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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
TRANSCRIPT OF PROCEEDINGS

LOCAL PUBLIC HEARING
DECEMBER 6, 2010
ST. JOSEPH, MISSOURI
VOLUME 7

In The Matter Of The Application
Of Kansas City Power & Light)
Company For Approval To Make) File No. ER-2010-0355
Certain Changes In Its Charges)
For Electric Service To Continue)
The Implementation of Its)
Regulatory Plan)

In The Matter Of The Application
Of KCP&L Greater Missouri)
Operations Company For Approval) File No. ER-2010-0356
To Make Certain Changes In Its)
Charges For Electric Service)

DANIEL R. E. JORDAN, Presiding,
REGULATORY LAW JUDGE
ROBERT M. CLAYTON, III, Chairman,
COMMISSIONER

REPORTED BY:
Sheila R. Vogt, KS CCR #1513

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A P P E A R A N C E S

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PRO SE INTERVENOR.

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

2 JUDGE JORDAN: The Commission is calling
3 File No. ER-2010-0355. This is the Commission's local
4 public hearing on the rate increases that you just
5 heard about. We are going to record testimony as to
6 this, and we are recording this proceeding. As you
7 can see, we are videoconferencing. We're also making
8 a video record of it so that all commissioners who are
9 not present by video can review a transcript of this
10 event.

11 My name is Daniel Jordan. Ordinarily, you
12 would not have seen me here during the presentation.
13 I am the regulatory law judge assigned to the merits
14 of this case. I'm filling in for one more experienced
15 who will be helping the Commission with the decision
16 on the merits.

17 Also with us by video conference is
18 Chairman of the Public Service Commission, Robert
19 Clayton.

20 MR. CHAIRMAN CLAYTON: Hello, Judge.

21 JUDGE JORDAN: Hello, Commissioner.

22 Mr. Chairman, it is good to have you with us.

23 Now, my job here is simply to conduct an
24 orderly proceeding. When all the information is done,
25 when all the issues are tried, Judge Pridgin will

1 submit a recommended decision to the commissioners who
2 make the decision.

3 We will go ahead and have our entries of
4 appearance. Let's start with the applicant.

5 MS. LISA GILBREATH: Lisa Gilbreath,
6 representing Kansas City Power & Light Company and
7 Kansas City Power & Light Company, Greater Missouri
8 Operations Company, SNR Denton, USLLT, 4520 Main
9 Street, Kansas City, Missouri 64111.

10 JUDGE JORDAN: Thank you. And staff?

11 MS. SARAH KLIETHERMES: Thank you, Judge.
12 Sarah Kliethermes, staff counsel's office,
13 representing the staff of the Missouri Public Service
14 Commission.

15 JUDGE JORDAN: Commissioner, we have a
16 slight sound issue. I don't know if you're able to
17 hear it there at Jefferson City.

18 CHAIRMAN CLAYTON: I can hear you, Judge.
19 I couldn't hear anyone else.

20 JUDGE JORDAN: Well, this is the only
21 microphone that works without pushing a button down,
22 and no one is going to remember that. So I'm going to
23 pass the microphone around.

24 MS. SARAH KLIETHERMES: Third time's a
25 charm. Sarah Kliethermes, staff counsel's office on

1 behalf of the staff of the Missouri Public Service
2 Commission.

3 JUDGE JORDAN: Thank you, Counselor. And
4 from the Office of the Public Counsel?

5 MR. LEWIS MILLS: On behalf of the Office
6 of the Public Counsel and the public, my name is
7 Lewis Mills. My address is Post Office Box 2230,
8 Jefferson City, Missouri 65102.

9 JUDGE JORDAN: Is there any counsel from
10 any of the intervenors with us today?

11 MR. ROBERT WAGNER: Robert Wagner, pro se
12 intervenor, 9005 North Chasim, Kansas City, Missouri
13 64154.

14 JUDGE JORDAN: Thank you. Now, I'm going
15 to go ahead and open this hearing to testimony because
16 I see that there is someone on a tight time schedule,
17 and that is Virginia C. --

18 MS. VIRGINIA WEIGUM: Weigum

19 JUDGE JORDAN: -- Weigum. Very well.
20 Please step down here. We are going to use this as
21 our witness stand. I'm going to let you use this
22 microphone because no one is going to push down the
23 switch. I will administer an oath to you.

24 (Ms. Virginia Weigum was sworn in.)

25 JUDGE JORDAN: Mr. Cameraman, will you

1 please put the camera on the witness?

2 JUDGE JORDAN: Please state your name for
3 the reporter, please, and spell it for her.

4 MS. VIRGINIA WEIGUM: Virginia Weigum,
5 W-E-I-G-U-M.

6 JUDGE JORDAN: And, Ms. Weigum, are you a
7 customer of the company?

8 MS. VIRGINIA WEIGUM: Yes, a residential
9 customer.

10 JUDGE JORDAN: Well, please tell the
11 Commission what you would like them to know about this
12 case.

13 MS. VIRGINIA WEIGUM: I am a senior
14 citizen -- I am a senior citizen and I'm also a
15 form -- a person that formed the tea party here in St.
16 Joe, and I'm very connected with all of the groups
17 that go to Washington, that speak to our legislators.

18 I'm very concerned about senior citizens.
19 We have not received a Social Security increase for
20 two years. According to Obama Care, which is already
21 law, 75 percent of our medical benefits are to be cut.
22 They have increased our premiums for Medicare.

23 And I am very concerned about veterans that
24 are disabled that live on a very small income, seniors
25 that have disabilities with a very small income.

1 There is a big loss of federal revenue that is -- will
2 not be coming to our state this year. And we have to
3 make a balance between all of these extreme things
4 that are impacting our seniors.

5 Many people in this age group went and
6 fought for our country. America is what it is today
7 because of many, many people that fought, that even
8 gave their lives for our country. We are trying to
9 save our country. We are trying to take our country
10 back. We appreciate everything that everyone does for
11 us, and our livelihood is in your hands.

12 Many of these people have to make choices
13 between, Do I take my medicine this month? Do I pay
14 my bills? Do I feed my dog? Do I go cold, or if it's
15 in summer, have to stay hot. It is just a very bad
16 balancing act, and I just want you to be aware of
17 that. And thank you for listening to me.

18 CHAIRMAN CLAYTON: Ms. Weigum, this is
19 Robert Clayton from Jefferson City. I'm not sure if
20 you can see me or hear me.

21 MS. VIRGINIA WEIGUM: Yes, I can.

22 CHAIRMAN CLAYTON: I just wanted to thank
23 you for coming out tonight. I know it's a cold night.
24 I appreciate you taking time to share your comments
25 and remarks, and I have no questions. Thank you.

1 MS. VIRGINIA WEIGUM: Thank you. Now I
2 have to go to a tea party meeting.

3 JUDGE JORDAN: Hang on just a second, if
4 you will. We have to see if there is any questions
5 from the Company.

6 MS. LISA GILBREATH: No.

7 JUDGE JORDAN: Any questions from staff?

8 MS. SARAH KLIETHERMES: No.

9 JUDGE JORDAN: Questions from the Office of
10 Public Counsel?

11 MR. LEWIS MILLS: No questions.

12 JUDGE JORDAN: Questions from Mr. Wagner?

13 MR. ROBERT WAGNER: No.

14 JUDGE JORDAN: Thank you. Thank you for
15 showing up and rendering your comments to us.

16 MS. VIRGINIA WEIGUM: I'll find out what
17 the reports are in the bill when it comes. Thank you.

18 JUDGE JORDAN: And the decision is also
19 public record as well. Please feel free to check
20 that, our electronic filing.

21 Before I get back to the top of the list, I
22 just want to make sure that everyone feels free to
23 make their comments even if it's something they've
24 already said during the question and answer period so
25 that the chairman, who is with us by video, and any of

1 the other commissioners, may hear your comments.
2 That's why we have this proceeding. So even if you've
3 said it once, feel free to say it again for the
4 commissioners.

5 Do be concise, of course, and do wait until
6 you're excused before you run off because the other
7 parties have a right to follow up and the Chairman may
8 have some questions for you as well.

9 So let's go to the top of our list, and I
10 see the name that looks like Darrell Johnson.
11 Mr. Johnson, please take the stand.

12 (Mr. Darrell Johnson was sworn in.)

13 JUDGE JORDAN: Please state your name for
14 the record for the reporter.

15 MR. DARRELL JOHNSON: My name is Darrell
16 Johnson, D-A-R-R-E-L-L, common spelling Johnson.

17 I'm here tonight on behalf of three things.
18 I'm the mayor of a town. I'm also a small business
19 owner and I'm also a residential customer of KCP&L.

20 As a mayor of a town, I'm kind of speaking
21 on behalf -- we have a lot of retired people in the
22 city of Graham, Missouri. I think the lady before
23 pretty much stated their case. They're all on
24 fixed -- 80 percent of them are retired and on a fixed
25 income. So the rate increase will substantially

1 affect their monthly bill.

2 Also, along with this increase, needed
3 government regulations on water, sewer in our town,
4 we're probably going to have to increase our sewer and
5 water rates, which is going to be another burden due
6 to government regulation on the retired community.

7 As a business owner, of course, everything
8 is tough in business nowadays. In the summer through
9 KCP&L, my rates will actually double -- my bill will
10 actually double. Due to their summer rate plan, it
11 will jump from \$7-, \$800 a month to \$1,500 a month.

12 I don't fully agree with this, but, you
13 know, they tell me they've got to recoup their cost
14 for the winter months, what have you. That's what
15 we've got to do.

16 But on KCP&L, we're having a lot of
17 problems with our electricity distribution. We have
18 brownouts. We have blackouts any time of the day if
19 the wind blows, and that's not an exaggeration. If
20 the wind blows -- we've lost power two or three times
21 in the last month.

22 I understand the snowstorm last year was a
23 case -- you know, that's nobody's fault in that. But
24 we do have a lot of problems with distribution. On a
25 local level, I think the guys try to get it done.

1 I don't know if it's a managerial problem
2 in Kansas City or wherever the regional office it. I
3 know we've got one in Maryville. Those guys are more
4 than willing to usually work with me, but to get an
5 answer out of them, sometimes is pretty tough. But
6 it's their job -- whatever. But we do have some
7 distribution problems. We're really having a lot of
8 problems up there now. It's went out probably five
9 times in the last two weeks in the middle of the
10 daytime.

11 I'm lucky I didn't lose about a thousand
12 dollars worth of product because it went out in the
13 middle of the afternoon when the wind was blowing. It
14 was out -- I have a smokehouse. I smoke food for a
15 living, and I was getting ready to throw in some beef
16 snack sticks. The lights went out. The wind blew and
17 blew a line down.

18 There is more cases of that here -- up in
19 that area. It happens all the time. We've
20 complained. KCP&L service -- they've gotten some
21 really wicked phone calls from me. The gentlemen that
22 works there, they do a good job about taking a
23 frustrated customer -- so they're no complaints there.
24 I don't know what their problem is up there, whether
25 their equipment is getting old or not replacing it,

1 but it is a problem.

2 Now, in a business, you do a service. You
3 get paid for it, but in my opinion, their service
4 hasn't been what we're paying for. They run into a
5 lot of problems. I've had motors ruined. I've had --
6 I don't know that we're really here to complain about
7 that kind of stuff. I think we're just here to
8 complain about the rate increase, but I think they go
9 hand in hand.

10 I've had some serious issues with some low
11 voltage, not the proper three-phase line. They did
12 come and fix it, but they came and fixed it on a
13 Saturday -- two Saturdays in a row -- which I know
14 that there is overtime for them, but they did get it
15 fixed.

16 It wasn't an emergency, but I never did
17 find out what the problem was in my plan. I did have
18 to have a study done on it. They come and put a
19 computer monitor on it, but it's been going on for
20 years. Then we finally gotten it taken care of. It
21 hasn't burned up one motor since then. But I did not
22 find what was the matter. Nobody could tell me or
23 would tell me, and they may not know -- that's in
24 Maryville. But, anyway, that's my complaint about
25 that.

1 And as a residential -- any increase right
2 now is tough. My wife's job may be on the chopping
3 block this spring. So that will be an issue. But all
4 and all, we've got to have electricity. Everything is
5 based upon electricity. That's how our environment
6 runs now. But I know they've got to make their money.
7 I run a business, too. But they've got some serious
8 issues up in that area.

9 And right now, I just don't feel that it's
10 justified for a rate increase for the kind of service
11 that we're getting and what's happened. Now, they're
12 more than welcome -- we're here now and if they want
13 me to call them the first of the week or this week --
14 we want to talk about it, but they know what the
15 problems are. When they get to it, they fix it, but
16 there's some serious issues up there with electricity
17 service. And I believe that's all I have to say.

18 JUDGE JORDAN: Okay. Let me just clarify a
19 thing for the record --

20 CHAIRMAN CLAYTON: Sir --

21 JUDGE JORDAN: Go ahead, Mr. Chairman,
22 please.

23 CHAIRMAN CLAYTON: I didn't hear which
24 community you're mayor of.

25 MR. DARRELL JOHNSON: Graham, Missouri.

1 It's a town of 191. It's north of St. Joe here about
2 40 miles, in between St. Joe and Maryville, Missouri.

3 CHAIRMAN CLAYTON: And the reliability
4 problems that you discussed, are all the problems
5 solved at this point? I wasn't clear. It sounded
6 like some of them are fixed, but maybe some are not.

7 MR. DARRELL JOHNSON: Well, we really don't
8 know when they're going to come on. When the wind
9 blows, we get lines down up there. The ones in my
10 personal plan, we have had issues that have been
11 fixed. Some of them didn't originate with KCP&L.
12 They were with Aquilla to begin with, because KCP&L
13 just recently bought -- so, you know, it's been going
14 on for years, but they did get it taken care of. I
15 can say that on that part of it.

16 CHAIRMAN CLAYTON: I would recommend that
17 you take advantage of the KCP&L staff that are there
18 at that hearing and maybe spell out the region where
19 you're from and maybe they can take a look at that. I
20 know they've been taking steps to improve the old
21 Aquilla system, the old St. Joe light and power
22 system, and they may be able to take a look at the --
23 either the brownouts occurring or if the lights are
24 really going out every time the wind blows, maybe they
25 can give you an idea of what -- you know, how their

1 reliability stacks up with other places. That's very
2 important to me.

3 MR. DARRELL JOHNSON: Sure.

4 CHAIRMAN CLAYTON: So I'd urge you to talk
5 to them.

6 MR. DARRELL JOHNSON: On the local level,
7 the gentlemen that work on the lines, they -- you
8 know, they do -- personally, I think they do a fine
9 job. I don't know if their problems are management.
10 I don't know if they're old equipment, like you say.
11 I don't know. But they have a serious situation with
12 the public up in that area, everywhere from Graham to
13 Tarkio, everywhere in that area.

14 CHAIRMAN CLAYTON: Well, reliability is
15 very important to me. We've had some real problems
16 around the state, and I know KCP&L and its own service
17 territory does a pretty good job with their
18 reliability, and I think they're taking steps for the
19 properties. But I'd urge you to touch base with those
20 folks while you're there and let them know what's
21 going on.

22 MR. DARRELL JOHNSON: I appreciate it and
23 thank you. They have been more than willing since
24 I've been here, but we have had some instances where
25 they have been pretty tough to get an answer from them

1 about what's going to happen.

2 In my business, if we have a smokehouse go
3 down because of the reliability issues, that product
4 is ruined because we are a federally-inspected plant.
5 And the other thing is that KCP&L and -- I don't think
6 they're liable for anything that happens. I think
7 there should be some kind of liability there.

8 They should hold up their end of the
9 bargain if they burn up motors because of a
10 three-phase problem or -- you know, there should be
11 some kind -- they told me there's no liability there
12 and they can't be held accountable. I never took them
13 to court, of course, or anything like that, but that's
14 about it. Thank you for having this meeting, and I
15 think more people should attend these.

16 CHAIRMAN CLAYTON: You bet. Thank you very
17 much for coming.

18 MR. DARRELL JOHNSON: Thank you.

19 JUDGE JORDAN: Mr. Chairman, any further
20 questions for this witness? May I go on to the
21 parties?

22 MR. LEWIS MILLS: I think that's a no.

23 JUDGE JORDAN: Any cross-examination from
24 the Company?

25 MS. LISA GILBREATH: No, thank you.

1 JUDGE JORDAN: Any from staff counsel?

2 MS. SARAH KLIETHERMES: Just to clarify,
3 are there issues with the three-phase, with the
4 residential or both?

5 MR. DARRELL JOHNSON: The -- well, all of
6 them because we don't have any power. We don't have
7 any power. It doesn't matter if it's three-phase.
8 The Smokehouse is the name of the business. It was
9 the three-phase issue. It would have been a problem
10 that was going on for years. It was burning up
11 motors.

12 KCP&L -- the boys up in Maryville, they
13 came down. We done a study on it. I don't know what
14 that study said. They didn't know or they wouldn't
15 tell me. But for some reason, they spent a week
16 putting in new poles, new lines, and they worked on a
17 Saturday, for two Saturdays in a row, which you was
18 talking about -- you know, why we should have this --
19 we talked about why we should have this increase
20 because of labor.

21 This was not an emergency -- well, it was
22 to me because it cost me money. But, you know, why
23 paying them overtime to work on Saturdays -- I
24 don't -- one of the guys said they had some money they
25 needed to spend. That is the truth. But we did get

1 new poles and we got a new three-phase line running
2 and new transformers.

3 What the problem was, I do not know. I
4 suppose it was the transformers, just guessing. But
5 it did fix the problem. So they did get it fixed. So
6 more credit to them for that. I haven't had one motor
7 burn out since that. That's been a year ago in
8 October. So if that answers your question --

9 JUDGE JORDAN: Anything further from staff
10 counsel?

11 MS. SARAH KLIETHERMES: No, thank you.

12 JUDGE JORDAN: Anything from the Office of
13 Public Counsel?

14 MR. LEWIS MILLS: No questions. Thank you.

15 JUDGE JORDAN: Any questions from
16 Mr. Wagner?

17 MR. ROBERT WAGNER: No.

18 JUDGE JORDAN: You're excused. Thank you
19 very much.

20 The next name I have on my sign-up sheet
21 looks like Bryan --

22 MR. BRYAN MARKT: Markt, the "K" is silent.

23 JUDGE JORDAN: The "K" is silent. I see.

24 Very good. Please have a seat on the stand.

25 (Mr. Bryan Markt was sworn in.)

1 JUDGE JORDAN: Please spell your name for
2 our court reporter.

3 MR. BRYAN MARKT: B-R-Y-A-N, M-A-R-K-T.

4 JUDGE JORDAN: And are you a customer of
5 this company?

6 MR. BRYAN MARKT: Yes.

7 JUDGE JORDAN: Then please go ahead and
8 tell the Commission what you would like it to know.

9 MR. BRYAN MARKT: Okay. I am a residential
10 customer. I also work for the City of Maitland Water
11 and Wastewater, ran the water plant and sewer system,
12 also a car wash in Maitland, Missouri.

13 I just want to touch on basically the same
14 things that Darrell had talked to you about, the power
15 outages and the low voltage occurrence that we have.
16 There's been a lot of them, it seems like, in the
17 last -- since the '07 ice storm. We have had a lot of
18 them.

19 I would just like for you to take into
20 consideration that a lot of these outages are
21 happening and hopefully that you know -- I don't know
22 if this rate increase will help with any of that or
23 not. We've talked -- I've talked to some of the KCP&L
24 people before. They say they're working on
25 improvements, and I'm assuming that's correct.

1 I just want you to take into consideration
2 these outages on this tax -- or this rate increase.
3 So I -- basically, that's all I want to talk to you
4 about.

5 CHAIRMAN CLAYTON: I just want to ask very
6 briefly, on the reliability issues, what was the
7 community where you live?

8 MR. BRYAN MARKT: Maitland, Missouri.

9 CHAIRMAN CLAYTON: And I assume that's in
10 the old -- is that the old Aquilla territory?

11 MR. BRYAN MARKT: Yes.

12 CHAIRMAN CLAYTON: Have you spoken to any
13 of the KCP&L people there tonight?

14 MR. BRYAN MARKT: No, not tonight.

15 CHAIRMAN CLAYTON: Well, I wasn't aware of
16 the reliability problem. Obviously, there are
17 problems throughout the system. Would you touch base,
18 maybe give some of this information to the Public
19 Service Commission staff that are there so that we can
20 follow up and see what's going on and improve the
21 reliability in this area?

22 MR. BRYAN MARKT: Yes, I'd be glad to.

23 CHAIRMAN CLAYTON: Thank you.

24 JUDGE JORDAN: Any questions from the
25 Company?

1 MS. LISA GILBREATH: No, thank you.

2 JUDGE JORDAN: Any questions from staff
3 counsel?

4 MS. SARAH KLIETHERMES: No, thank you.

5 JUDGE JORDAN: Any questions from the
6 Office of Public Counsel?

7 MR. LEWIS MILLS: Yeah, unfortunately, even
8 though he's walked away, I do have a question.
9 Forgive my lack of knowledge of the
10 geography. Where is Maitland in relation to Graham?

11 MR. BRYAN MARKT: Two miles straight west.

12 MR. LEWIS MILLS: I was just trying to
13 figure out where -- on the system where it was, if
14 they were close to each other.

15 MR. BRYAN MARKT: We have a substation in
16 Maitland that feeds Graham. So anything that I'm
17 having problems with, he's having problems with, along
18 with Skidmore.

19 MR. LEWIS MILLS: That's all I have. Thank
20 you.

21 JUDGE JORDAN: Any questions for
22 Mr. Wagner?

23 MR. ROBERT WAGNER: No questions.

24 JUDGE JORDAN: You may be excused.

25 The next name I have on my list is William

1 J. Way. Mr. Way, please come forward and be sworn.

2 (Mr. William J. Way was sworn in.)

3 JUDGE JORDAN: Please state your name and
4 spell it for our court reporter.

5 MR. WILLIAM WAY: W-I-L-L-I-A-M, Way,
6 W-A-Y.

7 JUDGE JORDAN: Mr. Way, you are a customer
8 of KCP&L?

9 MR. WILLIAM WAY: Yes, I am.

10 JUDGE JORDAN: And please tell the
11 Commission what you would like it to know.

12 MR. WILLIAM WAY: First of all, thank you
13 for having me. It's not a reliability issue that I
14 have a problem with. It is response and time of
15 outages that KCP&L is responding to.

16 I've waited 30 hours in the summertime for
17 a broken cross arm brace to get fixed. I just -- you
18 know, 30 hours is a long time in the middle of the
19 summer when you have neighbors that are 83 years old,
20 who don't do as well as I have, trying to recoup food
21 loss and stuff like that.

22 They say it's act of God, an act of nature.
23 So you can't recover food loss. After 30 hours, a lot
24 of stuff spoils in your refrigerator and everything
25 else. Well, as far as I'm concerned, God didn't put

1 that power line near that tree. Somebody else did,
2 you know. And I understand KCP&L, you know, is doing
3 their best with the old Aquilla stuff. I appreciate
4 that.

5 But when I call in, I would like an answer,
6 you know, from KCP&L of, Okay. Well, we called in
7 contractors. Well, we didn't call in contractors.
8 Well, there may be contractors on their way -- they're
9 maybe not -- to help out the KCP&L crews.

10 I work side by side, sometimes with Kansas
11 City Power & Light across the street since I work for
12 an electrical cooperative. You know, I've seen my
13 electrical cooperative that I work for change a pole
14 in two hours where it takes them ten hours to do it.

15 It's just -- you know, what kind of
16 concessions are they giving us when we're trying to do
17 everything that we can as a customer to conserve
18 electricity, you know, changing our light bulbs to
19 energy-efficient light bulbs. And now we've -- you
20 know, now we're up against another increase. How many
21 more increases are we going to have? I appreciate
22 your time.

23 CHAIRMAN CLAYTON: Mr. Way, I wanted to ask
24 you about the cross arm damage. Did that happen during
25 a storm?

1 MR. WILLIAM WAY: Yes, it did. It happened
2 during a wind storm. When I originally called them,
3 they said there was 64,000 people without power, and
4 I'm talking most of that was probably in the Kansas
5 City area.

6 I live in St. Joseph. So, you know, they
7 said they had crews all over the place. Well, it
8 doesn't take very long -- St. Joseph is a ten-minute
9 town -- I can drive across town in ten minutes. You
10 know, I drove all around looking for either their
11 contractors or KCP&L employees to fix stuff and you
12 couldn't find anybody.

13 CHAIRMAN CLAYTON: All right. I don't have
14 any other questions. This is very interesting. I
15 appreciate you coming out and sharing this with us.
16 Thank you.

17 MR. WILLIAM WAY: Thank you for your time.

18 JUDGE JORDAN: Are there any questions from
19 the Company?

20 MS. LISA GILBREATH: Yes.

21 Thank you for your testimony. Do you
22 recall about when this storm occurred last summer?

23 MR. WILLIAM WAY: I think it was -- if I
24 remember right, I think it was around in July, last
25 summer.

1 MS. LISA GILBREATH: Thank you. No further
2 questi ons.

3 MR. WILLIAM WAY: I coul dn' t tell you the
4 exact date, though.

5 MS. LISA GILBREATH: Thank you.

6 JUDGE JORDAN: Questi ons from staff
7 counsel ?

8 MS. SARAH KLIETHERMES: No, thank you.

9 JUDGE JORDAN: Offi ce of Publ ic Counsel ?

10 MR. LEWIS MILLS: Yes.

11 In terms of -- and if you know, in terms of
12 the number of customers affected by the outage due to
13 the downed cross arm, do you know how many people were
14 affected by that?

15 MR. WILLIAM WAY: Well, I know in our
16 block, it was 28 people -- 28 houses, I shoul d say.
17 Excuse me.

18 MR. LEWIS MILLS: By that one broken
19 cross arm?

20 MR. WILLIAM WAY: That one broken cross arm,
21 yes, si r.

22 MR. LEWIS MILLS: Thank you.

23 MR. WILLIAM WAY: Thank you.

24 JUDGE JORDAN: Questi ons from the
25 i ntervenor?

1 MR. ROBERT WAGNER: No.

2 JUDGE JORDAN: You may be excused. Thank
3 you.

4 I have one more name on my list, and that
5 is Kurt -- I'll try to pronounce it correctly --
6 Jani cek.

7 MR. KURT JANICEK: There you go.

8 (Mr. Kurt Janicek was sworn in.)

9 JUDGE JORDAN: Please spell your name for
10 our court reporter.

11 MR. KURT JANICEK: First name is K-U-R-T.
12 Last name is J-A-N-I-C-E-K.

13 JUDGE JORDAN: Mr. Janicek, are you a
14 customer of KCP&L, GMO?

15 MR. KURT JANICEK: Yes, I am.

16 JUDGE JORDAN: Go ahead and tell the
17 Commission what you would like them to know.

18 MR. KURT JANICEK: I would like the
19 Commission to take into consideration that KCP&L is a
20 corporation and they are a for-profit corporation,
21 part of Great Plains Energy.

22 As such, they should be operating as a
23 business and not as a -- not an entity that matches,
24 apparently to gouge the public, not like -- not unlike
25 the gas companies. Gas companies don't have a public

1 commission -- a utilities commission where they
2 actually go through and say, You can't charge more for
3 gas. They just willy-nilly do it. There's really no
4 reason. Yes, there are reasons. We hear that from
5 the oil companies all the time. They blame it on
6 supply and demand.

7 However, with KCP&L, we are -- we are
8 depending on the Commission to regulate them, to make
9 them responsible to the citizens that pay these
10 exorbitant electrical fees or these power bills.

11 In 2007, KCP&L got a 10.5 percent rate
12 increase. In 2008, they received a 6.5 percent rate
13 increase; in 2009, 16.4 percent. In 2010, they are
14 asking for an additional 14 percent. That's a 48.4
15 rate increase in the past four years.

16 In dollar amounts -- I don't have all the
17 numbers. But in dollar amounts, over the past three
18 years, just using KCP&L's figures from the public
19 hearings and the utilities commission records, the
20 average bill -- if you use the 700 kilowatt hours, a
21 thousand kilowatt hours, that formula, the average
22 bill has gone up \$31.55 in the past three years.

23 Have your wages gone up 31 -- 48 percent in
24 the past four years? No one's has. This will have a
25 severe impact on fixed income people of St. Joseph.

1 It will have a severe impact on me. I mean, the last
2 increase I got was a half of a percent. I felt pretty
3 good about that. And now -- most of that is going
4 away. I can, of course, reduce my energy consumption
5 by 15 percent and kind of stay even. Now I can turn
6 down the heat to 65 instead of 68, that kind of thing.

7 KCP&L is a corporation that has acted
8 irresponsibly. The cost overruns at Iatan are
9 inexcusable. This is a corporation. Why are we
10 paying for their mistakes, for their poor planning,
11 for their lack of oversight in these construction
12 overruns? That company should be made accountable
13 just like any business would be. Thank you.

14 CHAIRMAN CLAYTON: I don't have any
15 questions. Thank you very much for those very
16 comprehensive comments. I appreciate it.

17 JUDGE JORDAN: Any questions from the
18 company?

19 MS. LISA GILBREATH: No, thank you.

20 JUDGE JORDAN: Any questions from staff
21 counsel?

22 MS. SARAH KLIETHERMES: No, Judge. Thank
23 you.

24 JUDGE JORDAN: The Office of Public
25 Counsel?

1 MR. LEWIS MILLS: No questions. Thank you.

2 JUDGE JORDAN: Mr. Wagner?

3 MR. ROBERT WAGNER: No questions.

4 JUDGE JORDAN: Thank you. You may be
5 excused.

6 JUDGE JORDAN: That's all the names I have
7 on my list, but this time is not limited to people who
8 have signed up. If you would like to testify, if you
9 would like to speak to the Commission, indeed, speak
10 almost live to the chairman of the Commission, this is
11 the time to do it. Feel free. Feel free, if anyone
12 wants to come and speak to the issues of safe and
13 adequate service, just and reasonable rates, this
14 would be the time.

15 CHAIRMAN CLAYTON: Judge, I have to make a
16 comment before you go off the record here. As you've
17 been walking around with that microphone, you remind
18 me of Phil Donahue.

19 JUDGE JORDAN: Thank you. Maybe I have a
20 second career in television journalism. I hope you're
21 referring to a second career, Mr. Chairman.

22 CHAIRMAN CLAYTON: Sure.

23 JUDGE JORDAN: Thank you, sir.

24 Regulatory law judges are not a merit
25 system. We serve at the pleasure of the Commission

1 and are dismissed at the pleasure of the Commission.

2 Anyone else to comment?

3 CHAIRMAN CLAYTON: No whining, Judge.

4 JUDGE JORDAN: Yes, sir.

5 I am not seeing anyone coming forward for
6 comments. So before we go off the record, I'll just
7 remind everyone you may still submit written comments.
8 You may also contact the Office of Public Counsel or
9 talk to staff, and those are further ways to have some
10 input into this process.

11 On behalf of the Commission, I thank
12 everyone for attending. The Commission values your
13 testimony. And there's really no substitute for them.
14 There's only so much staff can do to investigate how a
15 company is serving the public. So we're grateful to
16 hear from you. Thank you very much. We'll go off the
17 record. This hearing is adjourned.

18 Thank you, Mr. Chairman.

19 (Whereupon, the proceedings concluded.)

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C E R T I F I C A T E

I, Sheila R. Vogt, Certified Court Reporter
#1513 in the State of Kansas, do hereby certify:

That prior to being examined the witness
was by me duly sworn:

That said deposition was taken down by me
in machine shorthand at the time and place
hereinbefore stated and was thereafter reduced to
writing under my direction:

That I am not a relative or employee or
attorney or counsel of any of the parties, or a
relative or employee of such attorney or counsel, or
financially interested in the action.

Sheila R. Vogt, CCR