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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

LOCAL PUBLIC HEARING
FEBRUARY 17, 2011
Holiday Inn, ST. LOUIS, MISSOURI
VOLUME 6

IN THE MATTER OF UNION ELECTRIC)
COMPANY d/b/a AMERENUE' S Tari ffs) File No. ER-2011-0028
To Increase It' s Annual Revenues)
For El ectri c Servi ce)

Morri s Woodruff, Presi di ng Chi ef Regul atory Law Judge
Kevi n Gunn, Chai rman

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1 PROCEEDINGS:

2 JUDGE WOODRUFF: Good afternoon everyone, my name is
3 Morris Woodruff, I'm the chief regulatory law judge for the
4 public service commission. I'd like to welcome you here for our
5 local public hearing to my left here our new chairman Mr. Kevin
6 Gunn.

7 CHAIRMAN GUNN: Thank you everybody, I appreciate you
8 all coming out, and we'll try to get through this as quickly as
9 we possibly can, I know you all have busy lives, but I may have
10 some questions for you when you come up and testify. The judge
11 will go through the procedure in just a second.

12 First, I want to thank everybody for coming out.
13 Secondly, I know it may be frustrating for you, but I am not
14 allowed to answer questions, I can only ask them, so I know
15 that's frustrating, but the way the process is set up, the law
16 requires it. So I apologize for that in advance, no matter how
17 much I would like to, I apologize, but hopefully we'll get some
18 good information. We'll be taking good notes, and the other
19 commissions, we have fourteen of these around the entire Ameren
20 service area over the next three weeks. So there are five of us,
21 and you'll see us cover different ones, in different parts of
22 the state. There's one over on the Kansas City side, in
23 Excelsior Springs next week. So there's a lot of territory to
24 cover, but I can assure you that all the commissioners read the
25 transcripts of these events, the court reporter is taking it

1 down, and your concerns are addressed evidentiary hearing, which
2 we'll talk about a little bit at the end.

3 I just want to thank everybody for coming here, and
4 look forward to hearing from you.

5 JUDGE WOODRUFF: Thank you, I have a list of people
6 who signed up to testify when you came in, and I'll go down the
7 list and call these names in order. If you didn't sign up,
8 that's okay at the end, I'll just ask for anyone that wants to
9 testify, if you're inspired by somebody else's testimony, you
10 can come forward at that time.

11 Before I call the first witness, I'll ask which
12 attorneys are here. First of all for staff?

13 MR. DEARMONT: Thank you, Judge, Eric Dearmont on
14 behalf of staff, Missouri Public Service Commission, 316
15 Jefferson City, Missouri. 65102.

16 JUDGE WOODRUFF: And for Ameren UE.

17 MS. TATRO: Wendy Tatro T-A-T-R-O 1901 Chouteau
18 Avenue, St. Louis, Missouri 63103.

19 JUDGE WOODRUFF: And I don't believe public counsel has
20 an attorney here, Ted Robinson in the back of the room, who is
21 not an attorney, but is for a party of the office of public
22 counsel, if you have questions for public counsel, you can
23 address it to him afterward.

24 All right. When I call your name, you can come
25 forward to the podium here. I believe there's a microphone

1 there, and I'll swear you in to tell the truth, whole truth, and
2 nothing but the truth, just like you see on TV. I'll ask your
3 name and you can make your statement. After you've made your
4 statement, I'll ask the commissioner if he has any questions for
5 you, and the parties also have a chance to ask all their
6 questions if they want to. Roberta Fielder.

7 (Witness sworn)

8 JUDGE WOODRUFF: Could you tell us your name please?

9 MS. FIELDER: Roberta Fielder.

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

11 MS. FIELDER: I would like to refuse the increase. The
12 reason why I say this is because Missouri families right now are
13 in a crisis state. As you know, the economy is very poor, I
14 understand about your investment and your investors, but at this
15 moment, you had an increase last year, this year, it's taking a
16 toll on a lot of the families, and I think that no there should
17 not be an increase, because a lot of the paychecks, a lot of
18 people aren't even getting eleven percent increase on their
19 paychecks, some aren't getting three percent, some aren't
20 getting anything, and this continues to add to their stress and
21 their strain, that's my opinion on that.

22 JUDGE WOODRUFF: Thank you, Commissioner Gunn?

23 MR. DUNN: Just a couple quick questions. Thank you for
24 coming out.

25 Have you had any service related issues,

1 interruptions, billing issues, anything like that that you want
2 to talk to us about?

3 MS. FIELDER: Service issues, my mother lives in a
4 senior apartment complex, the whole complex lost power night
5 before last, about 1 a.m. Also, as far as where I live, which
6 is in a different area, there's been a lot of I guess
7 construction going on, so we've come home, and found that, you
8 know, we've had some electricity out, but to me that's just a
9 minor inconvenience, as far as, you know, resetting the clocks
10 and what have you, that's something minor.

11 MR. DUNN: No major outages, when they were out, and it
12 would happen, it would be while you were out during the day, so
13 you didn't notice it and came back?

14 MS. FIELDER: Right.

15 MR. DUNN: Have you ever had to call the company when
16 something like that's happened?

17 MS. FIELDER: I think I called the company once.

18 MR. DUNN: How was that?

19 MS. FIELDER: That was last year, because we had an
20 outage for a period of time, just one side of the block, so I
21 think it was about a grid or something like that.

22 MR. DUNN: How was that experience, was it easy to get
23 in touch with somebody, to have your concerns heard?

24 MS. FIELDER: Yes, I mean, they answered my questions,
25 I understood what was going on in the neighborhood, with all the

1 street lights. I live in the city, and when the street lights
2 are out, that's not a good thing, and so therefore I called
3 because most of the street was black.

4 MR. DUNN: How long did it take them to restore power?

5 MS. FIELDER: It took about two days for them to fix
6 it, but they told me, tried to explain to me what the problem
7 was.

8 MR. DUNN: Okay. I don't have anything, thank you for
9 coming.

10 JUDGE WOODRUFF: Next name on the list is James
11 Hostler.

12 (Witness sworn)

13 JUDGE WOODRUFF: Please state your name?

14 MR. HOSTLER: James Hostler.

15 JUDGE WOODRUFF: Might want to spell your last name
16 for the court reporter.

17 MR. HOSTLER: H-O-S-T-L-E-R.

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

19 MR. HOSTLER: I'd like to discuss first of all, just a
20 little brief history that I discovered. And first of all, I'd
21 like to appreciate Mr. Baxter and Mr. Wood for their information
22 in advance of this meeting, that I was able to acquire and it
23 was very helpful in assisting in that, so I certainly appreciate
24 that.

25 I will also make a comment concerning service at my

1 particular residence. I do, have been observing their
2 infrastructure repairs over the last three years, actually four
3 years, since I took occupancy of my home in 2007, and there has
4 been one of the things that I'd like to touch on, is that they
5 have now, just now replaced the lines, overhead lines, that go
6 through my property. Now in the past, we have had problems with
7 power outages along that sector of where I live, and with actual
8 line breakage.

9 Since that line breakage, they, about a year and a
10 half ago, I have seen the tree trimmers come through, I got a
11 knock on the door the day before yesterday, and the tree
12 trimmers are coming back there again, and this is something I
13 would like the commission to address, is that do, and again, not
14 expecting a response from you, just simply posing the question
15 to the commission. Does the commission monitor this very large
16 sum of money that they spend on these tree trimming operations,
17 do they actually go out in the field, or do they simply look at
18 the books on it, because what I'm looking at is I see eighteen
19 months ago, they came through and did some tree trimming work,
20 and now here this gentleman shows up again and they're going to
21 try trim again. They're going to come out and cut one tree down
22 that's about the diameter of a coffee can, and I understand that
23 you got to get these things early, but what I don't understand
24 why they didn't cut the coffee can size tree down a year and a
25 half ago while they were there.

1 Again, I don't see any major problems, I spent the
2 time to walk with arborist, spent 45 minutes with him, and went
3 over my entire frontage of property where the overhead lines
4 are, and there did not seem to be any issues. I'm just
5 wondering if there's a place there where we can cut waste,
6 number one.

7 Number two, I can appreciate Ameren's advertising.
8 Just recently there are a great deal of advertising not only on
9 the radio, the television, explaining to us that they just spent
10 a great deal of money, and I think that's great, public
11 relations is great, but I was wondering if the commission could
12 take a look at how much money they just spent on this most
13 recent advertising campaign, when to me, to advertise to me that
14 Ameren's doing a great job, doesn't really do anything for me,
15 because I don't have the option to go buy the electric from
16 somewhere else, so you really don't need to convince me to buy
17 their product, okay. I feel that, and I don't know what the
18 numbers are, I don't know how much money was spent there, and
19 again, I can appreciate it, but it seems like, I don't need to
20 have the utilities advertise to me, and tell me.

21 And on the end of that thought is they really didn't
22 explain to me in that advertisement that today is a commission
23 meeting of which if we have any issues, we can come and discuss
24 it. It probably would be much more informative to me to have
25 had perhaps at the end of that advertisement, that by the way,

1 if you'd like more information about this, here's the schedule
2 for the meetings, and by all means, we encourage you to come out
3 and talk. That to me probably would have been more effective, I
4 heard about this through watching the news. Not through the
5 advertising campaign.

6 So those are two items that I see right off the bat,
7 that hey, do we really need to spend those dollars, okay.

8 Moving on, I did inquire in advance and thank you
9 Mr. Baxter for getting provided to me the rate increases that
10 they have successfully achieved, 2007 4.18 million, that was in
11 June of 2007, it looks like if I can read her handwriting, and
12 then July of 2007, one million, I don't know what these were
13 for, but nevertheless. March of 2009, 151 looks like point 7
14 million, and then June of 2010, 229.55 million. My question to
15 the commission would be, are these items that have been spent,
16 were these one time items that paid for capital improvements, or
17 what portion of were for capital improvements, of which don't
18 need to continue on in the rate, okay.

19 Could this, after their capital improvement this leads
20 into the Sioux plant. Do we need clean air? Yes. Is it a good
21 cause? Yes. Are they required to do this, I believe that they
22 have certain regulations that they have to meet. Do we have to
23 incur that cost, certainly somebody has to, and it has to be the
24 consumer. However, after that cost is paid for, Mr. Baxter had
25 mentioned roll back in rates, in past history. Can the

1 commission incur on them after the plant has been paid for by
2 the 1.2 million customers, can the commission impose on them and
3 say now you've gotten your money, now we're going to roll back
4 that rate until you come to us with your next request. Okay, I
5 don't know if this is possible, but I'm posing that to the
6 experts.

7 Can it be done, can we not stay, because what I've
8 seen is that once you start the treadmill going with rates, and
9 you come up, if there's no sunset to it, if you will, just as in
10 the tax basis for bonds and fire districts, municipalities, they
11 imposed tax rates to pay for certain development capital
12 improvement items, they then have a sunset clause to it, which
13 is by state law, and therefore, you know, at that point, it now
14 has to go back in front of the taxpayer, and/or in this
15 particular instance, the commission, and say okay, now we need
16 more, but first of all, we paid for it, you came to us, you
17 needed money to pay for that sioux plant, we gave it to you,
18 you've paid it off, but you don't get to continue to receive
19 those funds to go do with as you see fit, without having
20 accountability for it. So this is something that I pose to the
21 commission, as something that is viable, because we do need to
22 keep.

23 Now, the next thing is, the infrastructure, as I
24 explained, brand new wires. How long are those wires now
25 expected to be, how long are they to last. I suspect that the

1 wires that they replaced were probably thirty years old, I don't
2 know the fact of the matter, but I do suspect that they were 30
3 maybe 40 years old, how often do they have to replace this, and
4 at what point is this infrastructure, quote/unquote, actually up
5 to where it should be, and we no longer should be paying for, in
6 our rates, infrastructure repair, because it's been brought up
7 to speed, and doesn't really require, besides regular
8 maintenance, we have to pay maintenance, but the huge cost of
9 the replacement of the infrastructure, has a depreciation time
10 of, it may last another thirty years, so we certainly don't need
11 to continue to pay for the replacement of lines that should last
12 thirty years.

13 Now, again, an ice storm that does damage to them,
14 that's a separate issue, that has to be handled, of course we
15 have to pay for the repair and the maintenance of it, but
16 properly done, we shouldn't have to continue to replace
17 infrastructure, simply maintain it, at some point.

18 The next one, some of the other things that I have,
19 would be addressing, the profit issue, certainly, being a
20 utilities, traditional are a lower risk stock, and yet, you as
21 we all know, the return on equity is approximately and again,
22 I'm using approximate numbers, this information was given to me
23 prior to the meeting, 8.9 percent, again I ask the commission to
24 verify what these numbers actually are.

25 And also, it seems to me that there seems to be a

1 dividend pay out of somewhere between five and six percent on
2 the stocks. Again, I don't know what the exact number is, but
3 would ask the commission, they certainly have access to those
4 accounts, and know what it really is.

5 I would say that based on a low risk situation,
6 comparatively to the rest of the market, there are other things
7 in there that are low risk, but that's a very good return on
8 your investment.

9 I certainly, the people that I know that own stock,
10 I'm not one of them, because I don't have any money. I've
11 already paid all my bills, so I have none to go buy, but if I
12 had any money, I'd buy Ameren, because that's a great return. I
13 couldn't possibly get a return on small sums of money anywhere
14 else.

15 So, I just wanted to, you know, do the stockholders,
16 should they make a profit, are they in the business to make a
17 profit, certainly, but in this particular day and age, that kind
18 return is wonderful, I wish I had a lot of money.

19 Is there, I also pose to the commission and I hope I'm
20 not being redundant here, but the difference between maintenance
21 and fuel levels, and capital expenditures, are can there be a
22 segregation of such, that, like I said, and this goes kind of
23 back to the sunset law, can you say okay, once that capital
24 improvement is done, can you segregate that out and say okay,
25 now the rates going to be reduced by that amount.

1 I believe at this time, without, I'm afraid that I'm
2 going to start to get redundant in some of the areas and
3 overlapping, so I pretty much touched on the major things.

4 JUDGE WOODRUFF: You asked a lot of questions, as we
5 explained, we can't answer them, but there are a lot of people
6 in the room who can, and if you want to grab some of them after
7 the hearing. Right behind you there the gentleman with the
8 yellow shirt.

9 MR. HOSTLER: I understand, and I think that really
10 what I'm asking to do, is not have the answers to me, what I
11 would like to have is that the commission address these in these
12 hearings, and the future hearings, and let the general public
13 know.

14 JUDGE WOODRUFF: I can assure you, those questions are
15 all addressed in the hearing.

16 MR. HOSTLER: Right, and I think these are the issues
17 that I feel are important, and I think that in with my
18 questions, there was perhaps solutions offered that perhaps we
19 can still assist the good people at Ameren in accomplishing
20 these tasks that most people feel are important, reliability,
21 clean air, and so on and so forth, we can still assist them in
22 doing that, but doing the least amount of harm to us,
23 particularly in this economic situation, that we're all in.

24 So I'm posing that, I'm putting a lot of faith in the
25 commission to handle what I have said here, and take it, and try

1 to find the good out of it, use it to the best that you can, and
2 try to help us out, by the suggestions.

3 JUDGE WOODRUFF: Sir, I want to thank you very much for
4 your testimony, and you have kind of hit upon some of the
5 fundamental issues that the rate making process deals with, and
6 I understand completely what you're saying, and there are, to
7 some of the more specific questions, there are very specific
8 answers to those, as to how it's looked at, and what's done. I
9 also take a your broad point that you're making, I appreciate
10 that very much.

11 I just have a couple smaller questions about, so with
12 replacements of the lines, have you seen a marked difference in
13 the your service, has it improved, has it stayed the same,
14 lesser outages, have you seen outages since the lines have been
15 replaced.

16 MR. HOSTLER: I have not seen outages, and back to 06,
17 no it was 07 perhaps, when the line actually broke, they did the
18 repair on the old line, and then not until just this year, and
19 we had not really had any other problems since then. Now, there
20 was a power outage, but it was an overload substation, and
21 that's something that's just going to happen, you know,
22 equipment failure, they went, they responded. I do have a
23 particular service issue right now that when my air conditioner
24 kicks on, I have flickering of my lights. Now I inquired about
25 this two years ago, they came out and put a surge meter on it,

1 and of course, we failed miserably, because I lost power that
2 day.

3 So it cleared everything back out, and I'm not really,
4 again, I will have to say that when I have called, they have
5 responded, am I 100 percent satisfied with my service, no. Do I
6 believe that I have problems, yes. Do I believe that I have
7 problems with my automatic read meter, yes, I do believe that I
8 have those problems. Do I think that that's something that I
9 need to address with this commission, I didn't mention it
10 because I really think that Ameren will address the issue. I
11 think it's been costing me money, I don't think we found the
12 problem yet, I don't know whether the transformer that they
13 mounted when the house but built was sufficient to handle it,
14 I'm not an electrical engineer.

15 However, I do feel, like I said, that I think that I
16 can work this out with Ameren service, and I think they will
17 come out, they will look at it, and they will do the best they
18 can to take care of my problem.

19 CHAIRMAN GUNN: Where the line breakage in 2007 as a
20 result of a storm, or was it just some other incident or?

21 MR. HOSTLER: No, as a result of weather.

22 CHAIRMAN GUNN: Okay.

23 MR. HOSTLER: It was the result of weather, yeah.

24 CHAIRMAN GUNN: I would encourage those issues that you
25 do have, these, for whatever reason, at those local public

1 hearings sometimes you get access to people that make things a
2 little bit easier than they would be if you had to do it all on
3 the phone.

4 MR. HOSTLER: Okay.

5 CHAIRMAN GUNN: So I'd advise you, office of public
6 counsel is here, staff's here, you have a lot of Ameren folks
7 here and their boss is paying attention to what they do today,
8 so I would certainly suggest that whatever issues you do have,
9 and even if it's a long list, that you talk to those people out
10 on the table, and they'll pay attention to you today. Other
11 than that, I appreciate you coming out.

12 MR. HOSTLER: And thank you very much for your time, we
13 all appreciate you coming out to listen to us, maybe whine a
14 little bit, but try to come up with some real solutions.

15 JUDGE WOODRUFF: Thank you, sir.

16 Next name on the list is Harlan Brununski, (phonetic)
17 Harlan Brununski?

18 David Schilling.

19 Good afternoon, sir.

20 (Witness sworn)

21 JUDGE WOODRUFF: Could you tell us your name?

22 MR. SCHILLING: David Schilling.

23 JUDGE WOODRUFF: Spell Schilling for the court
24 reporter.

25 MR. SCHILLING: S-C-H-I-L-L-I-N-G.

1 JUDGE WOODRUFF: Thank you.

2 MR. SCHILLING: I have a few documents here, one of
3 what I just picked up outside, Public Service Commission
4 information sheet announcing as we are here for, Ameren Missouri
5 filed on September 3, for an increase of eleven percent. I have
6 an information sheet Ameren UE filed it's request on July 24,
7 2009 for 18 percent. I have one here, rate information sheet,
8 Ameren UE filed it's request before MPS, on April 4, 2008 for a
9 12.1 percent increase, and I have another here different agency
10 from PNC on July 10, 2006 Ameren UE filed a request with MPS for
11 a 17.7 percent rate increase.

12 That makes four filings in five years, with the lady
13 who hasn't been around this area, thank God they don't give all
14 that percent.

15 For those who have ever raised any children, have you
16 had the kind of child who comes asking for something like a new
17 I pod, a new blackberry, laptop, bigger TV, and you say, no we
18 don't have the money. Child usually got it's mind made up it
19 needs it, goes off pouting, replots it's strategy, comes back
20 and asks again. Also goes off and hits up it's grandparents.

21 So we keep returning here, four times in five years,
22 goodness gracious. The rules are the same, utility is a
23 monopoly, we have nowhere else to go, there is no competition.
24 There is no free market, that's why you are the constitutional
25 mandated appointed regulation commission, PSC.

1 I want to especially thank you for this other thing
2 I've been informed that public counsel tends to oppose Ameren's
3 request to make we customers pay for Ameren's lawyers, and an
4 consultants that are continually helping them (inaudible) for
5 those rate increase. Be like my little child coming to the
6 parent now with a support staff, and asking the parent to pick
7 up the tab for the support staff.

8 Talking facts, this is my Ameren Missouri bill for
9 January, use 334 actual, \$32.57, five years ago, since these
10 things keep going on, this is January 2006, 355 actual, \$26.49,
11 do simple arithmetic. You take divide the total dollar on the
12 billing amount by the use, on the current one, comes out to
13 .0975. Back in 06, it comes out to .0749. Now let's subtract
14 these two numbers, taking the smaller out of the largest, you
15 get .0226, but, let's also now divide that number of pennies
16 into the current unit amount, this will give you the percent
17 increase over five years.

18 At my house, in five years, I am now paying 20 percent
19 more for my electric, no choice of going anywhere else, and it
20 is you commissioners who have allowed that to occur, we easily
21 can tell that's roughly five percent a year increase.

22 I have one other factual exhibit. This is a couple
23 weeks ago, out of the post dispatch, something about an energy
24 dispute stirs up Jeff City. Something about Proposition C that
25 the voters passed, and there's now going on some lobbying, some

1 manipulation, and I again thank the Public Service Commission
2 you came out on the side of we customers, hinting that if you're
3 going to go purchase greener wind energy, purchase it in the
4 state for jobs here, but from what I heard, my senators, state
5 senators, state reps, many of the others, voted it down. One
6 begins to wonder what kind of control we have.

7 I could holler, wow, that almost seems like somebody's
8 in the pocket of the energy lobby, but I'm not going to do that,
9 it's an easier ethical problem. I'm going to refer to it as
10 cerebral sclerosis, hardening of the mind. Most people's
11 concepts of economy, religion, et cetera are in their minds
12 pretty well after college. It's hard to change it, so they
13 really think they are part of the solution, not part of the
14 problem.

15 Sort of like those federal regulators on the banking
16 and securities commission, that totally failed our nation in
17 doing their job correctly, but they imagine they were honestly
18 earning their tiny, federal salaries. Or like those federal
19 regulators of the mining and oil drilling industry, who were
20 shown to be in bed with the miners and oil industry, and I think
21 they imagined that they were honestly earning their tiny federal
22 salaries. And the folks currently in Washington DC sprinkling
23 rhetoric all over a 14 trillion dollar debt.

24 I think it's just cerebral sclerosis, no need anything
25 bigger to explain it. So if you regulators, imagine and believe

1 that five percent a year increase is a fair compromise, in a
2 recessionary time that someone's now putting numbers on, oh it's
3 going out three or four or five more years, if you think that's
4 fair, you probably also imagine that you're part of the
5 solution, and not the problem.

6 And if you cannot see a greedy bully in the room that
7 has rubbed your face in the mud over proposition C debacle, I
8 think you're suffering from denial, and this sadden taxpayer,
9 voter, and Ameren Missouri customer has little compliment to say
10 to the economic goings on federally, and in the state.

11 JUDGE WOODRUFF: Thank, sir. Commissioner?

12 CHAIRMAN GUNN: I don't have any questions, thank
13 your, sir, I appreciate it.

14 JUDGE WOODRUFF: Next name on the list is Randall
15 Viehl and.

16 (Witness sworn)

17 MR. VIEHLAND: My name is Randall Viehl and, V as in
18 Victor, I-E-H-L-A-N-D.

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

20 MR. VIEHLAND: I was an electrician for 43 years in the
21 St. Louis area, worked on numerous Union Electric Ameren power
22 projects. In the first place, I'd like to say that I'm now
23 retired on Social Security, as the rest of Social Security
24 recipients, we haven't had to raise for two years. It seems as
25 though everybody else in the country can put raises on, but we

1 don't get any, not even one percent, let alone six, eight, ten
2 percent.

3 I worked on these units and these power plants, saw a
4 lot of waste. I saw out at Lavity (phonetic), Missouri on that
5 power house not long after they built it, I worked there on the
6 scrubber system, that was is the second one I know for sure was
7 installed. It looks like they could sooner or later get a
8 system that lasts more than a few years, since they cost \$600
9 million dollars. Makes good work for my people, keeps my
10 benefit paid, but we can't afford that.

11 There was tubes laying all over, one day, pulled out
12 the boiler system, I said to my supervisor, why are those tubes
13 laying all over, are they defective, he said no. The unit didn't
14 burn enough coal, and they buy their coal from themselves at
15 their own mine, so it pulled it out, so it wouldn't be so
16 efficient. Whether that was true or not I don't know, but
17 that's what I was told.

18 The coal surcharge on my bill, I like the last
19 gentleman had pulled out bills, but I didn't go back but one
20 year. One year ago, my bill in December 21 to January 24,
21 \$364.87, FAC charge, minus \$2.99. This year, December 1, 2010,
22 or the same thing, the bill was \$325.74 FAC adjustment, \$23.88.

23 My last bill, last year at this same time, \$312.79 FAC
24 adjustment .99 cents. This year, \$405, was the bill, FAC
25 adjustment, \$30.17, and I've since paid a bill that was \$458 for

1 one month. I live in a three bedroom house. I wired my own
2 house, and I think I sense a problem with the meter. I have had
3 them come out one time, not long after I did the house. My
4 computer just happens to sit right inside the well where my
5 meter system is, I have a 400 amp service with a meter. I
6 couldn't hardly hear my computer for the roaring of the meter.
7 So I called Union Electric, they promptly sent a technician out,
8 trouble service man, he never heard a thing like that in his
9 life either. He said I think I got another meter, we'll put it
10 in and try it. Put that meter in there, it roared so loud I
11 can't hardly hear my computer, so that makes me think they need
12 to do some work on these meters.

13 That's the last time I even fooled about it, I figured
14 since one was bad, I was going to get nothing but another bad
15 one. Nuclear situation, I know I said while ago I saw a lot of
16 waste when I worked on those projects, building scrubber
17 systems, I understand they want to build another unit at
18 Calgary, which is super, I'd like to see a bunch of my fellow
19 workers get a job. At the present time, we have about 800 of
20 them unemployed, my son is one of them, he has to be working out
21 of town. I think that they've spent millions of dollars to the
22 Nuclear Regulatory Commission and all for nothing, because it
23 seemed to be turning in badly engineered things, and badly
24 engineered or Nuclear Regulatory Commission is just not wanting
25 to approve things for them, but there's millions of dollars

1 wasted because of that.

2 I'd like to see people make money, I have relatives,
3 my father-in-law was a lineman for Union Electric, I had other
4 relatives that worked for Union Electric, I'd like to the
5 companies make a decent profit too, but something happened where
6 it got out of hand. We saw yesterday where the Cardinals
7 finally stood up and said enough is enough, when Mr. Pujols, who
8 I admire, wanted a big contract that really shouldn't be that
9 big. I think you gentleman, ladies and gentleman at the
10 commission need to do something about what Union Electric wants
11 to do. That's all I have to say.

12 JUDGE WOODRUFF: Commissioner Gunn.

13 CHAIRMAN GUNN: Yeah, since you're an electrician, have
14 you taken advantage or do you try to manage your house as
15 energy --

16 MR. VIEHLAND: Oh, yes, sir.

17 CHAIRMAN GUNN: So you think you've done everything you
18 can do in order to make it efficient?

19 MR. VIEHLAND: Yes. I have electric heat, two electric
20 furnaces.

21 CHAIRMAN GUNN: And was that when you built the house
22 when you first wired it?

23 MR. VIEHLAND: Yeah, it's only five years old.

24 CHAIRMAN GUNN: Have you noticed any change, have you
25 been able to achieve savings you think through that?

1 MR. VIEHLAND: No, I put energy saving lamps in,
2 different things, and my bill just keeps going up. Weather
3 strips, I've caulked, and done all kinds of stuff. I was in the
4 business 43 years, I've had experience with electric heat
5 before, it's not the electric heat, the electric heat is a good
6 source of heat. I think it's the best. Especially radiant heat,
7 electric radiant heat. I have a furnace that's now forced air.

8 CHAIRMAN GUNN: So have the bills gone up based on just
9 because of the rates, or have the units gone up.

10 MR. VIEHLAND: It's because of the rates, because I've
11 continued to make improvements, as I've went, and they just keep
12 going up.

13 CHAIRMAN GUNN: Have you seen the usage, take out the
14 dollar amounts, but has the usage been able to go down?

15 MR. VIEHLAND: Yeah, some, but the rates have gone up.

16 CHAIRMAN GUNN: Right, I understand.

17 MR. VIEHLAND: No, we've had a bad winter this winter,
18 and everybody's bills are higher, we understand that, we got
19 more days, but they shouldn't be \$150 or \$125 more than they
20 were last year.

21 CHAIRMAN GUNN: I don't have anything else, I
22 appreciate you coming. I would, the meter problem sounds like
23 it's continuing, certainly talk to those folks outside, talk to
24 our staff and the office of public counsel as well, and they
25 might be able to figure out some solutions.

1 MR. VIEHLAND: They responded in a few minutes, I've
2 not got a problem, or never had a problem with response or
3 anything.

4 CHAIRMAN GUNN: Thanks for coming.

5 JUDGE WOODRUFF: Next name on the list is Peter
6 Westhorp.

7 (Witness sworn)

8 JUDGE WOODRUFF: Tell us your name.

9 MR. WESTHORP: Peter last name is Westhorp W-E-S-T as
10 in Tom, H-O-R-P as in Peter.

11 I have a cost issue, which has been raised before, but
12 based on actual bills that I have collected. I only have about
13 five years worth of data here, but my last bill in 2004, I'm on
14 budget billing, to kind of even things out was \$60. I don't
15 keep but electricity, we cook with it, wash our dishes with it,
16 whatever electricity is used for that kind of thing. At the end
17 of last year, either October, November somewhere in there, the
18 budget billing is now \$91, so if you take a financial calculator
19 and put those numbers in, if I started at \$60, and it's now \$91,
20 that's a 51.6 percent increase over a six year period, so that's
21 an average increase of 8.16 percent.

22 In the testimony today, I heard Ameren tell us that it
23 seemed like their costs were almost level for twenty years, 91
24 to now, seems like there wasn't any increases, but my budget
25 billing has gone up that much. And in checking some of those

1 years, comparing month-to-month, it looks like our average use
2 was very similar for that entire six year period, in terms of
3 actual units of electricity used. So the only question I had was
4 if there had been no increases in cost, how much my budget
5 billing when up 51 percent over the same period of time.

6 It may be just uniquely our house, we have very small
7 house, just use it electricity or the air conditioning, cooking,
8 like that, not even cooking, sorry, we have a gas stove, making
9 coffee in the morning, I can't come up with a rational answer in
10 my head why my budget billing when up so much over that period
11 of time.

12 JUDGE WOODRUFF: Any question like that, you might want
13 to try to talk to them before you leave today, I'm sure they'll
14 be glad to help you out.

15 MR. WESTHORP: On that row?

16 JUDGE WOODRUFF: Yes.

17 CHAIRMAN GUNN: Absolutely, and the folks on our staff
18 can help work on that too. I have a quick question, for budget
19 billing at the end of the year, you either have a credit or a
20 balance based on the usage.

21 MR. WESTHORP: They make an adjustment.

22 CHAIRMAN GUNN: And were you, up until the time that
23 the billing was adjusted, was it a, did you typically have a
24 balance, or did you typically have a credit?

25 MR. WESTHORP: There were a couple years in there where

1 I actually had a credit.

2 CHAIRMAN GUNN: Okay.

3 MR. WESTHORP: They even sent me a nice little letter
4 in 09 indicating my energy usage was down seven percent, they
5 stopped sending these out I think, but at one point, it showed
6 you the actual usage every month to month, over the entire year,
7 I don't know what happened to these.

8 CHAIRMAN GUNN: Immediately before the budget, if you
9 can recall, did you have a balance or a credit, immediately
10 before the other adjustment was made?

11 MR. WESTHORP: This last time?

12 CHAIRMAN GUNN: The last December before you went from
13 \$60 to \$91?

14 MR. WESTHORP: That's a five, six year period.

15 CHAIRMAN GUNN: So the amounts adjusted upwards, the
16 budget billing adjusted upwards over that period of time, it
17 wasn't a one time jump?

18 MR. WESTHORP: No.

19 CHAIRMAN GUNN: Okay.

20 MR. WESTHORP: But this year it went from \$71 on the
21 October bill to \$91 on the November bill.

22 CHAIRMAN GUNN: Okay.

23 MR. WESTHORP: But that was the adjustment for this
24 next whole year, the next period.

25 CHAIRMAN GUNN: All right, well I would encourage you

1 to talk to our staff, hopefully get a good explanation for it,
2 but I appreciate you bringing it to our attention.

3 JUDGE WOODRUFF: Next name on the list is Jan
4 Burmeister.

5 (Witness sworn)

6 JUDGE WOODRUFF: State your name and spell the last.

7 MS. BURMEISTER: Jan, B-U-R-M-E-I-S-T-E-R.

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

9 MS. BURMEISTER: I'll be brief, because a lot of the
10 points have already been covered. Welcome to the second or
11 third annual can we please have some more hearing. Since the
12 last time we are here, one year ago, all of our necessities, mom
13 and my health care, food, gasoline, utilities, one by one have
14 increased in cost. My and my mom's fixed income, however, has
15 not. Electric cost increases are going to cause all of the
16 above necessities to go higher, as merchants tend to pass on
17 their overhead costs, which will be higher because of an
18 electrical increase, that's something to consider.

19 While we appreciate that we did not lose power during
20 the recent ice and snowstorm, and that we got quick restoration
21 after the New Years Eve tornado, we think that's the way it
22 should be. We respectfully request the commission to rule based
23 not what they and their investors want, but what we the
24 customers can afford.

25 I won't repeat, but I fully concur with James

1 Hostler's testimony regarding cost cutting measures on part of
2 Ameren, and roll back or cut off provisions on part of the
3 commission, to anything they grant.

4 Thank you I hope we don't see you again next year
5 regarding Ameren, however, if LaCade Gas and Missouri Sewer
6 District copy this effort in 2011, as they did in 2010, I guess
7 we'll see you soon.

8 JUDGE WOODRUFF: You won't see us for MSD, because we
9 don't regulate them.

10 CHAIRMAN GUNN: I don't have any questions, thank you
11 very much for your testimony, I appreciate it.

12 JUDGE WOODRUFF: Next name on the list is Wayne
13 Linders.

14 (Witness sworn)

15 JUDGE WOODRUFF: State your name please?

16 MR. LINDERS: Wayne Linders that's L-I-N-D-E-R-S.

17 JUDGE WOODRUFF: Thank you.

18 MR. LINDERS: I'm not going to take up a lot of time
19 here, but I do have three items I want to touch on. The first
20 probably is something that a lot of people have considered here,
21 and that is, well I find it very offensive that the corporations
22 don't pay their fair share on the bills. I mean, this is all on
23 our backs, and they're getting off basically with a fraction,
24 that's one thing.

25 Now, like my IBW friend, my house has been

1 continuously sealed against the elements, I've been a fuel and
2 energy efficient person my whole life. I only put trash out
3 about twice a year, because everything is recycled. All my
4 light bulbs have always, as long as they've been available, I
5 use economy bulbs, and yet my bill, my last bill went up about
6 25 percent, even with additional insulation and usage reduction.

7 I keep my heat in the winter between 60 and 64, and my
8 bill was \$190. Now, I do use electricity for everything, but
9 the only energy, I don't even believe in computers, but my
10 energy consumption would come primarily from my ice box. I have
11 two wall heaters, electric.

12 The third thing is directed towards the Public Service
13 Commission. A couple of years ago, when we had that storm that
14 knocked out so much of our power, well, and the trimming came
15 after that, which I thought was good idea, a lot of those trees
16 needed trimming, but one of the contractors for Ameren came into
17 my yard and butchered a tree I had growing from a seed, that my
18 child grew up with, they loved this tree. They used to crawl in
19 it. The alley, I live along an alley, the alley was clearly
20 marked, old pole, old line or old pole, I can't remember how it
21 was listed, and new pole, there was no reason for this fellow to
22 even come in the yard.

23 When I called the Public Service Commission, and I
24 hate to say this about you guys, but the fellow I talked to was
25 extremely rude, he said Ameren can do anything they want to do.

1 You guys are supposed to represent us, not the corporation,
2 that's all I have to say, and I thank you.

3 CHAIRMAN GUNN: What year did you call?

4 MR. LINDERS: Well, it was the same year that the trees
5 were all trimmed.

6 CHAIRMAN GUNN: So there were a lot of storms in that
7 period of time, there was two ice storms and a summer storm?

8 MR. LINDERS: Summer storm, that's when the major
9 amount of, right after that, that trimming was. I live in
10 St. Louis City property.

11 CHAIRMAN GUNN: So it was in St. Louis city, and you
12 contacted us, and we were evidently extremely unhelpful, to say
13 the least?

14 MR. LINDERS: Yes. And I'll never forget it, that's how
15 the fellow said it to me, very rude, Ameren can do anything they
16 want to do.

17 CHAIRMAN GUNN: Well, I'll tell you that a benefit to
18 these hearings is not only to hear about what the customer
19 service that Ameren provides, but also to listen to the customer
20 service that we provide, because we do also provide call centers
21 and ability for customers to be able to work through their
22 problems, and we're supposed to be there to help.

23 MR. LINDERS: Not in this case.

24 CHAIRMAN GUNN: But what I'm going to try to do is, did
25 you actually file a formal complaint, or an informal complaint?

1 MR. LINDERS: No, after that, I just thought well
2 what's the point.

3 CHAIRMAN GUNN: I'll tell you, we're going to check on
4 this, we'll have your name go back and see if we can dig up any
5 report records, get you a response to that. I'll give you that
6 commitment, please accept our apology.

7 MR. LINDERS: I do have the guy's name written down at
8 home, I failed to bring it along.

9 CHAIRMAN GUNN: If you could send it in to us, that
10 would be great, either electronically, or give your name to one
11 of those folks, one of our staff, and we'll follow up on it,
12 because we want to continually improve our process as well.

13 MR. LINDERS: I will also comment on the fact, and a
14 little shame faced on this, but I responded in kind.

15 CHAIRMAN GUNN: Certainly understandable, sir. So,
16 we'll look into it, but thank you for the rest of your
17 testimony, I don't have any other questions.

18 MR. LINDERS: Thank you very much.

19 JUDGE WOODRUFF: Last name on my list is Kim Doyle.
20 (Witness sworn)

21 JUDGE WOODRUFF: Tell us your name please.

22 MS. DOYLE: Kimberly Doyle.

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

24 MS. DOYLE: First of all, I share Wayne's frustration,
25 I'll try to be a little more to the point though. You've been

1 asking everyone how the service has been, my service has always
2 been good, one reason I live in the city, there's a transformer
3 in the alley behind my house. I do recall that one night I woke
4 up to fireworks, I don't know what was going on with the
5 transformer, but it was quite entertaining, and I thank you all
6 for that.

7 These are sort of random thoughts, in no particular
8 order, I apologize. I use minimal problem, I have a
9 refrigerator, washing machine, television, and I do have VCR and
10 that draws power, but from time to time we see TV ads, get
11 literature in the mail, don't use so much power. Well, I don't
12 use that much, and a lot of times I'll use candles or oil lamps,
13 just because I like the way they look, but I don't know what I
14 could cut out to use less power, unless I went to an old
15 fashioned icebox or something.

16 So, again, the last time we had these parties I
17 suggested that perhaps there could be different usage rates for
18 people who use a great deal of energy, for people who have to
19 have a computer in every room, or a cell phone in every pocket,
20 or whatever else you use that eats up lot of energy. The
21 Missouri Public Service Commission seems to always side with the
22 utilities. I have on several occasion called, and it became
23 very apparent, I don't remember who I spoke with, what office it
24 was, but again, they seemed to side with the utility companies,
25 whether it's you guys or someone else. Not you eyes, sorry,

1 whether it's UE or someone one else. I find that annoying, if
2 they represent the interests of the investors, why even bother.

3 Advertising, this is a monopoly, why spend that kind
4 of money, it just doesn't seem to make sense to me. I do
5 production work, and I know what those kind of programs cost,
6 they're ridiculously expensive.

7 Why do we use coal? If we have investments from such
8 big backers, and again these are professional investors, or
9 speculators, they have lots of money that's expendable, yeah
10 they want a big return, but if they don't get a big return,
11 that's not the end of their world, they're very wealthy. Can't
12 that large influx of cash be used to invest in solar wind,
13 geothermal, something that we don't have to buy, we have to buy
14 coal, and something that's not polluting, which never used to be
15 a problem, but there's so many people now, I think we need to
16 consider those aspects.

17 Just because the Midwest may have the lowest rates in
18 the country, doesn't justify raising local rates. With the
19 number of customers UE has, I find it amazing that current
20 charges don't provide enough capital, and the current economy,
21 notwithstanding an additional eleven percent hike, seems more
22 than excessive, especially since a rate hike was just awarded
23 less than two years ago.

24 I work for a company, and the work we do has not much
25 impact like UE, but there's always waste in a company, any time

1 you have more than one or two people working on a project, I
2 guarantee there's waste.

3 I understand it requires a budget, but alternative
4 energy has been talked about for many years, at least 40 that I
5 can recall, so for UE to ask for money to repair old facilities,
6 and keep pushing nuclear, instead of encouraging more eco
7 friendly power sources, just seems wrong. And I know maintenance
8 is expensive, but isn't that part of the service that UE
9 provides, isn't that part of the mandate or contract or whatever
10 it's called. It shouldn't be, I don't think it should come as a
11 surprise that after thirty years, electrical wires are going the
12 fail and need to be replaced, which is an example someone stated
13 earlier.

14 I also wonder, couldn't UE possibly have some
15 competition, they're a monopoly, as far as I can tell, that's
16 not a good way to keep prices down any place, in any business
17 model that I know of, that's all I have.

18 CHAIRMAN GUNN: Thank you, ma'am, I know yours is the
19 kind testimony that frustrates me the most, because I would love
20 to have conversations with you about this kind of stuff, I think
21 you bring up some very interesting points, that we would love to
22 consider. There are reasons and explanations for a lot of what
23 you're talking about, but I constrained by this, we have to do a
24 better job of figuring out how we can have conversations with
25 rate payers, customers, outside of those rate cases, where we

1 can actively have conversations and talk to you about some of
2 these things, but I appreciate you very much, and I think your
3 points are well taken, and I think some of the other folks here,
4 there might be able to help get some answers to some of those
5 things.

6 MS. DOYLE: The last time I came to a hearing, I did
7 speak to many people afterwards, and they weren't able to give
8 me anything useful, so I don't know if constraints are regarding
9 the case under discussion now, I don't know.

10 MR. DUNN: I don't know why either, but I appreciate
11 you coming out, and like I said, I've been appointed chair, even
12 though I was commissioner in the past, I've been appointed chair
13 just recently, no good deed goes unpunished, but we're going to
14 really look for a way in order to have these kinds of
15 conversations and discussions, and hopefully answer some of
16 these questions outside of this process, so we can have some
17 real conversations.

18 MS. DOYLE: It's not that I'm opposed, you know, I'm
19 old, and as I've grown up, I've seen prices just skyrocket, and
20 I feel like my grandparents, I remember bread was a nickel, I'm
21 beginning to feel like my grandparents, but I know that there
22 are costs that have to be incurred. I may get shot for saying
23 this, but I wouldn't mind paying the fee if we're doing
24 something more sensible, but it keeps coming back to coal fired,
25 and coal is cheap, and that's fine, but if we can't breathe the

1 air, and we're going to have to scrub sulfur out of the air
2 after we burn the stuff, why aren't we investing in something
3 else, and that's my biggest concern.

4 I've heard it said that our rates would increase if UE
5 had to do mandated solar or wind or something, well the rates
6 are going up any way, so why don't we just invest in that,
7 instead of doing what we're already doing, which isn't near
8 successful. So thanks for your time, and I just wanted to get
9 that on the public record.

10 JUDGE WOODRUFF: That was the last name on my list, is
11 there anyone else here who would like to testify?

12 (Witness sworn)

13 JUDGE WOODRUFF: Tell us your name please.

14 MR. SCHAMERLOH: My name is Larry Schamerloh,
15 S-C-H-A-M-E-R-L-O-H.

16 I was going to say something about what you just
17 talked about, as far as getting feedback from the public a
18 little more, outside of the rate commission, I think that's a
19 good idea.

20 Just to clarify, I believe pictures are worth a
21 thousand words. I happened to come with this, it was brought up
22 a lot here, as far as costs. A lot of costs were talked about,
23 how it's gone up over the years, but a lot has to do with usage
24 too. This graph here in the trendline reflects cost increases
25 for me as a resident over four years, minus the usage factor,

1 it's up 35, 40 percent. So I thought it would be good for you
2 to see that, because the picture shows it's a significant
3 increase, for \$100 bill now, people are paying \$135, \$140,
4 that's you know, hundreds of dollars more a year.

5 But I think it reflects, and this really reflects my
6 usage at my house, minus, and it factors out the actual increase
7 in usage, although we've gone fairly flat, and up and down,
8 we're doing things to reduce that, so I thought I would make
9 this available to you.

10 CHAIRMAN GUNN: We can actually mark it as an exhibit,
11 if you can leave it with us.

12 MR. SCHAMERLOH: That's fine.

13 CHAIRMAN GUNN: We can mark it with an exhibit, and it
14 will actually go into the public record.

15 MR. SCHAMERLOH: That's fine, because truly my cost per
16 kilowatt hour, including fuel costs and actually, the trend line
17 won't change, but it includes the local municipal costs, and
18 stuff like that. My bottom line, most of us are worried about
19 what we're paying, we don't care what the rates are, they're
20 different in the summer, than in the winter, this factors all
21 that out, just the bottom line what am I paying.

22 CHAIRMAN GUNN: Excellent, we'll be happy to.

23 JUDGE WOODRUFF: Give it to me now, and we'll mark it.

24 MR. SCHAMERLOH: I'll be here afterwards.

25 JUDGE WOODRUFF: You got more than one page here you

1 want?

2 MR. SCHAMERLOH: Yeah, I do for other things, but
3 mainly that's what I wanted to show you.

4 JUDGE WOODRUFF: Okay. Do you want me just to take
5 the, because you got your personal bills and stuff on there
6 that.

7 MR. SCHAMERLOH: But as far as reliability and stuff,
8 you know, I really thank Ameren for what they've done. When we
9 moved here nine years ago, every time the wind sneezed, we are
10 out of electricity, but things have recently got a lot better,
11 and I thank them for that. And I know that costs money, we'll
12 pay you for that, but I think a lot has been discussed here
13 regarding rate of return, and a lot of other factors, that you
14 guys have to figure out, but for us, it's the bottom line, what
15 we're paying.

16 (Exhibit 1 Marked for Identification.)

17 JUDGE WOODRUFF: I'm going to mark this as Exhibit 1.
18 Anybody object to it's receipt? Hearing no objections, it will
19 be received into evidence.

20 Anyone else wish to testify? I don't see anyone else
21 raising their hand. Once again, with that we are adjourned.

22 (Whereupon, the hearing adjourned at 1:31 p.m.)

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CERTIFICATE OF REPORTER

I, ANGIE R. KELLY, an Illinois Certified Shorthand Reporter, (IL CSR# 084-004498) and Missouri Certified Court Reporter, (MO CCR# 1010) do hereby certify that the witness whose testimony appears in the foregoing deposition transcript was duly sworn by me; that the testimony of said witness was taken by me to the best of my ability, and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto; nor financially or otherwise interested in the outcome of this action.

Notary Public

1 I N D E X

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14	E X H I B I T S	Marked	Rec' d
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