rate that's equitable
11 and fair to all classes, including residents, and
12 requires KCP&L to charge for actual consumption for
13 all end users.

14 Number three is design into the rate
15 special dispensation, yes, for us the hotels, since
16 we clearly are not responsible for our total
17 electric consumption. Without this, hotels may
18 have to start adding additional service charges, 2
19 to \$3, whatever the case may be, and it's going to
20 look like we're nickle and diming our customers
21 just to pay electrical costs.

22 And number four is please insist that
23 KCP&L begin to operate like every other corporation
24 in a democratic society. We ask you to hold them
25 accountable to make wise operating decisions,

1 reduce their overhead, and commit to lower rates of
2 return for their investors.

3 I know the Public Service Commission
4 Staff is working hard, a dedicated team working
5 diligently to do the best for all the people and
6 businesses in Missouri and we trust you'll continue
7 in that direction. Thank you.

8 JUDGE JORDAN: Thank you for your
9 testimony. Mr. Chairman?

10 CHAIRMAN GUNN: I don't have any
11 questions. Thank you, I appreciate it.

12 JUDGE JORDAN: Anything from the
13 utilities?

14 MR. STEINER: No.

15 JUDGE JORDAN: Anything from Staff?

16 MR. BORGMEYER: No questions.

17 JUDGE JORDAN: Anything from the Office
18 of Public Counsel?

19 MR. MILLS: No questions.

20 JUDGE JORDAN: And I see the Interventor
21 is absent, so thank you very much. The next name
22 on my list is Ed Friedland. Do I have that
23 correct, Friedland? I'm not seeing anyone
24 responding to that name, so I will go to the next
25 name which looks like Damian Muller. Sir, I hope I

1 pronounced your name correctly, Muller.

2 MR. MULLER: Yes.

3 JUDGE JORDAN: Very good.

4 MR. MULLER: I appreciate the opportunity
5 to give some testimony.

6 JUDGE JORDAN: That's quite alright.

7 DAMIAN MULLER, being first duly sworn,
8 testified, under oath, as follows:

9 JUDGE JORDAN: And will you spell your
10 name for the Reporter, please.

11 MR. MULLER: D-A-M-I-A-N, Muller,
12 M-U-L-L-E-R.

13 JUDGE JORDAN: Okay. And what would you
14 like the Commission to know about?

15 MR. MULLER: I'm just a basic residential
16 end user, nothing particularly special. I'm
17 representing I live in Kansas City, Missouri,
18 South Kansas City area. And I don't know if it's
19 Lee's Summit or not or if it's the other rate area
20 or not, but anyway that's what I'm talking about,
21 my particular area as far as rates are concerned.

22 I actually took the time to review the
23 100 or plus pages actually of the testimony
24 previously given to the PSC in some of the hearings
25 that have already occurred, specifically by Mike

1 Schifferly(ph), also by Maurice Brubaker(ph) from
2 Brubaker Associates, and from Jay Cummings(ph). I
3 don't remember what organization he represents, but
4 I tried to review all of those testimonies. And
5 partly in the interest of time, I don't want to go
6 too much into specifics, but some of what has
7 already been covered in your testimony, because it
8 would be a lot of different areas, but part of my
9 main point is that there's a fundamental rate
10 discrepancy problem that has existed for
11 approximately 20 years, because I spoke with PSC
12 representatives about this and it seems that the
13 research shows that this discrepancy has gone back
14 for about 20 years.

15 And that discrepancy is the kilowatt
16 hour rate that a residence customer pays for the
17 first 600 kilowatt hours and the next 400 kilowatts
18 up to a 1,000. And then there's a separate rate,
19 smaller rate, that's over a 1,000 and over. The
20 all electric or heat pump rate is not tiered like
21 that. It's only up to the first 1,000, and the
22 problem is that I put in a heat pump recently so I
23 got the all electric rate. Unfortunately, this
24 particular rate structure, to me, it is a form of
25 false advertising. It's bait and switch, where

1 your teased with a special discount for going all
2 electric, but that 400 block rate, between 600 and
3 1,000, you actually pay 25 percent more for because
4 it's not tiered. The all electric rate is not
5 tiered.

6 So even though I receive a discount,
7 that 25 percent more that I pay for that 400 block,
8 negates the majority of the discount that I get for
9 the first 600. Now, I can understand if I were not
10 able to get any discount below the regular
11 residential rate, which is 1RS1A. That's fine. I
12 have no problem with not receiving the discount
13 below that rate. Just don't charge me 25 percent
14 more for that 400 block of kilowatt hours.

15 So until that kind of rate discrepancy
16 is addressed across all of their rate structures,
17 as stated in some of the previous testimony, fix
18 the status quo. It doesn't matter what rate
19 increase they ask for or get or whatever, the
20 fundamental rate structure is the problem.

21 And I can highlight a few things. Mike
22 Schifferly from the PSC, he recommends only a 5
23 percent increase for residential customers now.
24 The other thing about the rate structure is that
25 it's a little bit disproportionate. In other

1 words, right now, some of the business customers
2 actually pay a portion to supplement some of the
3 residential rate, the heat pump, for example. So
4 that's partly subsidized. So there is a bit of
5 inequality in the rate structure as far that is
6 concerned.

7 Now, I don't want to see a residential
8 rate increase like everybody else. Of course not.
9 But unfortunately, it might end up being that a
10 small residential increase or simply to equalize
11 those rate structures like I talked about. If that
12 were done, that might reduce or remove the need for
13 a residential increase and to equalize and actually
14 lower, according to all of this testimony from PSC,
15 lower the business rates for business customers in
16 most of the other classes.

17 So that's largely what I have to say. I
18 could go over specific areas that I've highlighted.
19 Actually, there is other items. One of the things
20 was that, for some reason, KCP&L did not provide
21 any data for its comparative study for 2008. They
22 provided 2006 and 07, 09, 10, 11, but for some
23 reason, all data was missing for 2008. I don't
24 know why.

25 Secondly, that there was one reference

1 from one of the testimony that a KCP&L
2 representative the name is in footnotes here, but
3 he was unwilling to provide the proper data for a
4 proper cost assessment to be done so that the
5 industry executive could represent in the proper
6 example of the rate structures.

7 But I would call from a reference you
8 know, I don't need to give you these copies because
9 they're all electronic anyway that the PSC already
10 filed. But I've referenced those specific
11 testimonies that was given by these three
12 representatives to be reviewed fully and
13 potentially, at least, have KCP&L implement some of
14 the rate structure reviews and suggestions by these
15 three representatives, and I think you may find
16 that you may not need to increase residential rates
17 much, if any. So, that pretty well sums up what I
18 have to say. Thank you.

19 JUDGE JORDAN: Thank you for your
20 testimony. Mr. Chairman, do you have anything?

21 CHAIRMAN GUNN: I think you might be the
22 first person that's come here that's read testimony
23 before we came up, so I appreciate it very much and
24 it brings up a great point that the testimony is
25 all filed electronically and is available on our

1 website if you ever want to get into this. But I
2 very much appreciate the testimony, and I think
3 that you brought up some interesting points. And I
4 thank you for your testimony, I appreciate it.

5 JUDGE JORDAN: And if anybody's
6 interested, the testimony looks like this, except
7 there's about, what, eight or ten of these on my
8 desk right now.

9 MR. MULLER: Yeah, something like that.
10 There's a good amount there already.

11 JUDGE JORDAN: Any questions from the
12 parties? From the utilities?

13 MR. STEINER: No.

14 JUDGE JORDAN: From the Staff of the
15 Commission?

16 MR. BORGMEYER: No questions, Judge.

17 JUDGE JORDAN: Anything from the Office
18 of Public Counsel?

19 MR. MILLS: No questions. Thank you.

20 JUDGE JORDAN: Thank you, sir.

21 JUDGE JORDAN: I'm going to call our next
22 witness who is the last name on the list and that
23 look likes Lewis Bosso. Lewis Bosso? Sir, did I
24 pronounce your name correctly?

25 MR. BOSSO: That's fine.

1 JUDGE JORDAN: Alright, will you step
2 forward and be sworn. It's B-O-S-S-O.

3 LEWIS BOSSO, being first duly sworn,
4 testified, under oath, as follows:

5 JUDGE JORDAN: Thank you. Please tell
6 the Commission what you'd like the Commission to
7 know.

8 MR. BOSSO: I kind of feel like I might
9 be over my head a little bit here, with all the
10 wonderful testimony you've heard so far. I
11 consider myself just to be an ordinary citizen
12 that's wanting to say a few words maybe. However,
13 I didn't. I feel these hearings might be somewhat
14 considered to be maybe a charade and that's not a
15 negative comment. It just means it doesn't really
16 turn out the way it's supposed to be.

17 But I did notice the position of Staff
18 here, which is considerably less than what is asked
19 for. And that was my point earlier. I really
20 didn't realize what we were into there. But I kind
21 of think maybe you all might consider one of these
22 days because the utility always asks for more
23 than they anticipate, just like any bargaining
24 unit. And they expect to get a little bit less.
25 My point is that you might want to just say no and

1 just see how that flies. They'd probably come back
2 again, but it looks like the position of Staff
3 might be appropriate and I didn't know anything
4 about it, frankly.

5 I might make one suggestion that
6 probably is not germane in this situation, but one
7 of the things that power and light may wish to
8 consider is everybody's pushing for green energy
9 maybe we ought to I'd be willing to support an
10 increase for a nuclear plant. That's all I have to
11 say.

12 JUDGE JORDAN: Thank you, sir. Mr.
13 Chairman?

14 CHAIRMAN GUNN: I don't have any
15 questions. Thank you, sir, I appreciate it.

16 MR. BOSSO: Thank you.

17 JUDGE JORDAN: Anything from the parties?
18 The utilities?

19 MR. STEINER: No.

20 JUDGE JORDAN: Anything from Staff?

21 MR. BORGMEYER: No, Judge.

22 JUDGE JORDAN: Anything from the Office
23 of Public Counsel?

24 MR. MILLS: No questions.

25 JUDGE JORDAN: Thank you, sir. I'm going

1 to do something a little better that I didn't
2 really have the voice for earlier. And I'm going
3 to, that is to ask whether any party has any
4 objection to the admission of this demonstrative
5 exhibit in the record?

6 MR. STEINER: No, Your Honor.

7 MR. MILLS: No objection.

8 MR. BORGMAYER: No, Judge.

9 JUDGE JORDAN: Thank you. Now, that's
10 all the names I have on my list, but we are here to
11 listen to testimony, so if someone else would like
12 to come up and testify, please do. Please state
13 your name and spell it for our Court Reporter.

14 MR. BULLINGTON: John Bullington,
15 B-U-L-L-I-N-G-T-O-N.

16 JOHN BULLINGTON, being first duly sworn,
17 testified, under oath, as follows:

18 JUDGE JORDAN: Thank you. What would you
19 like the Commission to know?

20 MR. BULLINGTON: I would like to talk
21 about power outages in the residential area and the
22 quality of the service which is very poor. I've
23 only been a member of the KCP&L for two and a half
24 years. I've had approximately seven to eight
25 outages. And we as a neighbor, I'm saying we

1 it is for the rest of the neighbors. We'd call it
2 in. We'd get all kinds of promises, and I think
3 this is a very high rate for the outages and it's
4 unnecessary in this day and age. And it's hard on
5 all the equipment at home, furnaces, air
6 conditioners, computers, the whole nine yards.

7 And I just when you call in and you
8 get all kinds of promises, they come out and they
9 patch it. Well, I'm not new to power. I've been
10 an electrician for 41 years, and when you have
11 stress put on cables that's under the ground,
12 you're causing problems down the line. It weakens
13 it. And some of this is related to weather, it's
14 water or dry, and I think it's high time that they
15 do something about it.

16 It's just unnecessary. I don't like
17 getting the run around when we call. And before
18 they get any rate increases, I think they should
19 have their business up and running and before you
20 start asking people to pay more. That's my beef
21 with it.

22 CHAIRMAN GUNN: Sir, thank you very much.
23 A couple of questions. Can you at least identify
24 the area, either by neighborhood or street?

25 MR. BULLINGTON: Sure. It's Heather

1 Heights, south on 291, a half a mile south of 58.

2 CHAIRMAN GUNN: And out of those seven to
3 eight outages, approximately how long do the
4 outages take place? Are we talking hours? Are we
5 talking days?

6 MR. BULLINGTON: They've all varied. In
7 the winter, it was a little bit longer.

8 CHAIRMAN GUNN: How long was your
9 longest?

10 MR. BULLINGTON: Four, five, or six
11 hours.

12 UNKNOWN FEMALE: It happened late at
13 night, during the day.

14 CHAIRMAN GUNN: So I'll get that on the
15 record. So your longest is about four or five
16 hours. Other than what you consider to be seven or
17 eight outages, do you have power that you've lost
18 that causes the clock to blink, but you didn't
19 consider this or would you consider those in that
20 number?

21 MR. BULLINGTON: I don't consider the
22 ones that just blink.

23 CHAIRMAN GUNN: And how often to you
24 think that happens? How often do you come home and
25 your clock's blinking?

1 MR. BULLINGTON: Seems like it would be
2 about probably two to three weeks on a pretty
3 regular basis. We ran on a spare cable out there
4 for approximately eight months and they fixed that,
5 but then last week we were out again.

6 CHAIRMAN GUNN: For how long?

7 MR. BULLINGTON: That was about three
8 hours.

9 CHAIRMAN GUNN: Three hours. Now, you've
10 mentioned underground. Are all your wires
11 underground or are there some overhead?

12 MR. BULLINGTON: They're all underground.

13 CHAIRMAN GUNN: They're all underground.
14 When you have an outage and you call the Company?

15 MR. BULLINGTON: Yes.

16 CHAIRMAN GUNN: So you talk to somebody
17 in the Company?

18 MR. BULLINGTON: Not always. At night,
19 you know, you get a recording.

20 CHAIRMAN GUNN: So you've never been able
21 there are times when you can't get someone in the
22 middle of the night and you leave a message?

23 MR. BULLINGTON: Yes.

24 CHAIRMAN GUNN: And is the message just
25 reporting an outage?

1 MR. BULLINGTON: Yes.

2 CHAIRMAN GUNN: Then do you typically see
3 trucks or workmen come out after you make the call
4 or do your lights just come on and you don't know
5 how-

6 MR. BULLINGTON: No, we've seen the
7 people come out.

8 CHAIRMAN GUNN: Are they coming to the
9 same area?

10 MR. BULLINGTON: Yes.

11 CHAIRMAN GUNN: So do you think this is
12 one particular troubled line or are there other
13 infrastructure issues around the neighborhood?

14 MR. BULLINGTON: There's infrastructure
15 issues around that whole community right there.

16 CHAIRMAN GUNN: How many houses are
17 approximately in there?

18 MR. BULLINGTON: 28, I think.

19 CHAIRMAN GUNN: And when the outages
20 happen, and you may not know this, but is it just a
21 certain number of the houses or does it appear that
22 the whole neighborhood goes down?

23 MR. BULLINGTON: No, it's a certain
24 number. One time it will be on the back of the
25 street, and the next time it will be on our side.

1 CHAIRMAN GUNN: So sometimes you'll
2 notice that your neighbors don't have power, but
3 you will, and then sometimes you won't have power,
4 but your neighbors will?

5 MR. BULLINGTON: Usually we're out of
6 power all the time, when it comes to this, but
7 there are some neighbors that do have it.

8 CHAIRMAN GUNN: I'm going to ask, if you
9 wouldn't mind to let our Staff know of the exact
10 address. You don't have to say it hear on the
11 record.

12 MR. BULLINGTON: Okay.

13 CHAIRMAN GUNN: But afterwards, talk to
14 them about the exact address so that we can follow
15 up and we might be able to get some more
16 information and follow up and see, see what's going
17 on.

18 But I want to say this is one of the
19 most important things that we have these Local
20 Public Hearings is not only to learn about people's
21 general feelings about rate increases, but it's to
22 find out what kind of problems or where people have
23 power outages. So this is really important to us,
24 sir. We really appreciate your testimony. I don't
25 have anything else. Thank you, sir.

1 JUDGE JORDAN: Anything from the
2 Utilities?

3 MR. STEINER: No.

4 JUDGE JORDAN: Anything from the Staff of
5 the Commission?

6 MR. BORGMEYER: No.

7 JUDGE JORDAN: From the Office of Public
8 Counsel?

9 MR. MILLS: Just briefly. You mentioned
10 that when you called, you'd been promised certain
11 actions. Can you give more information about what
12 you were promised and what happened instead?

13 MR. BULLINGTON: They said that one of
14 the they've had several outages, you know, and
15 that they was going to replace the cables, but it's
16 always a patch job. Nothing's been replaced.
17 They've been in the ground. I've only been there
18 two and a half years.

19 Approximately 87, somewhere in that
20 vicinity, maybe a few years before, they started
21 building them houses out there. And that's quite a
22 while for the quality that they had back in those
23 years for underground cable. They're not expected
24 to go that many years. They might be expected, but
25 they won't do it. When you have an outage on a

1 cable like that, you're causing stress all the way
2 down. You're bring the installation down somewhere
3 else and it's just a continuing circle.

4 MR. MILLS: Thank you. That's all I
5 have.

6 JUDGE JORDAN: I have no questions for
7 you, Mr. Bullington. Thank you for your testimony.

8 MR. BULLINGTON: Thank you.

9 JUDGE JORDAN: Who else would like to
10 testify tonight? I'm not seeing anyone coming up,
11 and I would thank everyone, whether you testified
12 or not, for coming here, participating in our
13 process and on behalf of myself and the whole
14 Missouri Public Service Commission. Thank you very
15 much. We will adjourn and are off the record.

16 (WHEREIN, the Hearing is concluded at
17 8:19 p.m.)

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1	INDEX	
2	WITNESS:	PAGE NO.
3	Brian Petersen	8
4	Bill Cowling	16
5	Allie Robbins	23
6	Bob Hite	25
7	Damian Muller	33
8	Lewis Bosso	39
9	John Bullington	41
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

A	<p>age 42:4 ago 8:22 11:6 11:14 13:23 19:3 agree 7:14 26:5 air 17:24 27:16 28:18 29:3 42:5 alive 24:6 Allie 23:7,13,17 50:5 allow 17:9 allowances 10:5 allowing 25:20 allows 12:8 alright 33:6 39:1 American 23:23 amount 9:23 12:22 29:10 38:10 analogy 29:12 and/or 27:22 answer 4:16,17 5:1 7:12 15:11 answers 5:1 anticipate 39:23 anybody 5:9,11 24:16 29:16 31:8 anybody's 38:5 anymore 24:12 anyway 33:20 37:9 apartment 14:13 apologize 5:3 appeal 11:19 15:2,4 appear 45:21 appearance 5:16,23 15:2</p>	<p>APPEARAN... 2:1 appearing 6:1 applicant 3:14 5:24 applicants 22:17 appointments 24:8 apportion 12:22 appreciate 3:22 12:17 15:19 17:8 21:1 22:12,13,14 32:11 33:4 37:23 38:2,4 40:15 46:24 approach 20:7 appropriate 40:3 approval 19:17 19:18 approximately 34:11 41:24 43:3 44:4 45:17 47:19 area 17:7,13 18:11 26:21 27:11 30:2 33:18,19,21 41:21 42:24 45:9 areas 18:19 34:8 36:18 argue 29:24 asked 39:18 asking 20:11 30:18,19 31:5 42:20 asks 39:22 assessment 37:4 assigned 3:7 Associates 34:2 Association</p>	<p>25:25 assure 29:19 attending 3:5 attorney 2:13 49:13 attorneys 27:5 Authority 1:11 1:17 automation 18:1 available 37:25 award 21:17 aware 26:14 27:6 A-L-L-I-E 23:17</p> <hr/> <p style="text-align: center;">B</p> <p>B 6:19 back 5:15 10:10 15:6,9 20:14 22:7 28:13,24 29:5 34:13 40:1 45:24 47:22 backyard 11:21 bad 11:18 bags 9:12 bait 34:25 bargaining 39:23 basement 14:17,21 basic 20:12 33:15 basis 44:3 bathroom 28:22 29:6 beef 42:20 behalf 6:12 48:13 behavior 18:7 18:13,14 behaviors 18:24</p>	<p>believe 4:15 best 11:2 13:16 29:12 32:5 49:8 better 41:1 big 12:12 23:9 bill 8:25,25 12:22,24 13:11 16:17 16:17,25 17:4 50:4 billion 30:14,15 30:22 bills 13:2,13 19:14,25 24:4 bit 35:25 36:4 39:9,24 43:7 blackout 28:16 29:2 blink 43:18,22 blinking 43:25 block 35:2,7,14 blown 12:15 Blue 17:5,15 21:23 board 9:18 Bob 25:14,14 25:15,17,21 50:6 books 20:14 Borgmeyer 2:13 6:6,7 16:7 22:19 25:6 32:16 38:16 40:21 41:8 47:6 Bosso 38:23,23 38:25 39:3,8 40:16 50:8 Boulevard 6:22 box 2:9,14 6:8 6:14 30:1 brain 13:16 Brian 8:5,7,11 50:3 briefly 47:9</p>
----------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Bright 11:1	38:21 42:1,7	45:11,16,19	37:22 40:1	comparative
bring 48:2	42:17 44:14	46:1,8,13	41:12 42:8	36:21
brings 37:24	45:3	challenge 13:11	43:24 45:3,4	complete 7:7
broke 14:16	called 11:1	change 29:25	45:7	complexes
brought 38:3	47:10	changed 30:3	comes 46:6	14:14
Brubaker 34:2	calling 3:9,11	changes 18:4,7	coming 3:21,22	computers 42:6
Brubaker(ph)	7:1	18:13,14,14	16:2 19:3	concerned
34:1	capital 11:9	18:25	20:19 28:24	33:21 36:6
budget 19:22	card 12:2,2	changing 18:24	45:8 48:10,12	concise 7:5
23:25 30:13	care 8:13 11:12	charade 39:14	comment 39:15	concluded
30:23	15:8	charge 31:12	comments	48:16
building 2:7	case 3:9 10:19	35:13	20:23 25:2	concludes
47:21	20:23 27:3,4	charges 31:18	commercial	20:23
bulbs 18:18	27:7 31:19	children 24:11	26:9 31:7	concur 20:13
Bullington	cases 4:2	circle 48:3	Commission	conditioner
41:14,14,16	causes 43:18	citizen 39:11	1:2 3:8,11,18	28:18
41:20 42:25	causing 42:12	citizens 8:23	6:5,8 8:18	conditioners
43:6,10,21	48:1	City 1:10 2:10	16:21 17:3	42:6
44:1,7,12,15	cautious 27:19	2:15 6:1,3,9	20:12 27:6	conditioning
44:18,23 45:1	CCR 2:19	6:15 25:22,25	28:3 31:5	17:25 27:16
45:6,10,14,18	center 8:13	26:21 30:2	32:3 33:14	29:3
45:23 46:5,12	certain 12:22	33:17,18	38:15 39:6,6	conduit 14:16
47:13 48:7,8	45:21,23	clarification	41:19 47:5	confidential
50:9	47:10	7:21	48:14	13:19
buses 19:10	certainly 26:4	class 19:10	Commissioner	conservation
business 12:13	26:11	classes 31:11	3:8,18 7:24	18:21 19:24
15:2 26:8	CERTIFICA...	36:16	25:2	conserve 28:11
29:20,25 30:3	49:1	classrooms	Commissione...	28:18
36:1,15,15	Certified 49:4	17:18 19:6	4:1,2 5:21	conserving
42:19	certify 49:6	20:17	7:13	28:17
businesses 30:1	cetera 9:12,13	CLAY 49:3	commit 32:1	consider 7:14
32:6	11:5,10	clearly 26:20	common 18:19	16:21 17:11
buy 11:7	Chairman 1:24	31:16	20:6	31:6 39:11,21
B-O-S-S-O	3:18,20 12:20	cliff 26:20	communicated	40:8 43:16,19
39:2	13:4 14:1,19	clock 43:18	19:20	43:19,21
B-U-L-L-I-N...	15:19 16:1	clock's 43:25	community	considerably
41:15	20:25 21:10	close 29:14	8:23 10:14	39:18
	21:18,25 22:2	coffin 24:13	11:13 20:9	considered
C	22:5,10 25:3	Coffman 6:19	45:15	39:14
C 3:1	25:19 32:9,10	6:19 16:12	Companies 6:2	Considering
cable 13:1 44:3	37:20,21	22:24 25:9	company 4:21	21:22
47:23 48:1	40:13,14	cold 29:17	6:1 11:1	constrained
cables 42:11	42:22 43:2,8	collective 10:13	12:16 44:14	18:17 19:22
47:15	43:14,23 44:6	come 7:2,16	44:17	20:16
call 5:8 7:2	44:9,13,16,20	13:2,6 24:24	Company's	constraints
23:24 37:7	44:24 45:2,8	28:13 31:1	1:11,16	18:22

consumer 6:20	Court 5:18	decreasing	19:19 20:3,4	either 24:9
Consumers	16:22 23:5	10:1	21:12,12,15	42:24
6:21	41:13 49:4	dedicated 32:4	22:3,6 31:2	elaborate 20:22
consumption	covered 34:7	degrees 11:22	districts 17:7	electric 1:13,18
17:23 21:13	Cowling 16:17	demand 27:19	17:14,21 18:8	8:25 19:14
31:12,17	16:17,18,25	democratic	18:11 19:2,12	27:11,15
contact 15:24	17:4,4 21:6	31:24	19:13,23	31:17 34:20
continue 19:25	21:11,22 22:1	demonstrative	21:23 31:8	34:23 35:2,4
32:6	22:4,7,14	41:4	doing 13:5	electrical 31:21
continuing	50:4	Deny 20:12	dollars 9:1,2	electrician
11:12 48:3	crank 28:17	Department	11:10 12:14	42:10
control 29:10	29:2	2:5	19:15,20	electricity
29:21,23	cross 7:20	depreciate 24:1	21:21 30:14	26:25
conversation	Cummings(ph)	design 31:10,14	30:15,16,18	electronic 37:9
14:3	34:2	designed 28:4	30:20,21,23	electronically
convictions 7:4	curb 11:19	desk 38:8	31:2	37:25
copies 37:8	15:2,4	determined	Double 25:22	embraced 18:1
copy 23:4	current 20:18	17:12	drapes 28:16	18:6,12
corporation	customer 8:16	Development	29:2	employed
31:23	34:16	2:5 8:12	drastically 30:3	49:10,13
correct 32:23	customers	different 19:4	drawn 21:14	employee 3:8
correctly 33:1	11:20 31:20	34:8	drop 19:25	49:13
38:24	35:23 36:1,15	difficult 14:24	dry 42:14	employees
correlates	cut 5:10	difficulty 9:11	due 20:1 27:12	18:12 30:9
19:15 21:7	cutting 19:7	diligently 32:5	duly 8:7 16:25	EN 8:6
cost 19:19 24:2	C-O-W-L-I-...	diming 31:20	23:13 25:17	energy 11:1
28:5,5 37:4	16:17	direct 4:21	33:7 39:3	13:24 17:23
costs 10:3,4,7	<hr/>	direction 32:7	41:16	18:10,21
10:23 11:2,8	D	49:9	D-A-M-I-A-N	21:14,16,16
19:7,22 20:9	D 3:1 8:5,7	Director 8:12	33:11	28:5,11,17,19
26:24 30:12	Damian 32:25	disconnected	<hr/>	29:10 40:8
31:21	33:7 50:7	24:10	E	entered 23:1
Council 6:21	Daniel 1:21 3:6	discount 35:1,6	E 3:1,1	entitled 7:20
counsel 2:6	data 21:6 22:8	35:8,10,12	earlier 19:21	entity 8:15
6:11,13,24	36:21,23 37:3	discrepancy	24:13 39:19	entries 5:23
16:9 22:20	day 24:1,5,5	34:10,13,15	41:2	Entry 5:15
32:18 38:18	29:13,20 30:4	35:15	eat 24:10	equalize 36:10
40:23 47:8	42:4 43:13	discussed	Economic 2:5	36:13
49:10,13	days 29:13,15	11:14	economy 27:18	equates 8:24
countless 28:10	39:22 43:5	discussion	Ed 32:22	equipment
COUNTY 49:3	decision 17:11	12:18	efficient 17:23	42:5
couple 4:6 5:20	decisions 31:25	dispensation	18:1	equitable 31:10
8:21 11:6	declines 26:22	31:15	efforts 12:18	ER-2012-0174
12:20 20:22	26:22	disproportio...	eight 38:7	1:12 3:12
42:23	decrease 21:3	35:25	41:24 43:3,17	ER-2012-0175
course 36:8	decreased 10:5	district 17:6	44:4	1:17 3:12

<p>et 9:12,12 11:5 11:10 evening 3:4,22 23:8 25:20 26:3 everybody 3:21 15:3 20:5 24:2 36:8 everybody's 4:12 40:8 exact 21:7 30:9 46:9,14 examine 7:20 example 36:3 37:6 excused 7:25 executive 37:5 exhibit 41:5 Exhibits 16:23 existed 34:10 expansion 27:22 expect 11:4 39:24 expected 47:23 47:24 expecting 24:24 expenses 24:6 24:22 29:21 30:6,15 expert 27:5,6 28:2</p> <hr/> <p style="text-align: center;">F</p> <p>facet 19:5 facilities 10:24 11:15 facility 15:8 fact 4:3 26:5 fades 15:15 fair 31:11 false 34:25 far 11:3 14:16 24:21 26:7,7 26:25 33:21</p>	<p>36:5 39:10 feel 4:9,11 7:11 39:8,13 feelings 46:21 feet 17:17 fell 26:19 felt 12:15 FEMALE 43:12 fields 10:23 figure 22:11 file 1:11,16 3:9 3:12 16:24 23:2 filed 37:10,25 filing 3:13 finally 27:18 financially 49:14 find 20:14 30:6 37:15 46:22 fine 22:11 35:11 38:25 first 3:20 8:4,7 16:25 17:8 23:13 25:17 26:4 28:15,25 33:7 34:17,21 35:9 37:22 39:3 41:16 five 12:3,5 17:6 17:13,20 18:10 19:12 19:13 21:22 27:25 43:10 43:15 five's 12:3 fix 11:20 14:22 35:17 fixed 9:7 10:11 11:24 12:4,5 12:10 13:9,13 13:22 14:19 14:20 15:17 23:25 44:4 flat 20:18</p>	<p>flies 40:1 folders 23:2 folks 4:21,22 5:10,13 9:5 10:11,15,17 13:9 15:21 follow 46:14,16 follows 8:8 17:1 23:14 25:18 33:8 39:4 41:17 followup 14:7 footnotes 37:2 foregoing 49:5 foremost 26:4 form 7:21 34:24 formal 3:9 Fort 17:15 21:23 forward 39:2 foundations 14:24 four 9:19 12:5 21:9 31:6,22 43:10,15 fourteen 21:15 frankly 40:4 free 4:9 Friedland 32:22,23 friends 28:8 frozen 19:11 frustrating 4:14,15 5:4,4 fully 18:1,6,12 18:16 37:12 fund 11:11 fundamental 34:9 35:20 furnaces 42:5 further 20:22 22:12,16 27:24 49:12 future 11:8,11</p>	<hr/> <p style="text-align: center;">G</p> <p>G 3:1 gas 9:1 24:3,12 general 1:12,17 23:23 25:21 27:7 28:4 31:10 46:21 gentleman 12:2 20:13 germane 40:6 getting 9:22 11:17 14:16 42:17 give 11:11 12:1 13:14 26:1 33:5 37:8 47:11 given 23:24 33:24 37:11 glad 12:18 go 4:24 5:23 8:4 11:3,11 18:24 20:14 22:7 24:10,11 24:18 27:14 28:15 29:1,16 29:18 32:24 34:5 36:18 47:24 goes 45:22 going 4:2,7,8 4:10,12 6:25 9:22 18:3 20:4 24:9 26:12,15 28:25 29:1,1 29:2,3,4,5,7,8 29:9,17,22 31:19 35:1 38:21 40:25 41:2 46:8,16 47:15 good 3:4 8:4 10:19 15:12 16:20 23:6,8 33:3 38:10</p>	<p>gosh 29:17 Governor 2:7 Grain 17:16 21:24 granted 21:19 great 4:19 37:24 Greater 1:15 6:2 25:25 26:20 30:2 green 40:8 groceries 24:4 ground 42:11 47:17 group 23:10 guarded 13:20 guess 10:8 guests 28:12 Gunn 1:23 3:19 3:20 12:20 13:4 14:1,19 15:19 16:1 20:25 21:10 21:18,25 22:2 22:5,10 25:3 32:10 37:21 40:14 42:22 43:2,8,14,23 44:6,9,13,16 44:20,24 45:2 45:8,11,16,19 46:1,8,13 guys 20:14</p> <hr/> <p style="text-align: center;">H</p> <p>H 2:19 49:4 half 13:23 19:15 27:10 30:19,21,22 41:23 43:1 47:18 hallways 18:19 hand 16:21 24:2 29:22 handle 31:9 handout 17:8</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

handouts 16:19	25:13,14,14	important 3:23	37:5	Jefferson 2:10
hands 15:22	25:15,17,19	17:11 21:1	inequality 36:5	2:15 6:9,14
hang 7:19	25:21 50:6	46:19,23	information	job 4:20 47:16
happen 14:22	hold 16:23	importantly	4:8 13:19	Joe 23:23
29:19,19	20:17 31:24	9:6	15:23 17:10	John 2:13 6:6
45:20	home 11:20	imposed 20:1	22:8 46:16	6:19 8:13 9:4
happened	42:5 43:24	improvements	47:11	9:21 41:14,16
43:12 47:12	homes 11:7	11:10	infrastructure	50:9
happens 43:24	Honor 41:6	inadequate	12:14 45:13	jointly 17:15
hard 9:2 32:4	hope 32:25	24:22	45:14	Jordan 1:21
42:4	hopefully	Inaudible	input 14:7	3:4,6 5:17 6:4
hate 15:1	28:22	15:25	insist 31:22	6:10,16,24
head 39:9	hospitality	included 9:8	installation	8:9,15,18
health 11:11	28:7	including	48:2	16:3,6,8,11
hear 7:17 23:21	hotel 25:22,24	31:11	installed 17:23	16:14,20 17:2
46:10	26:16,20 27:3	income 13:8,9	17:24	22:16,20,23
heard 7:12	27:14,20,20	13:22 15:24	integrity 19:6	22:25 23:6,11
28:9 39:10	28:12 30:11	incomes 9:7	20:16	23:15,19 25:1
hearing 1:5 3:2	hotels 26:1,14	10:11 13:9,13	interest 34:5	25:5,10,13,15
3:5,15 4:5,9	27:10,12,23	increase 1:12	interested 21:2	32:8,12,15,17
6:18 23:3	30:2,5,24	1:18 8:24	38:6 49:15	32:20 33:3,6
48:16 49:6,7	31:15,17	10:2,16 19:18	interesting	33:9,13 37:19
49:11	hour 34:16	19:21 20:8,10	38:3	38:5,11,14,17
hearings 33:24	hours 10:6	20:13 21:21	interrupting	38:20,21 39:1
39:13 46:20	28:10 29:13	26:8,9,13,15	15:17	39:5 40:12,17
heat 34:20,22	29:20 34:17	26:23 27:23	intervening	40:20,22,25
36:3	35:14 43:4,11	31:3,9 35:19	27:2,3	41:9,18 47:1
Heather 42:25	43:16 44:8,9	35:23 36:8,10	Intervenor	47:4,7 48:6,9
heating 17:25	house 15:6 18:6	36:13 37:16	16:11 22:23	Judge 1:22 3:4
27:17 28:6	housekeepers	40:10	32:20	3:7 5:15,17
Heights 43:1	28:15	increased 10:7	Interventors	6:4,10,16,24
Help 20:16	housekeeping	19:9,9,14	6:17	8:9,15,18
helpful 17:10	4:6	increases 3:14	invariably	16:3,6,8,11
helping 9:11	houses 45:16	3:17 9:3 10:4	28:12	16:14,20 17:2
helps 13:8	45:21 47:21	10:14 19:14	investors 32:2	22:16,20,23
hey 12:11	housewife	20:1,9 21:8	invite 13:6	22:25 23:6,11
24:18	23:23	21:19 26:6	iPod 29:8	23:15,19 25:1
high 17:23 26:9	hundreds 30:8	42:18 46:21	issues 14:8,11	25:5,10,13,15
27:8 31:7	hurdles 14:4	increasing	45:13,15	32:8,12,15,17
42:3,14	hurt 10:17	18:22 24:22	item 26:24	32:20 33:3,6
highlight 35:21	H-I-T-E 25:16	INDEX 50:1	itemized 12:3	33:9,13 37:19
highlighted	_____	indicates 27:7	items 4:6 36:19	38:5,11,14,16
36:18	I	industries	_____	38:17,20,21
highly 17:25	identify 42:23	27:25	J	39:1,5 40:12
hike 9:9 31:7	implement	industry 26:16	Janet 2:19 49:4	40:17,20,21
Hite 25:11,12	1:12,17 37:13	28:7 30:10	Jay 34:2	40:22,25 41:8

41:9,18 47:1 47:4,7 48:6,9 judgment 4:25	41:19 44:19 45:4,20 46:9 47:14 knowledge 20:6 Knox 8:13 9:4 9:21	18:20 45:4 likes 38:23 40:2 line 25:23 26:2 42:12 45:12 list 8:4 12:16 15:14 16:14 23:7 25:11 32:22 38:22 41:10	34:8 Louis 6:23 lousy 3:22 love 4:25 low 13:8,9,9 15:24 28:5,5 lower 30:14 32:1 36:14,15	middle 44:22 Midwest 11:4 Mike 33:25 35:21 mile 43:1 million 9:1,2 17:17 19:15 19:19 21:21 30:16,18,20 30:21 31:2 Mills 2:3 4:18 6:12,14 16:10 22:22 25:7 32:19 38:19 40:24 41:7 47:9 48:4 mind 46:9 mindset 27:21 missing 36:23 Missouri 1:1,7 1:16 2:4 6:2,3 6:7,9,15,22 6:23 8:14 9:16 18:9 26:3,12 27:9 27:11 28:1 30:19 32:6 33:17 48:14 49:2,21
K	L		M	
Kansas 1:10 6:1,3 25:22 25:25 26:21 27:2 30:2,20 33:17,18 KCP&L 1:15 6:2 15:11 19:8 27:3,11 27:23 28:8 29:25 30:13 30:17,25 31:12,23 36:20 37:1,13 41:23 KCP&L's 18:11 keep 4:13 11:2 24:7 Kevin 1:23 3:18 kill 10:17 kilowatt 34:15 34:17 35:14 kilowatts 34:17 kind 3:21 4:7 12:15 13:23 14:4 26:12 35:15 39:8,20 46:22 kinds 42:2,8 know 3:10,21 4:12,14 5:3 8:19 9:14 10:15 11:6,19 11:23 12:7,10 14:18,22 15:7 21:2 24:19 30:4,9 31:8 32:3 33:14,18 36:24 37:8 39:7 40:3	laid 30:7 laptops 29:7 large 30:24 largely 36:17 Lastly 29:24 late 43:12 Law 1:22 3:6 lawyer 4:18 leaning 11:17 11:22 14:15 15:10,16 learn 46:20 lease 10:25 leave 4:10 15:21,21 28:12,14 44:22 Lee's 1:7 8:13 9:15 17:16 20:2 21:24 33:19 left 28:20,21,22 lessen 24:1 lessons 18:21 letter 9:20 let's 14:22 17:18 29:15 30:11 Lewis 2:3 4:18 6:13 38:23,23 39:3 50:8 light 1:11 6:1 18:18 28:19 28:21 29:4,5 40:7 lighting 17:24 lights 11:3	listed 17:7 listen 5:14 41:11 literally 11:22 18:18 little 13:24 27:15 35:25 39:9,24 41:1 43:7 live 23:24,25 33:17 living 24:5,15 local 1:5 3:5,15 4:5 6:17 16:9 23:3 46:19 Lodging 25:24 long 11:23 43:3 43:8 44:6 longer 43:7 longest 43:9,15 look 11:18 13:8 14:1 15:9 31:20 38:23 looked 4:24 10:11,13 looking 19:5 27:21 31:1 looks 25:11 32:25 38:6 40:2 lost 43:17 lot 4:1,2 5:13 9:4,5,6,8 11:8 11:15,18 13:19 15:4 17:19 20:6 24:7 26:5	Madison 2:8 mail 9:20 main 6:3 34:9 maintain 27:11 majority 35:8 Manager 25:21 mark 16:22 matter 1:10,15 35:18 Maurice 34:1 maximize 18:2 18:15 mean 9:9 10:9 11:22 15:2 24:23 27:13 means 23:25 24:1 39:15 measurements 21:14 measures 17:22 measuring 21:5 mechanical 14:17 18:4,5 18:14,25 media 5:20 medical 24:4,8 meeting 19:21 member 41:23 members 18:16 mentioned 44:10 47:9 mere 30:16 message 44:22 44:24 microphone 7:3	MO 2:10,15 modifications 18:3 money 9:23 10:22 11:8,9 15:5 24:3 months 44:4 morning 28:13 move 16:16 Muller 32:25 33:1,2,4,7,11 33:11,15 38:9 50:7 M-U-L-L-E-R 33:12
				N

N 3:1 nail 24:13 name 3:6 6:6 6:13,19 7:2 8:4,11 13:14 13:15 16:14 16:16 17:4 20:3 23:6,15 25:11,21 32:21,24,25 33:1,10 37:2 38:22,24 41:13 names 41:10 near 9:10 Nearly 18:11 need 23:11 36:12 37:8,16 needing 12:4 needs 7:11 10:10 11:23 11:24 15:15 negates 35:8 negative 39:15 neighbor 24:18 41:25 neighborhood 42:24 45:13 45:22 neighbors 42:1 46:2,4,7 neither 49:9 nested 18:13 never 29:14,19 44:20 new 27:22 31:10 42:9 nice 15:6 nickle 31:20 night 28:14 43:13 44:18 44:22 nine 42:6 normal 23:22 30:5 Notary 49:20	note 5:18 Nothing's 47:16 notice 39:17 46:2 notification 24:21 nuclear 40:10 null 31:3 number 3:10 30:9 31:14,22 43:20 45:21 45:24 Numbers 3:12 <hr/> O <hr/> O 3:1 oath 7:3 8:8 17:1 23:14 25:18 33:8 39:4 41:17 objection 41:4 41:7 obviously 26:3 occurred 33:25 October 26:19 office 2:6,7 6:10,12 13:3 16:8 22:20 32:17 38:17 40:22 47:7 officer 49:5 oh 11:25 23:12 29:17 Okay 21:10 25:15 33:13 46:12 old 11:17 once 4:9 30:5 ones 43:22 one's 15:15,15 15:16 open 29:1,12 29:15,20 operate 31:23 operating	31:25 Operation 1:16 operational 19:7 20:9 operations 6:2 8:12 10:1 19:5 20:15 operators 28:10 opportunity 17:9 22:15 33:4 order 19:5 orders 13:17 ordinary 24:5 24:15 39:11 organization 23:9 34:3 organizations 6:20,21 Osage 17:15 21:23 ought 40:9 ounce 10:21 outage 44:14 44:25 47:25 outages 14:9,14 41:21,25 42:3 43:3,4,17 45:19 46:23 47:14 outcome 49:15 outside 11:16 30:1 overcome 14:4 14:5 overhead 9:4 32:1 44:11 Overland 25:22 owners 27:20 28:10 <hr/> P <hr/> P 3:1 packed 19:10	PAGE 50:2 pages 33:23 painted 12:8 15:10,15 papers 20:5 pardon 18:8 Park 25:22 part 10:6 11:9 11:10,15 12:12 34:8 participating 48:12 participation 3:23 particular 33:21 34:24 45:12 particularly 33:16 parties 7:19 25:5 38:12 40:17 49:11 49:14 partly 34:5 36:4 party 41:3 pass 9:3 15:23 24:16 patch 42:9 47:16 patrons 20:7 20:15 pay 12:21,23 12:24,25 13:3 31:21 35:3,7 36:2 42:20 payer 4:19 paying 13:11 13:12 pays 34:16 peaked 26:17 Peculiar 17:17 people 4:17,20 5:6 11:7 12:13 13:12 23:10 24:7	32:5 42:20 45:7 46:22 people's 5:12 7:6 46:20 percent 8:24 9:16,18 10:16 18:9 19:18,20 21:13,20 22:2 26:13,15,21 26:22,23 30:7 30:12,15,16 30:22,25 31:1 31:3,6,9 35:3 35:7,13,23 percentage 21:2 period 7:12 19:8 21:3,8 21:18 person 30:10 37:22 personal 15:1 26:7 Petersen 8:5,5 8:7,9,11,11 8:17,20 12:24 13:18 14:12 14:20 50:3 phone 13:1 pick 13:16 place 43:4 planning 27:22 plant 40:10 plate 4:1 please 4:9 8:18 16:21 23:15 23:20 31:22 33:10 39:5 41:12,12 plug 29:8,9 plugging 29:7 plumber 23:23 plus 33:23 pocket 24:3 point 7:8 10:8 34:9 37:24
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>39:19,25 points 38:3 policies 19:23 poor 41:22 porch 15:6,9 portion 36:2 position 39:17 40:2 positions 19:16 possible 14:5 possibly 27:24 potential 13:8 18:3 potentially 37:13 power 1:10 6:1 15:18 40:7 41:21 42:9 43:17 46:2,3 46:6,23 pre 4:24 present 6:17 17:9 Presiding 1:21 pretty 37:17 44:2 previous 18:25 28:2 35:17 previously 33:24 probably 9:18 10:16 29:15 30:8 40:1,6 44:2 problem 34:10 34:22 35:12 35:20 problems 42:12 46:22 procedure 8:3 proceeding 13:5 proceedings 1:4 4:23 process 48:13 produce 28:4</p>	<p>producing 27:25 profit 10:24 15:3 26:22 profits 26:16 program 10:25 21:14 programs 10:20 prohibit 7:4 promised 47:10 47:12 promises 42:2 42:8 pronounce 38:24 pronounced 33:1 proper 37:3,4,5 properly 28:3 proposed 3:17 protect 19:6 20:16 provide 20:17 36:20 37:3 provided 36:22 providing 18:21 PSC 33:24 34:11 35:22 36:14 37:9 PTAC 27:12,13 27:17 public 1:2,5 2:6 3:5,15 4:5 6:8 6:11,13,13,17 9:15 18:12 22:20 23:3 32:3,18 38:18 40:23 46:20 47:7 48:14 49:20 pull 22:8 pump 34:20,22 36:3 pushing 40:8</p>	<p>put 10:24 11:7 12:16 15:4,6 18:23 34:22 42:11 putting 10:14 24:2 p.m 3:3 48:17 P.O 2:9,14 6:8 6:14</p> <hr/> <p style="text-align: center;">Q</p> <p>quality 41:22 47:22 question 7:12 7:25 8:3 14:9 questions 4:16 4:18 5:1,2 7:23 8:3 12:19,21 16:5 16:7,10,12 20:20 22:16 22:17,21,25 25:4,6,7,8,9 32:11,16,19 38:11,16,19 40:15,24 42:23 48:6 quick 14:8 15:22 20:4 quite 33:6 47:21 quo 35:18</p> <hr/> <p style="text-align: center;">R</p> <p>R 2:3 3:1 raise 10:12 15:22 30:10 raised 9:16 raises 10:3 ran 44:3 rate 1:12,18 3:14,17 4:2 4:19 8:24 13:8 19:14,17 19:18 20:1,12 21:8 26:6,8</p>	<p>27:3 28:4,6 31:3,7,9,10 31:14 33:19 34:9,16,18,19 34:20,23,24 35:2,4,11,13 35:15,16,18 35:20,24 36:3 36:5,8,11 37:6,14 42:3 42:18 46:21 rated 12:6 18:10 rates 9:16,22 19:9 20:18,18 27:8,23 32:1 33:21 36:15 37:16 Raymore 17:16 RayPec 21:24 read 3:25 4:4 20:5 37:22 ready 8:1 20:20 real 15:22 20:12 realize 39:20 really 4:4 10:10 15:12,17 17:11 39:15 39:19 41:2 46:23,24 reason 36:20 36:23 rebate 10:20 receive 10:6 35:6 receiving 35:12 recognize 14:4 recommenda... 9:17 recommends 35:22 record 3:24 7:10,13 41:5 43:15 46:11 48:15</p>	<p>recording 3:16 5:19,19 44:19 recovery 27:19 27:24 recycling 9:11 9:21,23 reduce 17:22 30:6,12 32:1 36:12 reduced 19:3 19:11 20:7 21:12,20 49:8 refer 18:4 reference 36:25 37:7 referenced 37:10 regular 35:10 44:3 Regulatory 1:22 3:6 relate 3:13 related 14:10 42:13 49:10 relation 8:10 relative 49:12 reliability 14:11 relief 20:17 religious 7:4 remarks 3:19 remember 8:22 34:3 remodeling 14:13 remove 36:12 removing 18:18 renovation 15:5 repaint 15:5 replace 47:15 replaced 17:24 47:16 Reported 2:18 Reporter 5:18</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

16:22 23:5,16 33:10 41:13 49:1,5 reporting 44:25 represent 6:20 8:22 17:5,13 17:17 18:8,9 23:9 25:24 37:5 representative 37:2 representativ... 34:12 37:12 37:15 represented 17:15 representing 6:7 17:6 33:17 represents 34:3 request 1:11,16 20:11 require 19:23 requires 31:12 research 34:13 researched 13:18 residence 34:16 residential 4:19 26:8 33:15 35:11,23 36:3 36:7,10,13 37:16 41:21 residents 9:4,6 9:10 13:21 26:6,11 31:11 resources 18:17 20:15 respectful 5:12 7:6 respond 20:8 responded 19:3 19:4 responding 32:24	response 16:15 responsible 17:21 31:16 rest 24:14 42:1 results 19:24 retirement 11:12 return 20:18 32:2 revenue 27:25 revenues 19:3 19:9 20:7,8 20:10 24:22 24:23,24 26:16,23 review 5:21,22 33:22 34:4 reviewed 37:12 reviews 37:14 rid 24:14 right 3:17 4:3 7:22 12:4 14:3 16:18 29:16 36:1 38:8 45:15 rise 19:25 Robbins 23:7,8 23:12,13,17 23:17,22 50:5 Roger 5:25 16:15 roof 17:19 room 4:20 12:1 14:17 29:4 rooms 27:20 28:15 30:12 run 42:17 running 42:19 runs 8:25 rusted 11:17,22 15:16 R-O-B-B-I-N... 23:18 <hr/> S S 3:1	salaries 19:11 26:13 sales 11:19 sat 10:10 11:6 11:14,25 save 10:22 30:24 saving 31:3 savings 18:2,15 20:14 saw 19:2 saying 41:25 says 15:14 Schifferly 35:22 Schifferly(ph) 34:1 school 17:5,7 17:14,21 18:7 18:11,12 19:2 19:10,12,19 20:2,3 21:12 21:12,15,22 22:3,5 31:8 schools 18:8,9 21:16 Second 27:2 Secondly 36:25 Security 10:12 see 15:22 27:14 32:20 36:7 40:1 45:2 46:16,16 seeing 19:24 32:23 48:10 seek 3:13 seen 21:20 26:21 29:16 45:6 senior 1:22 8:23 seniors 12:21 12:23,23 separate 13:5 34:18 September 1:6	seriously 14:2 service 1:2,13 1:18 6:8 11:3 27:11 31:10 31:18 32:3 41:22 48:14 services 27:7 28:4 settings 18:23 settling 14:25 seven 29:13 41:24 43:2,16 sheets 7:2 showing 27:18 shows 34:13 shut 28:16 side 10:19 18:6 45:25 sides 26:1 signed 5:6,7 significantly 18:24 signs 27:19 sign-up 7:1 simplistic 29:11 simply 7:14 26:25 36:10 sir 22:24 23:5 32:25 38:20 38:23 40:12 40:15,25 42:22 46:24 46:25 sit 15:9 situation 13:7 40:6 six 43:10 sizes 19:10 slightly 27:20 slow 27:19,24 small 9:9 30:11 30:24 36:10 smaller 34:19 Smith 15:7 Social 10:12	society 31:24 solar 10:23 somebody 8:2 13:12 44:16 somewhat 39:13 sorry 23:12 south 33:18 43:1,1 space 17:19 28:5 spare 44:3 speak 20:21 21:11 25:20 special 31:15 33:16 35:1 specific 10:1 36:18 37:10 specifically 33:25 specifics 34:6 spell 23:16 33:9 41:13 spend 28:10 spoke 34:11 Springs 17:5 17:15 21:23 square 17:17 ss 49:2 St 6:22 staff 2:13 4:20 6:4,7 9:25 10:1,3,6 13:15 14:7 15:21 16:6 18:16 22:18 28:11 32:4,15 38:14 39:17 40:2,20 46:9 47:4 staffs 18:7 19:11 star 18:10 21:14,16,17 start 21:4 28:23 29:7
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

31:18 42:20 started 5:16 13:7 47:20 Starting 3:2 state 1:1 2:4 23:15 25:23 26:2,12 27:8 28:1 30:18,20 41:12 49:2,21 stated 35:17 States 26:18 status 35:18 stay 4:12 24:6 Steiner 5:25,25 16:5 25:8 32:14 38:13 40:19 41:6 47:3 step 39:1 stops 24:17 storm 14:10 story 20:4 straight 12:9 street 2:8 6:3 42:24 45:25 stress 42:11 48:1 strictly 21:7 structure 34:24 35:20,24 36:5 37:14 structures 35:16 36:11 37:6 study 36:21 stuff 11:16 15:24 subsidized 36:4 suggestion 40:5 suggestions 37:14 Suite 2:7 summer 14:23 Summit 1:7 8:14 9:16 17:16 20:2	21:24 33:19 sums 37:17 supplement 36:2 support 40:9 supposed 39:16 sure 23:10 42:25 swear 23:11 switch 34:25 sworn 8:8 16:25 23:13 25:17 33:7 39:2,3 41:16 systems 17:24 18:2 <hr/> T <hr/> take 5:15 7:21 10:20 11:8 12:19 13:8 15:8 26:1 43:4 taken 17:21 49:6,7,12 talk 4:22 10:8 13:6 28:9 41:20 44:16 46:13 talked 36:11 talking 9:25 13:10 26:2 27:4 33:20 43:4,5 tariffs 3:13 Teachers 18:18 teaching 19:16 team 32:4 teased 35:1 telephone 29:9 television 28:20 tell 7:7,16 8:18 17:3 20:4 23:20 26:18 39:5 temperature	18:22 ten 12:6,14 38:7 testified 8:8 17:1 23:14 25:18 33:8 39:4 41:17 48:11 testify 4:9 41:12 48:10 testimonies 34:4 37:11 testimony 3:16 5:22,23 6:25 7:19 8:2 21:1 22:13 24:25 27:6 28:3 32:9 33:5,23 34:7 35:17 36:14 37:1,20 37:22,24 38:2 38:4,6 39:10 41:11 46:24 48:7 49:7 thank 3:5,21 5:17 6:4,10 6:16,24 16:1 16:13,18 20:23,25 22:15,24 23:1 23:19 25:1,4 25:10,19 32:7 32:8,11,21 37:18,19 38:4 38:19,20 39:5 40:12,15,16 40:25 41:9,18 42:22 46:25 48:4,7,8,11 48:14 thereto 49:14 thermostat 29:18 They'd 40:1 thing 12:25 13:7 28:15,17	28:25 35:24 things 4:12,24 5:9,13 13:4 14:25,25 24:11 31:6 35:21 36:19 40:7 46:19 think 7:7 8:1 8:21 13:10 17:18 22:11 29:11,12 37:15,21 38:2 39:21 42:2,14 42:18 43:24 45:11,18 thinking 30:1 third 8:20 26:19 28:7 thousands 12:13,14 30:8 three 9:19 12:7 27:21 31:14 37:11,15 44:2 44:7,9 threes 12:6 tiered 34:20 35:4,5 time 3:2 5:12 7:6 8:20 12:8 12:17 14:13 19:8 21:4,8 21:18 27:1 29:24 33:22 34:5 42:14 45:24,25 46:6 times 4:25 28:9 44:21 tips 6:25 today 9:20 19:21 21:5 told 12:10 30:21 tonight 3:24 4:17 5:2 17:6 21:7 23:20 25:24 48:10	top 27:25 total 21:17 30:18 31:16 train 28:11 transcribed 3:25 transcript 1:4 4:4 16:24 23:3 transformer 11:21 14:8,15 15:10 transformers 11:16 Tree 25:22 tried 13:22 34:4 troubled 45:12 trucks 45:3 trust 32:6 try 9:2,3,13 10:21,21 11:7 12:13 14:19 trying 11:1 14:2 15:7,8 28:10 turn 5:15 28:19 28:20,21 29:3 29:4,5 39:16 turning 18:20 Tuxedo 6:22 TV 29:5 two 6:20 10:4 11:14 12:10 27:21 28:9 41:23 44:2 47:18 types 14:24 typewriting 49:9 typically 45:2 <hr/> U <hr/> underground 44:10,11,12 44:13 47:23
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

26:22 30:6	7 17:17 28:14			
33 50:7	7:26 3:2			
360 2:14 6:9				
29:15	<hr/> 8 <hr/>			
365 29:13,15	8 50:3			
39 50:8	8:00 28:13,14			
<hr/> 4 <hr/>	8:19 48:17			
4:30 28:23	87 47:19			
40 30:11	871 6:22			
400 34:17 35:2				
35:7,14				
41 42:10 50:9				
43 18:9				
45 11:22				
46 19:15				
<hr/> 5 <hr/>				
5 9:16,18 28:13				
28:24 30:15				
30:16 31:1,3				
35:22				
50 30:11				
51 12:4				
573)751-1304				
2:11				
573)751-8700				
2:16				
58 31:2 43:1				
582 19:12				
<hr/> 6 <hr/>				
6 19:20 28:14				
6,500 18:12				
60 30:16				
60,000 15:5				
600 34:17 35:2				
35:9				
63 30:19				
63119 6:23				
64105 6:3				
650 2:7				
65102 2:10 6:9				
6:15				
65109 2:15				
<hr/> 7 <hr/>				