

1
ROBERTS & ASSOCIATES BY THOMAS ROBERTS, RPR, CCR

1 PUBLIC SERVICE COMMISSION

2 STATE OF MISSOURI

3
4
5 TRANSCRIPT OF PROCEEDINGS

6 Public Hearing

7 January 22, 2007

8 Lee's Summit, Missouri

9 Volume 2

10
11 CASE NUMBER ER-2007-0004

12
13 In the matter of the Tariffs of Aquila, Inc.
14 D/b/a Aquila Networks - MPS and Aquila
15 Networks - L&P Increasing Electric Rates for
16 the services provided to customers in the
17 Aquila Networks - MPS and Aquila Networks -
18 L&P service area.

19
20 MORRIS L. WOODRUFF, Presiding

21 DEPUTY CHIEF REGULATORY LAW JUDGE

22
23 LINWARD "LIN" APPLING,

24 COMMISSIONER

25
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A P P E A R A N C E S

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

2 (Hearing commenced at 6:00 p.m.)

3

4 JUDGE WOODRUFF: Let's come to
5 order, please. Welcome everyone. This is
6 local public hearing in case number
7 ER-2007-0004, which concerns the application
8 of Aquila, Inc to increase its rates for its
9 MPS network and L&P divisions.

10 My name is Morris Woodruff, I'm the
11 regulatory -- one of the regulatory law
12 judges for the Commission, and I'll be
13 presiding at this local public hearing. To
14 my right is Commissioner Lin Appling who is
15 one of our commissioners and the other four
16 commissioners can't be here tonight, but
17 everything that you will say tonight will be
18 transcribed by our court reporter here and a
19 transcript will be available to all the
20 commissioners, and they will have an
21 opportunity to review anything you say.

22 As I indicated this will be an official
23 proceeding of the Commission and the
24 testimony that you give tonight will be sworn
25 testimony, meaning I will swear you to tell

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1 the truth just like on tv, and then I will
2 ask you to come on up here to the podium and
3 tell the Commission what you want to say.

4 I have a sign up list that was out there
5 before and what I will do is go down the list
6 of names and call you up in order and give
7 you a chance to testify. We don't impose any
8 sort of specific time limit on testimony, but
9 I do want you to keep in mind of course that
10 there are other people here who want to
11 testify as well so I ask you to keep your
12 remarks as succinct as possible so we can
13 hear from everyone tonight without hurt
14 feelings.

15 We'll actually begin by talking entrees
16 of appearance from the attorneys for the
17 case, and is there an attorney her for
18 Aquila?

19 MS. PARSONS: Renee Parsons,
20 R-e-n-e-e P-a-r-s-o-n-s on behalf of Aquila.

21 JUDGE WOODRUFF: Thank you,
22 ma'am. Is there an attorney her for the
23 staff of the Commission? The office of
24 public counsel?

25 MR. MILLS: On behalf of the

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1 office of public counsel and the public, my
2 name is Lewis Mills, my address is Post
3 Office Box 2230 Jefferson City, Missouri
4 65102.

5 JUDGE WOODRUFF: There are a
6 number of intervening parties in this case,
7 are there any attorneys here representing any
8 of those parties? I don't see anyone raising
9 their hand.

10 Start off today I will ask Commissioner
11 Applling if he has any opening remarks he'd
12 like to make.

13 COMMISSIONER APPLING: I have no
14 real remarks, I'm just glad that you came out
15 tonight so we could hear what you personally
16 have to say. I'm sure we have one gentlemen
17 that has already started talking already so I
18 look forward to hearing what you have to say,
19 sir. Thank you very much for coming out.

20 JUDGE WOODRUFF: The first name
21 on my list is I believe it's Dave Coffman.
22 Mr. Coffman would you like to come forward.
23 If you would please raise your right hand.

1 DAVE COFFMAN

2 called as a witness herein, being first duly
3 sworn by the Judge, testified on his oath as
4 follows:

5
6 JUDGE WOODRUFF: Could you spell
7 your last name for us.

8 THE WITNESS: C-o-f-f-m-a-n.

9 JUDGE WOODRUFF: Thank you very
10 much. And what would you like to tell us.

11 THE WITNESS: As I look at this
12 you know there are a lot of people out here
13 in the audience and I think you can see a
14 rate increase is going to affect so many
15 people, the poor, the elderly, those with
16 single parent families.

17 I sometimes wonder if people really look
18 at the customers that they're serving,
19 because so many times you don't see what it's
20 like. I'm a retired school principal, I
21 worked with a lot of children, lot of
22 families and I know what it's like with
23 poverty and working when they have to
24 struggle with a single parent family trying
25 to raise two or three children. And then

1 rate increases come along and gas or what it
2 maybe. Here are these families that are
3 suffering because of rate increases that
4 occur.

5 I understand that you need to make a
6 profit, that's not -- that's something that's
7 given, we understand that. But I just wonder
8 sometimes if there are other alternatives to
9 look at as far as ways to save a rate
10 increase. Alternative fuels. I don't know
11 what the plans are for the fuel, the rate
12 increase is talking about that I think
13 alternative fuels and other things we can do
14 possibly to cut back instead of a rate
15 increase.

16 I think also about the situation about
17 profit. Profit is important I understand
18 profit. But I also wonder sometimes, it's
19 hard for us as a consumer and as a person
20 that's retired on a fixed income to see
21 executives receive large bonuses and large
22 retirement packages and stuff like this, and
23 we see the common every day person out here
24 struggling to make it. We see people are
25 making large salaries. I know that salaries

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1 are important I understand that, but I
2 sometimes wonder if you really look at what
3 the needs of the people are. I think the
4 consumers are sometimes forgotten about.

5 In close I want to make this real clear,
6 I'm against this, the main reason our people
7 are suffering. We have got -- our economy is
8 suppose to be good but we have many people
9 still out of work, you know. Minimum wage
10 has an increase, we still have people hurting
11 right now in our community that can't afford
12 continuous increases whether it is gas,
13 utilities whatever it may be, yet here we are
14 coming back again asking for more money again
15 and again and again.

16 I don't see what Aquila's doing to help
17 cut their cost. It's hard for us as a
18 consumer to say here is a rate increase yet
19 we don't see what they have done as far as
20 their costs. So I just ask the Commission to
21 look at this. I understand the need is there
22 but, you know, but think also about the
23 consumer about those of us who are out here
24 that are struggling to make it ourselves,
25 too. Thank you.

1 JUDGE WOODRUFF: Thank you.

2 Commissioner Appling, do you have any
3 questions?

4 COMMISSIONER APPLING: I don't
5 think I have any questions, Steve, but I
6 appreciate you coming out, and I want to tell
7 you that we hear what you're saying. Okay.
8 Thank you for coming out, sir.

9 JUDGE WOODRUFF: Public counsel
10 have any questions for this witness?

11 MR. MILLS: No questions.

12 JUDGE WOODRUFF: Does Aquila have
13 any questions?

14 MS. PARSONS: No questions.

15 JUDGE WOODRUFF: The next name
16 on the list then is Harold Sherwood.
17 Good evening, sir, if you would please raise
18 your right hand.

19
20 HAROLD SHERWOOD
21 called as a witness herein, being first duly
22 sworn by the Reporter, testified on his oath
23 as follows:

24
25 JUDGE WOODRUFF: Could you tell

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1 us your name, please.

2 THE WITNESS: My name is Harold
3 Sherwood.

4 JUDGE WOODRUFF: And could you
5 spell your last name?

6 THE WITNESS: S-h-e-r-w-o-o-d.

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

9 THE WITNESS: I came out tonight,
10 it's the first time I've been to one of these
11 meetings, but I'm coming out in opposition to
12 the 22 percent rate increase of Aquila. And
13 also I know the legislature may have
14 authorized the fuel adjustment clause, but it
15 seemed like having your cake and eating it,
16 too.

17 I realize that the Commission's job is
18 to reach a balance to allow the public
19 monopoly to make a profit, but at the same
20 time protecting the public ratepayers. I
21 don't know whether this is just a really bad
22 public relations problem that Aquila has, and
23 again I don't have any evidence chapter and
24 verse or any figures but I think the public a
25 lot of times has a feeling about a company

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1 from what they have learned, what they have
2 read, the research they may have done, and
3 I'm one of those people I've got some
4 concerns about Aquila, not necessarily the
5 company itself but some of the things that
6 have been done in the past.

7 I know one of the gentlemen has alluded
8 to the -- what seems to be very bad business
9 decisions that were made during the
10 unregulated time for utilities. I remember
11 reading in the paper that Aquila at one time
12 was talking about how they were, you know,
13 chance of going belly up if they didn't get
14 massive increases.

15 I know there was some bad decisions
16 evidently made. I know from reading the
17 paper also that when the former CEO stepped
18 down I think it was Mr. Green, that he got a
19 pretty hefty retirement bonus. I don't know
20 what you call retirement bonus or golden
21 parachute, whatever you want to call it.
22 Obviously that is for people who are
23 struggling -- I can pay my light bill, but I
24 know there are lot of people out there that
25 are struggling to do that. And, you know,

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1 when people hear about that corporate greed
2 and I think a million dollars plus I think
3 was some kind of golden parachute that
4 doesn't sit well for people who are trying to
5 struggle to pay their light bills. That was
6 evidently the punishment corporate America.
7 The board rooms now is if your company goes
8 in the crapper well we'll get rid of you and
9 give you a million dollars. That doesn't sit
10 very well with the public who's paying their
11 light bills.

12 I know this is the same company that has
13 the lawsuit pending I believe in Cass county
14 over the building of a power plant and the
15 fight over whether there was proper permits.
16 And I think just from my point of view it
17 came across as a little bit as corporate
18 arrogance on their part.

19 The thing I don't know from reading the
20 literature I got when I came in is, I know
21 this rate increase was applied for in July,
22 and that might have been when energy prices
23 were a little higher level than they are now.
24 I know somebody asked, well, if they ask for
25 22 percent and they know the Commission is

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1 going to give a lesser amount, I'm sure they
2 can probably come up with figures that the
3 corporation can justify what their asking for
4 but it seems to me a little bit like
5 bargaining for an old horse or used car.

6 The Commission hears a large request and
7 I think the company knows that they're not
8 going to get that large request most of the
9 time but they're hoping to just whittle away
10 continuing to raise the electric rates by
11 just chipping away at us and chipping away at
12 you guys whose job is to strike that balance.

13 The 22 percent just seems exorbitant. I
14 think the only things that I've read maybe
15 other than the price of gasoline in the last
16 year, but the only other things that are
17 higher increase than that would be higher
18 education and health care. They're the things
19 that are really shooting up in our society
20 faster than regular inflation is. 22 percent
21 seems way too high.

22 And again, I don't have chapter and
23 verse. I can't quote you -- I'm sure the
24 company could quote you how much money they
25 need to make a reasonable profit but it

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1 doesn't seem to be a good amount.

2 The last thing I think a lot of people
3 wonder, and again I don't know and I'm not
4 impugning your character at all, the
5 Commission, but since the Public Service
6 Commission is a political appointment there's
7 always some doubt in people's minds I think
8 since, you know, the climate in Jefferson
9 City is to promote business and that's a good
10 thing, but you wonder since you're political
11 appointment and the climate in the
12 legislature and the governor's office is to
13 promote business a lot of people are
14 wondering I think why should we truly believe
15 that the Public Service Commissioners are
16 going to be on our side striking a balance
17 and doing something for me and for the other
18 people paying their electric bill.

19 That's all I have to say.

20 JUDGE WOODRUFF: Thank you, sir.
21 Commissioner Appling, do you have any
22 questions?

23 COMMISSIONER APPLING: No
24 questions, sir, but I do hear what you have
25 said and it is not a matter that I will talk

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1 to the governor about what you have said.

2 Thank you very much for coming out.

3 JUDGE WOODRUFF: Public counsel
4 have any questions?

5 MR. MILLS: No questions.

6 JUDGE WOODRUFF: Aquila?

7 MS. PARSONS: No questions.

8 JUDGE WOODRUFF: Thank you.

9 Before I call the next witness I did want to
10 make one correction in the information sheet
11 you were handed. In the last paragraph on
12 Page 3 it says, has the Commission decided
13 this case? We haven't, but the date of the
14 hearing as are not February 9th and February
15 12th, they're actually week of April 2nd
16 through the 6th and April 9th through the
17 13th.

18 The next name on the list is Mark Wayne.
19 Like to come down, Mr. Wayne.

20

21 MARK WAYNE
22 called as a witness herein, being first duly
23 sworn by the Judge, testified on his oath as
24 follows:

25

1 JUDGE WOODRUFF: Spell your last
2 name for us.

3 THE WITNESS: W-a-y-n-e.

4 JUDGE WOODRUFF: What would you
5 like to tell us.

6 THE WITNESS: First, greetings to
7 the Public Service Commission and to those in
8 attendance at this public hearing.

9 My name's Mark Wayne, and I represent
10 the office of State Representative Brian
11 Baker of the 123rd district. Representative
12 Baker represents Cass County and the cities
13 of Belton and Raymore. Due to this
14 legislative duties in Jefferson City,
15 Representative Baker could not be with you
16 tonight and has asked me to relay this
17 concerns about the rate increase request
18 being made by Aquila.

19 Aquila has a history with Cass county,
20 no doubt you're aware of the ongoing lawsuit
21 involving Aquila with the power plant built
22 in Cass county, however, this is not the
23 reason for our appearance before you.

24 Representative Baker is respectfully
25 asking the Public Service Commission not to

1 approve this rate increase. Overall the
2 citizens of this state and nation have seen
3 fuel cost continually rise yet the overall
4 service and efficiency of those providing
5 services has not increased. It is essential
6 that we as community leaders ensure that the
7 public utilities that serve our communities
8 are efficient and fiscally sound. We are
9 concerned that Aquila has not done enough to
10 ensure efficiency of service in order to keep
11 costs down.

12 This rate increase of over \$21 per month
13 smells suspiciously of expanding profits, and
14 Representative Baker does not fault Aquila
15 for making a profit mind you, but it does
16 question their quality of service. And the
17 most seriously question whether or not they
18 deserve permission to raise rates at such an
19 extreme amount.

20 Aquila has most definitely damaged
21 public relations with residents throughout
22 their service area, especially Cass county.
23 The citizens of this state should not bear
24 mistakes or quality of service issues facing
25 Aquila.

1 Senior citizens, single parents, working
2 families, low income families face a number
3 of issues in this state. First they live on
4 a fixed income as we heard earlier from the
5 retired principal. That limits their ability
6 to produce new revenues to cover increased
7 costs.

8 Second, rising health care costs have
9 forced many senior citizens to choose between
10 paying the heating bill and paying for
11 medicine they desperately need. Working
12 families have the added cost of a child care
13 in some situations.

14 Respective Baker respectfully asks the
15 Public Service Commission to remember that
16 they are a public entity and that they must
17 watch out the citizens that enable the
18 commission to exist. It is the Public
19 Service Commission that's called upon to
20 watch out for the public.

21 Many of you may or may not know
22 Representative Baker is a pastor in his
23 church and has seen an increase this year of
24 families sick seeking to help pay utility
25 bills. There's a need for us to consider the

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1 impact of this increase and the hardship it
2 will place on many of the working families in
3 this state. You must as a service commission
4 the Public Service Commission work to protect
5 our seniors and out working class families.

6 Representative Baker respectfully again
7 asks the Public Service Commission for them
8 to investigate the efficiency and the fiscal
9 stewardship of Aquila before allowing them to
10 increase rates at such a steep rate.

11 Further Representative Baker is asking
12 Aquila to make known to the public how it
13 will improve it's quality of service, improve
14 its efficiency and improve its public
15 relations before seeking this increase any
16 further. The public should be informed of
17 what measures Aquila is taking to improve
18 it's efficiency and quality of service. Our
19 utility providers should be held accountable
20 before we grant them profit margins built on
21 the backs of working families.

22 Show us, the citizens, how things will
23 improve before simply asking for more money.

24 With that said, Representative Baker
25 thanks the men and women who keep our lights

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1 on. He fully respects the work and effort
2 they put forth. I met a couple of them and
3 we talked and seemed like nice guys. We
4 simply want the corporate leaders to fully
5 answer to the public before seeking such a
6 steep increase. The public has questions and
7 we believe Aquila needs to improve
8 communication to its customers.

9 In conclusion, we're asking the Public
10 Service Commission to reject this rate
11 increase request and begin looking into the
12 efficiency and the quality of service of
13 Aquila.

14 Representative Baker would like for you
15 to direct questions to him by calling him in
16 Jefferson City, and he also instructed me to
17 gather any questions or remarks before I
18 leave. If any of you would like to speak
19 with me I will be available for a short time.
20 Thank you for your time and may God bless you
21 all.

22 JUDGE WOODRUFF: Thank you, Mr.
23 Wayne. Commissioner Appling?

24 COMMISSIONER APPLING: No
25 questions of you, but you can relay to your

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1 boss, Representative Baker that I will make a
2 phone call tomorrow morning when I get back
3 to Jefferson City, and I will visit him in
4 his office in the capital. Thank you very
5 much for coming out, sir.

6 JUDGE WOODRUFF: Public counsel
7 have any questions?

8 MR. MILLS: No questions.

9 JUDGE WOODRUFF: Aquila, any
10 questions?

11 MS. PARSONS: No questions.

12 JUDGE WOODRUFF: Thank you, Mr.
13 Wayne. The next name on the list is John
14 Hoskin. Is there a Mr. Hoskin here?

15 (No response.)

16 All right. We'll go on to the next name
17 then, Joshua Buehre. Was I close on your
18 name?

19 THE WITNESS: That was close.
20

21 JOSHUA BUEHRE
22 called as a witness herein, being first duly
23 sworn by the Judge, testified on his oath as
24 follows:
25

1 JUDGE WOODRUFF: Spell your last
2 name.

3 THE WITNESS: B like boy,
4 B-u-e-h-r-e.

5 JUDGE WOODRUFF: Joshua is the
6 first name.

7 THE WITNESS: Joshua is the first
8 name.

9 JUDGE WOODRUFF: And what would
10 you like to tell us.

11 THE WITNESS: I understand the
12 need that they're coming forward with that
13 they're wanting to increase the revenue that
14 they are generating on current power that
15 they're generating. There's a few issues I
16 take exception with. As the previous people
17 have spoken there's a lot of people on fixed
18 incomes that can't afford any increase. I'm
19 not a person that can say I couldn't afford
20 \$22 a month on average. That's not the
21 biggest issue that I have with this increase.
22 The biggest issue that I have this increase
23 is its severe lack of maintenance of the
24 existing system in place in the area where I
25 live.

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1 JUDGE WOODRUFF: Can you tell us
2 where you live.

3 THE WITNESS: I live at 8400
4 Reinheart road in Kansas City, Missouri. It's
5 back behind Unity Village. My house is the
6 last house on a dead end line. Just to the
7 north of me, 600 feet is another line that
8 comes from the other direction that house too
9 is on a dead end line.

10 It seems that there's been extensive
11 periods of time where we don't see anybody up
12 here doing any maintenance on keeping trees
13 out of power lines, on just maintaining the
14 basic infrastructure that exists out there.

15 The wind would blow, this was last year,
16 the wind blew ten or fifteen miles an hour
17 we'd lose our power. Upon recommendation
18 that I made to them to check out a certain
19 area they went out and put in another pole,
20 raised the power line up. I don't believe
21 that it's my job to tell them how to make
22 sure I get electricity. I think it's their
23 job to make sure that they're maintaining
24 their infrastructure adequately so that
25 everybody has the same opportunity to have

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1 power as any normal person that's out there.

2 If we're going to keep paying more money
3 I'd like to see something back in service in
4 a consistency and continuity in service that
5 exists for the majority of the people. I'm
6 not speaking just for myself, I'm certain
7 everybody that's on the same line that I'm
8 on, everybody that's on the line just to the
9 north of my house will tell you the same
10 thing. It is a severe disruption when the
11 power goes out, you know, three or four
12 sometimes a month and that did occur last
13 year for an extensive period of time.

14 JUDGE WOODRUFF: Has it improved
15 since then?

16 THE WITNESS: Since they put in
17 the power pole I think we have only lost
18 power twice so that helped, but there's once
19 again the issue of they are not maintaining
20 any of the area underneath the power lines
21 and making sure that the trees aren't growing
22 back into it.

23 It was in the summer of late summer of
24 2004 Aquila actually had asked them to come
25 out cut the trees out of the power lines that

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1 were off of 87th street in Kansas City.

2 There was actually about a four inch tree
3 that had grown around the ground wire of the
4 ground side of the power lines. Clearly that
5 doesn't occur overnight. That's something
6 that has gone on for years. We're still in
7 that same position.

8 I believe whether this increase is
9 granted or not I'd like to see -- I'd like to
10 see something done where they're actually
11 maintaining all the power lines consistently.
12 And I do believe if we were in the same
13 situation that the people in Springfield are
14 in right now it wouldn't just be because of
15 the weight of the ice on power lines, because
16 of trees falling on to the power lines that
17 are not maintained by Aquila. They need to,
18 really need to step up their maintenance
19 program. I see they've got in there 7.4
20 million dollars for system operating
21 maintenance. Certainly we would hope that
22 some of that money is going to be for
23 maintaining the power lines to the customers
24 that they currently service.

25 That's all I have.

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1 JUDGE WOODRUFF: Thank you, sir.

2 Commissioner Appling, do you have any
3 questions?

4 COMMISSIONER APPLING: Sir, you
5 told us just a little bit about how many
6 times your electric has been out. Can you
7 describe it just a little bit more for me so
8 I can get a little bit better fix so I can
9 talk intelligently to the company.

10 THE WITNESS: Last summer of
11 course it was after the trees had budded out
12 and they were a little heavier. We lost
13 power approximately a dozen times before
14 anything was done. That was over a three or
15 four month period. But historically out
16 there it's been an issue with us all along.
17 I grew up out there; my parents still live
18 out there; I just built a house there five
19 years ago, and historically that's been a big
20 issue. Why we don't tie these two ends
21 together so if power comes to us out on one
22 end we don't have power coming from the other
23 direction. I don't know why that's not being
24 done. I understand that it's three phase
25 power at the bottom of the hill and we're on

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1 single phase. There's no reason why those
2 two still can't be connected.

3 COMMISSIONER APPLING: I'd like
4 for you to make sure you leave your address
5 if it is not this log. I would like to have
6 somebody take a look at the street.

7 THE WITNESS: Absolutely. It's on
8 that. It should be in there.

9 COMMISSIONER APPLING: Thank you
10 very much for coming out. I appreciate your
11 coming.

12 JUDGE WOODRUFF: If you would
13 wait a moment, I have to ask the attorneys if
14 they have any questions. Public counsel?

15 MR. MILLS: I don't have any
16 question, thank you.

17 JUDGE WOODRUFF: And we have
18 been joined by another attorney. Could you
19 enter your appearance.

20 MR. FINNEGAN: I will enter my
21 appearance. Jeremiah Finnegan, 3100 Broadway,
22 Suite 1209, Kansas City, MO 64111 appearing
23 on behalf of Jackson County. And on behalf
24 of Jackson County I want to thank you
25 Commission for coming here, although I went

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1 to Lee's Summit high school first or would
2 have been here at six o'clock.

3 JUDGE WOODRUFF: Thank you, Mr.
4 Finnegan. Aquila have any questions?

5 MS. PARSONS: No questions.

6 JUDGE WOODRUFF: All right,
7 thank you. Then you can step down.

8 The next name on the list is Roy
9 Mussett. Good evening, sir. If you would
10 please raise right hand.

11

12 ROY MUSSETT
13 called as a witness herein, being first duly
14 sworn by the Judge, testified on his oath as
15 follows:

16

17 JUDGE WOODRUFF: Could you tell
18 us your name and spell your last name.

19 THE WITNESS: Roy Mussett,
20 M-u-s-s-e-t-t.

21 JUDGE WOODRUFF: Thank you, sir.
22 What would you like to tell us.

23 THE WITNESS: A lot of it's been
24 said here tonight.

25 JUDGE WOODRUFF: I want you to

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1 understand you were talking before but that
2 wasn't recorded, so if you --

3 THE WITNESS: No, I'm saying that
4 there's some people that's here for the same,
5 basically came here for the same reason.
6 There's some other things that need to be
7 brought up. An item was brought up and we
8 never could get the answer to it. I believe
9 it was the ice storm of '93 when Lee's Summit
10 got hit real bad. I'm not sure exactly which
11 one it was, but there was a real bad one.

12 My neighborhood, Hamel Heights it
13 literally ripped the meters off the houses.
14 Quote unquote on the recording, we'll get to
15 you when we get a chance. Three days later
16 we call back. We'll get to you when we get a
17 chance. A week goes by, oh, sir, that's not
18 our responsibility that is your
19 responsibility. The homeowner is supposed to
20 be responsible for it.

21 So we started making phone calls and
22 three weeks later we got a lot of little kids
23 mind you, this is all families, a lot of them
24 are single parents, all of a sudden enough
25 tried Aquila decides they are finally going

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1 to put the meters back on. Why did it take
2 so long? Like everyone else says they're not
3 out here maintaining the tree lines. They're
4 not doing anything to it.

5 People cannot afford the increase, and
6 it comes back to the simple fact is like I
7 asked before, how about the CEO, all their
8 executives, all the little people that's out
9 there, how about we cut their pay in half
10 take that money and distribute it, show the
11 American people that these companies are
12 going to do something.

13 You have excess baggage. I'm going to
14 give you an is scenario. I came from a little
15 town up in Iowa. Everybody felt it was hunky
16 dory other companies wanted to come in, they
17 said no we're going to take care of you, take
18 care of you. October 2007, guess what, that
19 company no longer will exist. I don't know if
20 you know who it is, but the old boy was
21 handed five million dollars to walk away, the
22 CEO. They were in 1.4 billion dollars in
23 debt. The company is Maytag. Five thousand
24 people will be displaced out of an income,
25 over three thousand of them working class

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1 people will lose their retirement.

2 As of right now if you go up there, I go
3 back up there all the time because I have
4 family up there. The last time I drove up
5 there around Christmas time I went from Exit
6 164 to 168 there was 24 for sale signs. All
7 the business is downtown have closed.

8 You keep pricing yourself out of the
9 market people are going to go somewhere else.
10 People are going to find other ways of doing
11 it. They're going to go back to the old
12 fashion way. They're going to burn wood then
13 it's going to create a fire.

14 The simple fact is, like I stated
15 earlier, where does the buck stop? We have to
16 stop somewhere. As far as anyone else is
17 concerned, ladies and gentlemen, I'm going to
18 inform you I work in the construction
19 industry and I do purchasing for
20 manufacturers. All these stories you here
21 where the economy is rebounding, this is
22 rebounding, this is rebounding, I'm going to
23 give you my honest opinion; no, it's not.
24 Our sales way down. Our sales are down 30
25 percent from last year. Last years sales were

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1 down 30 percent. This year we're now down 10
2 percent from the year before.

3 This economy is not rebounding. So
4 where are the American people working class,
5 disabled, the whole nine yards, supposed to
6 come up with 22 more dollars a month. I
7 don't have it to take out of my savings
8 account that's why I'm here now. I have
9 nothing for retirement. I got \$10,000. I'm
10 fifty years old. My retirement consist of
11 right now, I'll will be honest you, my
12 retirement right now that I have retire on is
13 \$10,000. Can you live on \$10,000? Can any of
14 you back there working for Aquila will you be
15 able live on \$10,000 for the rest of your
16 life at the age of 65?

17 I know people that can't even make it on
18 their own. Where are they supposed -- just
19 like the one gentleman said, there's more and
20 more people going up and asked asking for
21 help, they can't afford to pay it. Gasoline
22 skyrocket high. There's another example,
23 gasoline, the price of crude oil went
24 skyrocket high and all of a sudden now it's
25 less than \$50 a barrel.

1 If I recollect my memory gasoline at
2 that time was less than \$50 a barrel, it was
3 around it dollar ten, dollar fifteen cents a
4 gallon. What's the price of gas now? You
5 say everything goes up, fuel goes up. Fuel
6 doesn't go up the price of fuel's going down
7 it's just happen to be the middle man is
8 making the money. Nobody is going to do
9 anything about it.

10 But the American people want
11 accountability. I repeat, accountability.
12 And as they said right now Aquila doesn't
13 have that accountability. They've got a
14 major lawsuit on building a power plant that
15 has nothing to do -- I mean I'm sorry
16 everybody is hot and upset, and I agree with
17 them. Where are we supposed to keep getting
18 this money at? We don't have it. But these
19 guys got the money. Heck, I'd like to know
20 what the CEO of Aquila actually makes right
21 now. We'd probably be astonished. I
22 guarantee you there's a lot of excess baggage
23 in there. Because I guarantee you if I came
24 in and audited them I'd come in and start to
25 demanding them to down size. You can't

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1 afford to keep asking the people for money it
2 is not there any more, it's over, and you
3 guys need to come in and say enough is enough
4 work with what you've got, start downsizing
5 everybody else does. Sprint just downsized
6 five thousand people. Why can't Aquila do it.
7 Why can't Aquila get rid of the excess bag
8 age they have got. We want accountability.
9 Thank you.

10 JUDGE WOODRUFF: Thank you, sir.
11 If you would wait for questions.
12 Commissioner Appling, do you have any
13 questions?

14 COMMISSIONER APPLING: I have no
15 questions, but I feel what you're saying. I
16 hear what you're saying. Even though we are
17 eight feet apart I still feel what you're
18 saying and thank you very much for coming
19 out, sir, appreciate it.

20 I cannot take to you about this case
21 tonight but I would be happy to sit down at a
22 later time and talk to you.

23 THE WITNESS: Give me a call.

24 COMMISSIONER APPLING: I'll come
25 see you. Thank you.

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1 JUDGE WOODRUFF: Public counsel
2 have any questions?

3 MR. MILLS: I don't I have any
4 questions.

5 JUDGE WOODRUFF: Jackson county
6 any questions?

7 MR. FINNEGAN: No questions.

8 JUDGE WOODRUFF: Aquila?

9 MS. PARSONS: No questions.

10 JUDGE WOODRUFF: Thank you. The
11 next name on the list is Julie Noonan.

12 Good evening, ma'am. If you could tell
13 us your name, please.

14 THE WITNESS: Julie Noonan.

15 JUDGE WOODRUFF: Could you spell
16 your last name.

17 THE WITNESS: N-o-o-n-a-n.

18

19 JULIE NOONAN
20 called as a witness herein, being first duly
21 sworn by the Reporter, testified on her oath
22 as follows:

23

24 JUDGE WOODRUFF: Thank you very
25 much. What would you like to tell us.

ROBERTS & ASSOCIATES BY THOMAS ROBERTS, RPR, CCR

1 JUDGE WOODRUFF: First of all
2 Commissioner Appling thank you for being the
3 sole member of Commission to make it here
4 this evening. As always I appreciate it when
5 the Commission takes the trouble to travel
6 from Jefferson City out to the outskirts. I
7 would like --

8 COMMISSIONER APPLING: This is
9 no trouble this is my job. Good to see you
10 again, look forward to your testimony. You
11 might not have good words for me tonight but
12 I still set through this, okay. Thank you.

13 THE WITNESS: I wouldn't
14 prejudge that was not good words for you, I
15 really wouldn't.

16 First of all I'd like to say anytime
17 that I expect or I hope for a raise, a salary
18 increase or income increase I expect that
19 someone is going to be holding me accountable
20 to produce results, to make good business
21 decisions and to help benefit in my case
22 benefit the stockholders.

23 It is clear to me in my limited view and
24 Commissioner Appling, I know that you know
25 that I've been watching for a while that

1 Aquila is far from being financially and
2 socially accountable and appropriate in their
3 actions. Before you arrived Rick Green was
4 assuring folks that Aquila was very very
5 careful to ensure that the merchant troubles
6 that they had with all their bad management
7 decisions, and make no mistake it is the same
8 management on that side of the business,
9 could not nor would it be able to touch the
10 ratepayer. But we all know full well, too,
11 that that very same management chain is not
12 only accountable for both sides of that
13 equation, but we also know they were the same
14 ones that purchased three old style turbines
15 on the merchant side of their business and
16 they were in a bug hurry to sell them for 75
17 million bucks to the regulated side of their
18 business and get that plant built no matter
19 what as soon as possible in time to turn it
20 up for the rate case last year.

21 Some would argue that that 75 million
22 was way inflated over fifty seven million or
23 whatever folks ended up in agreement upon.
24 But we all know, too, that the Public Service
25 Commission recommended and counseled Aquila

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1 that they were not making good decisions.
2 They didn't make good decisions with Aries,
3 they made even poorer decisions with South
4 Harper.

5 We know that they absolutely needed
6 other types of power not peaking power, but
7 what do they do, they go for peaking power.
8 Why? So that they can shuffle that turbine
9 expense and start taking depreciation and get
10 the ratepayers to pay for it.

11 What happens? Well, they file 01256 or
12 0156 and then 0436 is it? I don't know, but
13 they filed two separate cases in an effort to
14 make sure they could make this happen.

15 At this time that you allowed those
16 expenses in the rate base last year that
17 facility was not being used or useful it
18 couldn't be because it was built illegally
19 and there was an order in place that did not
20 allow them to use that facility at all.

21 In addition, it is my perception that
22 the majority decision, although there was
23 very strong and well written dissent also
24 allowed Aquila five turbines in that rate
25 increase last year when in all actuality as

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1 far as I know even three even exist. How can
2 that the just be justified. I'm not asking
3 you to respond I know that's not what this
4 forum is about.

5 We go on it just gets better and better
6 all the time, then we get the management
7 audit. We know in the public even though
8 the majority of all these discussions, all
9 these decisions are handled in a quasi legal
10 fashion so that most people never have any
11 real visibility to it. But we ask you just
12 as we've asked you in the past you need to be
13 accountable.

14 We're talking about a utility company
15 whether you go ahead and authorize them a
16 certificate that I believe with all my heart
17 is going to be revoked, whether you do that
18 or not in order to help them with their
19 misbehavior and try to sweep it under the rug
20 we know that it's wrong. We can't continue
21 to reward Aquila for this type of behavior.
22 There is no question whatsoever in any court
23 of law at all at this point in time. That was
24 an illegally built power plant and yet
25 they're continuing to be able to run it and

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1 sell power for profit on the open market.

2 But, yeah, let's give them a 22 percent
3 increase.

4 If you take nothing else out of my
5 testimony and the testimony of others this
6 evening I would absolutely, unequivocally
7 implore you not to give the slightest
8 consideration of allowing them to adjust
9 their own rates with the FAC. Are you
10 kidding me?

11 Unfortunately I haven't had the
12 opportunity, you know, I've tried to refocus
13 a lot of energies in my life so that I don't
14 spend most of my time out just looking at all
15 the documentation and what have you.
16 Thankfully I can take a little break from
17 that every once in while.

18 What little did run across this
19 afternoon as I was trying to quickly come up
20 to speed on a little bit of this, it looks --
21 it appeared to me in Brenda Wilburs MDR
22 testimony 116 that she also talked about
23 demand side management. I don't know that I
24 really see the terminology in what you have
25 handed out tonight. It's probably kind of

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1 buried in that paragraph that starts out
2 talking about the fuel adjustment clause.
3 But anyway, it appeared to me that she had a
4 fabulous recommendation, or at least in part
5 because I didn't read it in whole, but you
6 know, Aquila it sounds as if there's at least
7 seven different ways in which companies
8 pursue or support the demand side management
9 programs and a lot of them are -- and they're
10 gauged toward helping individuals and/or
11 corporations become more efficient and use
12 less. That they had budgeted 193K per year
13 but they're requesting millions on a sliding
14 scale to go up.

15 It appeared to me from her testimony
16 that Aquila's due for another five year plan.
17 Why the rush? Don't give that to them. Not
18 now. If somebody from the MD&R is certain
19 they haven't done the research they need to
20 do, I have no doubt that that's probably true
21 in my mind. And as I've said I have not seen
22 Aquila be accountable, appropriate,
23 efficient, follow recommendations of the
24 Public Service Commission.

25 I've seen them be underhanded. I have

1 seen them rope multiple organizations and
2 government entities into condoning and
3 walking outside of their own normal boxes and
4 their own zones of comfort in order to help
5 them with this. As a matter of fact, those
6 same turbines we talked about my
7 understanding is until they testified in
8 court last year of where the shell game was
9 and where they were housing those, you know
10 they hadn't declared those to pay taxes on
11 them to anybody. How about that. Is that the
12 actions of a company that we should entrust
13 to monitor themselves. And to allow them to
14 enact quarterly rate increases just however
15 they feel like it.

16 I don't get an increase in salary based
17 on my cost of doing business, and we all know
18 full well that they're in the habit of not
19 picking the least cost option. They didn't
20 do it with South Harper, they didn't do it
21 with their purchase power agreements, and it
22 doesn't appear to me that it would be a
23 prudent thing for the Public Service
24 Commission to do to give them incentive to
25 have no additional reason to be accountable

1 and to make appropriate decisions in the
2 future.

3 My understanding is that just recently
4 there's a new wrinkle even yet that
5 associated with the entire South Harper mess
6 as folks like to call it. My understanding
7 is that the City of Peculiar is having quite
8 the time trying to figure out what next. It
9 appears that although it is my recollection
10 that Aquila and people on Aquila's behalf
11 testified numerous times that Aquila was not
12 paying the legal fees of the City of Peculiar
13 throughout this South Harper mess. It
14 appears that they must be, only it appears
15 that they're putting it in one side and
16 taking it out the other.

17 My understanding is that the City of
18 Peculiar has been in the habit of sending
19 their Shook, Hardy, Bacon invoices for the
20 South Harper mess to Aquila and that Aquila
21 in turn sends a check to the city that the
22 city in turn pays Shook, Hardy, Bacon. It is
23 my further understanding that the recent
24 pilot payment that Aquila sent was short
25 \$175,000. That the reason given was to

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1 compensate for legal fees that had been paid.
2 The City of Peculiar attempts to distribute
3 proportionally based on their original
4 agreement of percentages and some of those
5 entities aren't too happy.

6 Once again the true character of this
7 company does not appear to me to warrant the
8 type of consideration that they're asking for
9 either in the percentage of increase that
10 they're asking for after making decision
11 after decision that does not show that they
12 are conscientious and that they're working in
13 everyone's best interest. Nowhere in the
14 ludicrous idea that anyone should ever allow
15 them to self police and have the FAC.

16 Once again I appreciate your time and
17 your consideration.

18 JUDGE WOODRUFF: Thank you,
19 ma'am. Commissioner Appling, do you have any
20 questions?

21 COMMISSIONER APPLING: I don't
22 have any questions. Again I say it was good
23 to see you again and good to hear your
24 testimony. I hear what you're saying. That's
25 the best I can give you tonight, I will talk

ROBERTS & ASSOCIATES BY THOMAS ROBERTS, RPR, CCR

1 to you later on. Thank you very much for
2 your testimony tonight.

3 JUDGE WOODRUFF: Public counsel
4 have any questions?

5 MR. MILLS: No questions.

6 JUDGE WOODRUFF: Jackson County?

7 MR. FINNEGAN: No questions.

8 JUDGE WOODRUFF: Aquila?

9 MS. PARSONS: No questions.

10 JUDGE WOODRUFF: Thank you. The
11 last name on the list is Scott Crawford.

12 JUDGE WOODRUFF: Tell your name,
13 sir.

14 THE WITNESS: My name's Scott
15 Crawford, C-r-a-w-f-o-r-d.

16
17 SCOTT CRAWFORD
18 called as a witness herein, being first duly
19 sworn by the Judge, testified on his oath as
20 follows:

21
22 JUDGE WOODRUFF: What would you
23 like to tell us.

24 THE WITNESS: First of all if
25 any of us went out to our boss and said Mr.

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1 Boss I'd like a 22 percent rate or pay
2 increase but I don't want to do any more work
3 he'd laugh you at you if he didn't fire you
4 on the spot and possibly both. Likely that
5 the next round of layoffs you would be gone.
6 So this rate increase, you know, it just
7 annoys me, you know. We came and testified
8 last year at a rate increase hearing where
9 they were wanting 20 percent now they're
10 coming back and they want another 22 percent.
11 I understand they didn't get all 20 percent
12 they wanted, but still it seems strange that
13 they're coming back wanting more money when
14 they asked for money and got some last year.
15 I don't have the money to give them.

16 I'm already running my air conditioner
17 at 80 degrees in the summer what am I
18 supposed to do run it at 84. I cut back on
19 my driving because of the gas prices. I have
20 no health insurance. I just don't have
21 anyplace else to cut to give them another 21,
22 \$22 a month so that they can do whatever they
23 want to do with it. It just -- I'm on a
24 fixed income, it's low and it fluxuates a
25 little bit but it is not meeting my expenses

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1 and I don't have anyplace to get more money.

2 So it just -- there's nothing I can do to
3 give them more money.

4 I hope that you turn them down on this
5 rate increase.

6 As far as their maintenance, I have also
7 had maintenance with their maintenance back
8 in the last ice storm I understand there was
9 hundreds of thousand of people without
10 electricity, but it took eight days for my
11 electricity to be restored. I was in the far
12 end of the subdivision and they had three
13 people working to restore power in our
14 subdivision. It took eight days.

15 Fortunately I had an generator that could
16 provide a little bit of power to keep my food
17 in my refrigerator from spoiling and keep my
18 temperature of the house up just a little bit
19 so it wouldn't -- the pipes wouldn't freeze,
20 but eight days is a long time.

21 JUDGE WOODRUFF: When was that
22 ice storm?

23 THE WITNESS: I want to say was
24 2002, could have been 2003. It also seems
25 like every month, even two or three times a

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1 month my lights flicker and it's bad enough
2 that I had to go out and buy a UPS because my
3 VCR every time the lights blink they lose all
4 the programming. I have to go in and
5 reprogram them. So I don't know that the
6 lights blinked I don't get a program recorded
7 that I've had set up. So I had to buy an
8 UPS, you know, to get around their faulty --
9 and I don't know what causes lights to blink
10 but they blink. They're rarely off for very
11 long. Sometimes they're off for an hour or
12 so but they're rarely off very long. I've had
13 my own apartments or duplexes for better than
14 15 years and never had this kind of power
15 problems with other companies.

16 That's all I have.

17 JUDGE WOODRUFF: Thank you.

18 Commissioner Appling, do you have any
19 questions?

20 COMMISSIONER APPLING: No
21 questions, Mr. Crawford, but thank you for
22 coming out and thanks for your testimony. I
23 understand and hear what you're saying.
24 Thank you very much for coming out, okay.

25 JUDGE WOODRUFF: Public counsel

ROBERTS & ASSOCIATES BY THOMAS ROBERTS, RPR, CCR

1 have any questions?

2 MR. MILLS: I have no questions,
3 thank you.

4 JUDGE WOODRUFF: Jackson county?

5 MR. FINNEGAN: No questions.

6 JUDGE WOODRUFF: Aquila?

7 MS. PARSONS: No questions.

8 JUDGE WOODRUFF: That was the
9 last name on my list, is there anyone who
10 didn't sign up on the list that would like to
11 come forward and testify? Yes, ma'am, come
12 forward.

13 Could you tell us your name, please.

14 THE WITNESS: My name is Cindy
15 Meyer.

16 JUDGE WOODRUFF: Cindy. Can you
17 spell your last name.

18 THE WITNESS: M-e-y-e-r.

19 JUDGE WOODRUFF: All right. If
20 you can give me your address later you don't
21 have to say it in public if you don't want
22 to, but if you would just write it down for
23 me. I need to swear you first.

24

25

1

2

CINDY MEYER

3

called as a witness herein, being first duly

4

sworn by the Judge, testified on her oath as

5

follows:

6

7

JUDGE WOODRUFF: What would you

8

like to tell us.

9

THE WITNESS: First of all I

10

would like to thank you for being here giving

11

us this opportunity to speak. Mr. Appling,

12

I'm glad you're hear. I would have preferred

13

to see more people and we visited before you

14

know that.

15

Mostly I have very limited testimony

16

mostly I have a lot of questions. For one

17

thing just like we were told or and I was

18

there at that rate case last year right

19

around this time and Aquila had been asked

20

then is this going to be a yearly process?

21

Is this going to happen every year and they

22

just keep getting what they want? Why aren't

23

we doing a five year plan, why aren't they

24

pre-planning. I really do think that that is

25

part of the problem of what people are

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1 concerned about. We're having all these rate
2 increases and yet there doesn't seem to be
3 efficiency in the company.

4 People are wondering, you know, there's
5 too many variables going on, there's too many
6 problems going on. Maybe the company needs
7 to look back and make themselves more
8 efficient and more stable and more public
9 serviced and perhaps people would be more
10 willing to pay that little more extra money.

11 \$21 is a lot of money to people that are
12 on fixed incomes or trying to live on
13 retirement or social security. I know my
14 does and, you know, I can pay my bills but it
15 gets real tough, very tough.

16 Several of the question is I have are,
17 does this rate increase include more expenses
18 for South Harper? And that is not a settled
19 deal yet. Does it include that? Does this
20 include better lines and outage management?
21 Just like, you know, I heard on the news
22 Commissioner Clayton had suggested that maybe
23 we need to be in more, in more efficient
24 lines, burying them underground. I think I've
25 even mentioned doing that before.

1 There is also a theory that not only is
2 it more efficient there's not as much outage
3 if they're buried underground. You also
4 don't get the pollution from lines, the
5 electronic pollution from lines that way.

6 Does this include bonuses for Aquila's
7 executives? Wasn't too long ago they paid
8 out pretty good size bonuses to their
9 executives. Are we looking at them, you
10 know, making a profit so they can pay their
11 executives more bonuses, big bonuses. And I
12 have to say that those bonuses were almost
13 four times as much as my husband makes at
14 Sprint. He has a fairly decent job and
15 that's a lot of money. A lot of money.

16 You know, when four people could be
17 working for what they got as bonuses that's
18 concerning to me. Four people that might
19 have been laid off in a company so the
20 executives could have bonuses. That's a
21 problem. That really really bothers me and
22 now you're asking these people to pay more so
23 these executives can maybe get more bonuses.

24 How much money has Aquila made off the
25 South Harper plant? This plant that has got

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1 so many question marks on it. It is not
2 really legal yet. How much have they spent
3 in legal fees concerning South Harper? I
4 don't care what anybody says of course those
5 fees are coming back to the consumer. It is a
6 matter of business, you know, the bottom
7 line. You take all of it together and you
8 know it's expenses. These are big expenses.
9 They have to be. How much has the PSC spent
10 in legal fees concerning South Harper. I have
11 a lot of questions about that.

12 How much is Aquila paying for this
13 appeal case that they've got with Cass county
14 now? It's just ongoing, ongoing, one after
15 another. There's so much money pouring into
16 this situation and there's so many question
17 marks.

18 It's no wonder people just like other
19 people have said, you know, the consumer
20 wants to know why are we paying for this when
21 we're seeing nothing but a big mess up and it
22 is not just South Harper it's other things.
23 Service is not as good as it should be.
24 They're just seeing a floundering company. I
25 wouldn't never, never -- self adjustment, oh

ROBERTS & ASSOCIATES BY THOMAS ROBERTS, RPR, CCR

1 my God that's like asking my five year old
2 granddaughter make your own allowance kiddo
3 have at it. I don't think so.

4 Thank you very much.

5 JUDGE WOODRUFF: Thank you,
6 ma'am. Commissioner Appling, do you have any
7 questions?

8 COMMISSIONER APPLING: No
9 questions. Good to see you again, I will
10 talk to you.

11 JUDGE WOODRUFF: Public counsel
12 have any questions?

13 MR. MILLS: No questions.

14 JUDGE WOODRUFF: Jackson County?

15 MR. FINNEGAN: No questions.

16 JUDGE WOODRUFF: Aquila?

17 MS. PARSONS: No questions.

18 JUDGE WOODRUFF: You may step
19 down, thank you very much. Anyone else like
20 to testify?

21 Come on down. Good evening, ma'am, would
22 you tell us your name.

23 THE WITNESS: Charlene Clesson.
24 C-l-e-s-s-o-n.

25 JUDGE WOODRUFF: If you would

ROBERTS & ASSOCIATES BY THOMAS ROBERTS, RPR, CCR

1 please raise your right hand.

2 CHARLENE CLESSON

3 called as a witness herein, being first duly
4 sworn by the Reporter, testified on her oath
5 as follows:

6

7 JUDGE WOODRUFF: You may tell us
8 what you would like to.

9 THE WITNESS: I have the same
10 concerns as some of the others who have
11 mentioned tonight about the level of service
12 that Aquila provides. The area that we live
13 in, which is just outside of Lee's Summit
14 towards Lone Jack just east of Lake Lotawana
15 frequently has power outages for no apparent
16 reason totally unrelated to ice storms or
17 rain storms or anything else. The power
18 would -- the gentleman before talked about
19 blinks and we're talking about power being
20 out for an hour and sometimes more than that.
21 Ice storms we were out for five days along
22 with most other people. This is a common
23 occurrence I'd say it happens at least once a
24 month sometimes more.

25 We have a concern that Aquila is asking

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1 for additional money and there may be
2 someplace in public record how they are going
3 to go about using the money that they already
4 have in a more efficient way.

5 Someone else mentioned that efficiency
6 is something we would like to see absolutely,
7 but I don't know if efficiency is related to
8 cost cutting or not, but as other people have
9 alluded to most people have budgets and they
10 have to figure out some way to live within
11 their budget. They can't go running to find
12 additional money every time the rate of what
13 they're buying goes up. Groceries go up,
14 gasoline goes up, water goes up. There are
15 things that the supply chain has a lot to do
16 with that.

17 I would question whether or not Aquila
18 couldn't see last year that the cost of fuel
19 was increasing. Do they not plan for further
20 ahead than that? I wasn't present at any of
21 the hearings last year on that rate increase,
22 but it seems as though that they are coming
23 back to the well one more time.

24 I've not been involved at all in the
25 Cass county question, but the lady before me

1 indicated that she thought perhaps some of
2 the cost of that enterprise was being passed
3 back to the consumer, and it would seem as
4 though that is a concern. It may not be the
5 reality but it is certainly a concern when
6 Aquila comes up and asks for a significant
7 rate increase.

8 Since Aquila is a monopoly in this area
9 we have no other choices. There are two
10 choices either Sprint or nothing. With
11 electricity you have Aquila or nothing. We
12 have no options, we can't go anywhere else to
13 get electricity. Go buy a generator and put
14 up a windmill in your backyard, but you
15 really don't have any other options. And it
16 seems as though Aquila feels that you have
17 the consumer over the barrel, either you pay
18 up or you don't have power.

19 There was someone else that mentioned
20 the apparent arrogance of Aquila, I sometimes
21 feel that is big business and they really
22 don't appear to have a lot of concern for a
23 consumer. That's what I need to say.

24 JUDGE WOODRUFF: Thank you.
25 Commissioner Appling, do you have any

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1 questions?

2 COMMISSIONER APPLING: Thank you
3 for coming, ma'am, but I have no questions.

4 JUDGE WOODRUFF: Public counsel?

5 MR. MILLS: I have no questions.

6 JUDGE WOODRUFF: Jackson county?

7 MR. FINNEGAN: No questions.

8 JUDGE WOODRUFF: Aquila?

9 MS. PARSONS: No questions.

10 JUDGE WOODRUFF: Was there anyone
11 else who would like to testify?

12 Come forward, ma'am.

13 JUDGE WOODRUFF: Could you tell
14 us your name.

15 THE WITNESS: Carol Miller.

16 JUDGE WOODRUFF: M-i-l-l-e-r?

17 THE WITNESS: Yes.

18

19 CAROL MILLER
20 called as a witness herein, being first duly
21 sworn by the Judge, testified on her oath as
22 follows:

23

24 JUDGE WOODRUFF: What would you
25 like to tell us.

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1 THE WITNESS: You have to excuse
2 me I've never done this before so.

3 I've lived in my current address in
4 Lee's Summit for 31 years. Just like
5 everything else I realize that all the
6 utilities go up, everything goes up. When I
7 first moved there my taxes on the place were
8 about 350 a year now they're up to twenty one
9 hundred, about twenty one hundred.

10 You know, it's just the thing of it is I
11 just went own social security I got a 3.3
12 percent increase in my social security and
13 quite frankly I don't think anybody should
14 get over what the government sets out as an
15 increase. It gets to the point like someone
16 else said earlier all of the CEOs and big
17 shots in the companies they get these huge
18 paychecks and they keep getting and getting
19 and they keep shoving it to the little guy.
20 And quite frankly I'm tired of it. I think
21 other people should be, too.

22 That's just what I've got to say.

23 JUDGE WOODRUFF: Thank you,
24 ma'am. Thank you for talking the trouble to
25 come forward here. If you wait just a moment

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1 I may have some questions for you.

2 JUDGE WOODRUFF: Commissioner

3 Applling?

4 COMMISSIONER APPLING: No

5 questions, ma'am, you're coming through loud
6 and clear.

7 THE WITNESS: Thank you very
8 much.

9 JUDGE WOODRUFF: Public counsel?

10 MR. MILLS: No questions.

11 JUDGE WOODRUFF: Jackson county?

12 MR. FINNEGAN: No questions.

13 JUDGE WOODRUFF: Aquila?

14 MS. PARSONS: No questions.

15 JUDGE WOODRUFF: Was there
16 anyone else that wanted to testify? I don't
17 see any other hands going up. Yes, sir.

18 What's your name, sir?

19 THE WITNESS: My name is Burt
20 Walker.

21 JUDGE WOODRUFF: And if you could
22 spell your name.

23 THE WITNESS: B-u-r-t,
24 W-a-l-k-e-r. Resident of Lee's Summit.

25 JUDGE WOODRUFF: Thank you. And

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1 if you would raise your right hand.

2

3 BURT WALKER

4 called as a witness herein, being first duly
5 sworn by the Judge, testified on her oath as
6 follows:

7

8 JUDGE WOODRUFF: What would you
9 like to tell us.

10 THE WITNESS: First of all my
11 question is, how did they arrive at 22
12 percent?

13 JUDGE WOODRUFF: They can't
14 answer a question at this point. At this
15 point we can only hear what -- you ask
16 rhetorical questions.

17 THE WITNESS: I understand.
18 Okay.

19 JUDGE WOODRUFF: If you want to
20 talk to the Aquila people after the hearing
21 you can do that.

22 THE WITNESS: When I saw the
23 rate increase like everyone else I was at
24 first outraged and when I asked myself why 22
25 percent. It would seem like from a financial

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1 perspective if you wait until you are 22
2 percent down or needing a 22 percent rate
3 then you have waited too long. It would be
4 much more reasonable like the lady who just
5 spoke if all you can get is 3 percent from
6 the government in your social security, a
7 major corporation should know that they need
8 a rate increase before they're coming in to
9 ask for 22 percent. It's either that or it
10 seems to me it's shoot for the stars and hope
11 for me moon. That's what it seems like to
12 me.

13 I'm not very happy with the rate
14 increase, like the two ladies have said we
15 have no alternative. There's no choice to
16 electricity, you have to have it. You can't
17 shop around. That doesn't make me very happy.

18 I too am retired this year, I got a zero
19 increase in my retirement stipend. I have to
20 work part-time just to pay for my health
21 insurance and now I have to pay 22 percent
22 extra. I can't turn my electricity off, you
23 can't turn it off. So that's what my big
24 concern is.

25 That's all I have to say.

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1 JUDGE WOODRUFF: Commissioner
2 Appling, do you have any questions?

3 COMMISSIONER APPLING: Thank you
4 for coming down.

5 THE WITNESS: Thank you guys for
6 being here, I appreciate you guys being here
7 to listen to give us an opportunity.

8 COMMISSIONER APPLING: Thank you
9 very much.

10 JUDGE WOODRUFF: Public counsel?

11 MR. MILLS: I don't have any
12 questions, thank you for coming.

13 JUDGE WOODRUFF: Jackson county?

14 MR. FINNEGAN: No questions.

15 JUDGE WOODRUFF: Aquila?

16 MS. PARSONS: No questions.

17 JUDGE WOODRUFF: Mr. Walker if
18 you would come forward and put your address
19 down here for me.

20 Anyone else that wishes to testify? I
21 don't see any other hands going up. Going
22 once, going twice. All right. Thank you,
23 Mr. Walker.

24 All right. Well I thank you once again
25 for all of you for coming out tonight on this

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1 cold evening and we certainly appreciate
2 hearing what you all have to say. At this
3 time this hearing is all adjourned. Thank
4 you all very much.

5
6
7 (Hearing concluded at 7:20 p.m.)
8

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