

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing

January 7, 2020

Ferguson, Missouri

Volume 6

In the Matter of Union)
Electric Company d/b/a)
Ameren Missouri's Tarrifs) File No. ER-2019-0335
To Decrease Its Revenues)
For Electric Service)

Nancy Dippell, Presiding

SENIOR REGULATORY LAW JUDGE

Scott T. Rupp, Commissioner

REPORTED BY: Angie Schlotzhauer, CCR No. 1429

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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 U R E S

2 January 7th, 2020

3 JUDGE: The Missouri Public Service
4 Commission has set a time for a local public hearing in
5 Case No. ER-2019-0335, in which Union Electric Company,
6 doing business as Ameren Missouri, seeks to decrease its
7 revenues for electric service.

8 I am Nancy Dippell. I'm the regulatory law judge
9 that's been assigned to preside over this matter today,
10 and with me is Commissioner Rupp. He's one of the five
11 commissioners, currently only four commissioners, at the
12 Public Service Commission, and we're here today to hear
13 comments from the general public about this rate change.

14 The court reporter is going to take down your
15 comments. I'm going to call you up one at a time
16 starting with the people who've signed up on the
17 sign-up sheet, and then if there are others that want
18 to testify after that, I will -- I will open it up and
19 ask you to come up.

20 If you want to give comments, I would ask that you
21 come up here to this podium, and you state your name
22 and spell it for the court reporter.

23 We do take comments under oath. They're
24 affirmations, so I will ask you to swear or affirm that
25 you will tell the truth, and then we'll just have you

1 give your comments.

2 There could be questions for myself or the
3 Commissioner to clarify what you've said. There might
4 be some questions for the attorneys on rare occasions,
5 so would ask you to stay at the podium after you've
6 given your comments just in case we have some questions
7 for you.

8 With that being said, I think we can go ahead and
9 I'd like to start with giving the attorneys the
10 opportunity to make their entries of appearance, and
11 I'm going to start with staff.

12 MS. MYERS: On behalf of the staff of the
13 Missouri Public Service Commission, Jamie Myers. My
14 address is 200 Madison Street, Jefferson City, Missouri,
15 65102.

16 JUDGE: And the Office of Public Counsel.

17 MR. HALL: Good afternoon, Judge. Thank you.
18 Caleb Hall appearing on behalf of the Office of Public
19 Counsel. My contact information was previously provided
20 to the stenographer.

21 JUDGE: And Ameren Missouri.

22 MS. TATRO: Good afternoon. Wendy Tatro, 1901
23 Chouteau Avenue, St. Louis, Missouri, 63103.

24 JUDGE: Thank you. And before we begin, I'm
25 going to ask Commissioner Rupp to make some opening

1 remarks.

2 COMMISSIONER RUPP: Thank you for being here.
3 For those that have just walked in, wanted to just
4 clarify that the Judge and myself are unable to answer
5 any questions, so when you come up and you give your
6 testimony and you ask us any questions, unfortunately,
7 we cannot respond because we're the judges in this case
8 just like if you were to walk into a courtroom. In the
9 courtroom, you can't just ask a question of the judge in
10 the middle of the court case. So that's our role. We
11 have to remain completely unbiased and impartial, so
12 that's why we're just going to sit here and listen to
13 everything you say. That is why you have the Office of
14 Public Counsel, the gentleman here in the striped suit,
15 Caleb. He can answer any questions that you have
16 afterwards if you missed the question and answer session
17 beforehand, as well as the staff of the Public Service
18 Commission has representatives here, as do the company,
19 and they can answer questions for you. I just didn't
20 want anyone to think that we were being flippant by just
21 not responding and staring at you if you ask us a
22 question. We just legally have to remain completely
23 unbiased in this position.

24 So thank you for showing up today. We would love
25 to hear your thoughts on this potential rate decrease,

1 and also anything you want to let us know about the
2 company. Anything with customer service or how they are
3 in the community, we like to hear all those types of
4 feedback when we have these public hearings. Thank you
5 very much.

6 JUDGE: So we can go ahead and begin with our
7 first witness is Bruce Morrison.

8 Could you state your name and spell it for the
9 court reporter, please.

10 MR. MORRISON: Bruce A. Morrison, B-r-u-c-e A
11 M-o-r-r-i-s-o-n.

12 JUROR: Would you raise your right hand.

13 (The witness was sworn.)

14 MR. MORRISON: Good afternoon, Judge and
15 Commissioner. Bruce Morrison, a lawyer with Great
16 Rivers Environmental Law Center St. Louis, and I also
17 serve as chair of the Environmental Justice Committee
18 for the St. Louis County Branch of the NAACP. I'm
19 joined here today by my fellow committee member,
20 Ms. Diane Perry.

21 And with that, I'm not here to bash all of Ameren.
22 Ameren does some very good things, and we recognize
23 them, we think, pretty often. For example, Ameren and
24 the NAACP entered into an agreement not long ago to make
25 sure that opportunities are identified to locate clean,

1 affordable, renewable energy in low-income and minority
2 communities within Ameren's service territory.

3 Terrific. And thank you, Ameren, for partnering with
4 the NAACP.

5 But while Ameren does some good things, there's an
6 aspect of this proposal that is not good at all. Hidden
7 within Ameren's proposed decrease is a request to
8 increase the residential customer charge. The position
9 of the NAACP on these mandatory charges is set forth in
10 the NAACP statement on mandatory fees from 2015, which I
11 will read into the record verbatim:

12 "So how does something as seemingly obscure as
13 mandatory fee increases fit into the NAACP's civil
14 rights agenda? Well, they often force higher costs
15 disproportionately on to people who use the least
16 electricity and can least afford higher bills. That
17 means they disproportionately impact low-income
18 communities and communities of color. They also remove
19 incentives to conserve energy and result in consumers
20 losing control over their energy costs and options.
21 This has a direct impact on communities throughout the
22 country who are trying to save money and lower monthly
23 energy bills through weatherization and simple energy
24 efficiency upgrades. Mandatory fees take away our
25 agency to determine our own energy use and, therefore,

1 what we way pay."

2 Add to that the position of the NAACP on energy
3 efficiency, which the NAACP sets forth in its model
4 energy policies guide from 2017 which states, "Given
5 our current dependence on harmful energy production
6 practices, we should reduce our demand for energy to
7 the greatest extent possible."

8 So for these two reasons, No. 1, that the proposed
9 increase in the flat residential customer charge will
10 tend to force higher costs disproportionately on to
11 people who use the least electricity and can least
12 afford higher bills; and No. 2, will remove incentives
13 to conserve energy and result in consumers losing
14 control over their energy costs and options, the
15 St. Louis County branch of the NAACP opposes Ameren's
16 proposal to increase its residential customer charge.

17 And that concludes my testimony. Thank you.

18 JUDGE: Thank you very much, sir.

19 Our second witness is Mary Fondren. Did I say
20 that correctly?

21 MS. FONDREN: Good afternoon.

22 JUDGE: Could you please spell your name --

23 MS. FONDREN: My name is Mary, M-a-r-y, F-as
24 in Frank-o-n-d-r-e-n.

25 JUDGE: And did I pronounce it correctly?

1 MS. FONDREN: You did.

2 JUDGE: Could you please raise your right
3 hand.

4 (The witness was sworn.)

5 MS. FONDREN: Oh, I want to know when things
6 are going well. Why don't they save -- why don't the
7 company save and plan for repairs when there's a
8 catastrophe? A lot of times they give the CEOs a bonus,
9 and then when something happens, it comes back on the
10 public.

11 We the seniors try to pay our bills and have been
12 for a long time. Yet, it seems we get penalized when
13 something happens. In November, my bill was a certain
14 amount, and it doubled this time. I don't have any
15 Christmas tree lights and I don't do that, so why they
16 are telling me that, you know, my bill went up when it
17 usually say the bill is going to become lower, it seems
18 it get higher. Thank you.

19 JUDGE: All right. Jeffrey Coleman. Could
20 you please spell your name for the court reporter.

21 MR. COLEMAN: J-e-f-f-e-r-e-y C-o-l-e-m-a-n.

22 JUDGE: And if you could raise your right
23 hand.

24 (The witness was sworn.)

25 MR. COLEMAN: I would like to testify today

1 about a loss that I suffered due to a relatively minor
2 outage that was overstated by Ameren to be much longer
3 and more severe than it actually was.

4 We were traveling -- my wife and I were traveling
5 on Friday, June 29th, 2018 when we saw news coverage of
6 St. Louis storms and power outages. We looked up our
7 outage center account on Ameren.com which displayed an
8 outage at our home address effective 3:00 p.m. that day.
9 We monitored the outage center until the following night
10 when it reported it power had been restored. We then
11 submitted an inquiry through Ameren.com to obtain the
12 end time of our outage.

13 Barbara e-mailed a response on July 3rd indicating,
14 "Our records show power was restored June 30th, 2018 at
15 11:50 p.m."

16 This corroborated the outage center report that our
17 home outage exceeded 32 hours, and we deduced that all
18 of the perishable food in our refrigerator/freezer was
19 undoubtedly spoiled.

20 We returned home from our travels the evening of
21 Thursday, July 5th and immediately emptied our
22 refrigerated and frozen perishables into the garbage
23 because our weekly trash pickup was the following
24 morning.

25 In the morning, we checked our phone answering

1 machine and found messages time stamped the previous
2 Friday while the outage was reportedly in effect. One
3 of the messages was an outage alert from Ameren at
4 7:49 p.m. June 29th. This caught us by surprise because
5 our answering machine is unable to record during a power
6 interruption. We tested it to confirm.

7 Then we asked our neighbors about the timing of the
8 outage, and they all responded that the only outage
9 while we were away had begun during the storm on the
10 evening of Thursday June 28th and ended within 12 hours,
11 before dawn the following morning. None of our
12 neighbors had any food spoilage. Only then did we
13 realize that our freezer showed no evidence of ice
14 having melted and refrozen.

15 We were forced to conclude that Ameren misled us on
16 the severity of our power outage to our great detriment.
17 This resulted in approximately \$700 worth of food that
18 we had thrown away based on what we spent to replace
19 that food.

20 We then filed a liability claim due to Ameren's
21 false reports by Ameren.com and by e-mail according our
22 power outage at our home that we relied upon to destroy
23 unspoiled food. We received a rejection from Ameren's
24 third-party administrator. Brentwood Services rejected
25 our liability claim. I then reach out to various

1 executives at Ameren and received no response
2 whatsoever, so I am still today, a year and a half
3 later, still pursuing satisfaction of this liability
4 claim.

5 Thank you.

6 JUDGE: I would encourage you, if you haven't
7 done so already, to talk to some of Ameren's customer
8 service folks who are here today and/or speak with the
9 Public Service Commission consumer services folks as
10 well.

11 MR. COLEMAN: All right, thank you.

12 COMMISSIONER RUPP: Have you filed a complaint
13 with Missouri Public Service Commission on your behalf?

14 MR. COLEMAN: I have not.

15 COMMISSIONER RUPP: I would suggest you talk
16 to the staff here, and there's an avenue of which, if
17 you choose to go down that route, there's an avenue of
18 which you can still avail yourself.

19 MR. COLEMAN: Thank you. That would be
20 wonderful.

21 JUDGE: And I don't have anyone else signed
22 up. Are there other folks in the room that didn't have
23 an opportunity to sign up or would like to testify? No
24 one? All right then.

25 Well, we appreciate you coming out. We hope that

1 you learned something about this process, and if you
2 have additional questions, there are folks from Ameren
3 Missouri back in the back of the room. There are people
4 here from the Public Service Commission that can answer
5 questions about consumer issues and the process.

6 So with that, then, we can conclude the hearing and
7 go off the record. Thank you.

8 (Thereupon, the hearing concluded at 12:42 p.m.)
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