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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
TRANSCRIPT OF PROCEEDINGS

Local Public Hearing
July 10, 2018
Gladstone, Missouri
Volume 5

IN THE MATTER OF KCP&L)	
COMPANY'S REQUEST FOR AUTHORITY)	File No.
TO IMPLEMENT A GENERAL RATE)	ER-2018-0145
INCREASE FOR ELECTRIC SERVICE)	
IN THE MATTER OF KCP&L GREATER)	
MISSOURI OPERATIONS COMPANY'S)	File No.
REQUEST FOR AUTHORITY TO)	ER-2018-0416
IMPLEMENT A GENERAL RATE)	
INCREASE FOR ELECTRIC SERVICE)	

NANCY DIPPELL
DEPUTY CHIEF REGULATORY LAW JUDGE

RYAN SILVEY
COMMISSIONER

REPORTED BY: SARAH DAVISON, CCR

1 (Hearing commenced at 6:57 p.m.)

2 MS. DIPPELL: Good evening. We'll go
3 ahead and go on the record.

4 Can you all hear me okay in the back?

5 Today is July 10, 2018. The Missouri
6 Public Service Commission has set this time for a
7 local public hearing in files numbered ER2018-02 --
8 or I'm sorry -- 0145 and ER2018-0146, which are
9 Kansas City Power & Light Company and KCP&L Greater
10 Operations Company's request to implement general
11 rate increases.

12 My name is Nancy Dippell. I'm a
13 regulatory law judge who's been assigned to hold
14 this hearing tonight, and I have with me
15 Commissioner Silvey. The commissioners will be the
16 ultimate decision-makers in this case after they
17 hear all the evidence, and this particular part of
18 the process is your opportunity as the general
19 public to give comments about the rate proposal.

20 The way the process will work is I will
21 allow the attorneys on the case to make their
22 entries of appearance and then the people who have
23 signed up, I'll ask you to come up, I'll ask you to
24 swear or affirm that you'll tell the truth, and then
25 I'll ask you to spell your name and give your

1 comments.

2 All of your comments will be taken down
3 by our court reporter and will be transcribed, and
4 the commissioners who are not here today will be
5 able to review those comments and they will become
6 part of the official record.

7 At the end, if there's somebody else
8 that would like to testify, I'll ask if there's
9 anybody that didn't sign up and you're welcome to
10 come up at that time.

11 Since we don't have a lot of people
12 here this evening to testify, I'm not going to set a
13 time limit, but I will ask you to be respectful of
14 everybody's time. We've been here a while already
15 tonight.

16 So with that, I will go ahead and ask
17 the attorneys to make their entries of appearance.
18 I'll start with the company.

19 MR. HACK: Thank you. Robert Hack,
20 H-A-C-K, for KCP&L and KCP&L Greater Missouri
21 Operations Company.

22 MS. DIPPELL: Thank you. Commission
23 staff?

24 MR. IRVING: Ron Irving, staff counsel.
25 I believe you have my information as well.

1 MS. DIPPELL: Office of the public
2 counsel?

3 MR. SMITH: For public counsel, Ryan
4 Smith. My information is with the court reporter.
5 Thank you.

6 MS. DIPPELL: Are there any interveners
7 present that want to make an entry? I don't see
8 any, so I will just begin, then, with the first
9 person on my list, which is Charles Corbin.

10 CHARLES CORBIN,
11 being first duly sworn, testified under oath as
12 follows:

13 MS. DIPPELL: Would you please state
14 your name and spell it for the court reporter?

15 MR. CORBIN: My name is Charles Corbin,
16 C-O-R-B-I-N, last name. Live in Kansas City,
17 Missouri. My biggest concern has been addressed
18 already, was the tax bill. Utility company's been
19 reduced from 30 some percent down to middle 20
20 percent and I'm not getting any benefit of that.
21 They are -- they say they've got it factored in now
22 to their rate increase, which means when the utility
23 commission allows the rate increase, then it will be
24 less than what it normally would be, maybe. But
25 they're still getting six to eight months of cheaper

1 taxes and I'm not getting any benefits from it.

2 Thank you.

3 MS. DIPPELL: Thank you, sir. Mr.
4 Hyneman?

5 CHARLES HYNEMAN,
6 being first duly sworn, testified under oath as
7 follows:

8 MS. DIPPELL: Could you please spell
9 your name for the court reporter?

10 MR. HYNEMAN: It's Charles Hyneman,
11 H-Y-N-E-M-A-N.

12 MS. DIPPELL: And before you begin your
13 comments, I just want to state on the record that
14 you're a former employee of the Public Service
15 Commission as well as the office of public counsel?

16 MR. HYNEMAN: Yes.

17 MS. DIPPELL: And you have testified as
18 an expert in utility matters for both of those
19 positions?

20 MR. HYNEMAN: For about 25 years.

21 MS. DIPPELL: That's all right.

22 Did you previously give expert
23 testimony in KCPL or GMO cases.

24 MR. HYNEMAN: No. I retired on
25 January 1st of this year and testimony, I think, was

1 filed.

2 MS. DIPPELL: I mean in prior cases.

3 MR. HYNEMAN: In prior cases, I have
4 testified in I think every single KCPL rate case
5 since 2006. There's been about a dozen of them.

6 MS. DIPPELL: Okay. So with that, I
7 will just ask that you remember that any
8 confidential information you may have acquired
9 during the course of those proceedings, that you
10 maintain its confidentiality.

11 MR. HYNEMAN: Thank you for that. And
12 everything I say tonight is going to be what I got
13 through EFIS (sp). And since I don't have access to
14 classified, it's all --

15 MS. DIPPELL: That's perfectly fine.
16 Thank you.

17 MR. HYNEMAN: And Commissioner Silvey,
18 it's nice to meet you. I live just about a half a
19 mile from here. I understand you used to represent
20 this area?

21 MR. SILVEY: I did. I grew up about
22 four blocks from here and represented this area
23 about 13 years in the legislature.

24 MR. HYNEMAN: Four blocks, that's about
25 67th Street?

1 MR. SILVEY: That's 68th Place.

2 MR. HYNEMAN: Oh, I'm sorry I didn't
3 get to meet you. I left Jeff City right probably
4 when you transitioned as a commissioner, so it's
5 nice to meet you here tonight.

6 And I want to thank you and the
7 commission for encouraging consumers to come out
8 here to these local public hearings to express their
9 opinions, their views and concerns. Mine might be a
10 little different from what you normally hear. I'm
11 not going to focus too much on customer service, but
12 I do have some notes here and I'm going to go
13 through them as fast as I can, so I appreciate that.

14 And I want to preface it by, in a 2014
15 report and order, the commission said that the
16 commission's guiding purpose in setting rates is to
17 protect the consumer against the natural monopoly of
18 the public utility. The dominant law and purpose of
19 this policy is the protection of the public and the
20 protection given the utility is merely incidental.
21 So the commission is charged -- and those -- the
22 commission quoted in that report two Court cases,
23 two Court rulings, so I'm assuming that's in the
24 law. So the commission's role is clear, protect the
25 public, and only incidentally the utility. So

1 that's what the law says. And when I was looking at
2 the introduction slides tonight, I was a little
3 concerned and I shouldn't be because I think I've
4 known this, but it said staff is a neutral party.
5 So if the role of the commission, the guiding
6 purpose is to protect the consumers, its staff is
7 the only entity that really has the resources to
8 audit the utility is neutral. I think that's a
9 problem. I think the staff, the commission staff,
10 should have a role of protecting the public against
11 the utility. Otherwise, there is no entity, with
12 the exception of maybe OPC with their tiny
13 resources, that actually protects the public. So I
14 think maybe that slide needs to change. Staff is
15 not neutral. Staff works for the commission. And
16 the commission's charge is to protect the public
17 against the power of the monopoly utility.

18 So I want to get back into this rate
19 case. The commission staff reported to you that
20 based on its six-month audit of KCPL, the KCPL is
21 over-earning by \$19 million, and that's over a 9.85
22 percent profit level ROE. So if you bring that ROE
23 down to what I consider a more reasonable level,
24 their over-earnings are in excess of \$19 million for
25 KCPL, and \$35 million for GMO.

1 Now, if this -- and this case is
2 unusual because there's nothing in the true-up part
3 of this case, no big costs that are on the horizon
4 that will increase the revenue department, so
5 this -- these are pretty solid numbers from my
6 perspective. And given that, it's likely that this
7 case, a rate case will transition into a complaint
8 case or over-earnings case where KCPL will have to
9 lower its rates based on the findings.

10 Now, a concern I have as a member of
11 the public is that you'll have these meetings in
12 Jeff City, you get together and you do all these
13 give and takes, and all of a sudden you have a small
14 revenue increase and all this over-earnings just
15 goes away. And I hope that doesn't take place. And
16 I think one way to address that for the commission,
17 to require its staff to say, okay, you found \$19
18 million of over-earnings, you're now at \$5 million
19 positive, I want you to list and explain the
20 rationale for all these changes and make that public
21 information so the public can see how a case
22 transitioned.

23 Staff is recommending a 9.85 percent
24 return on equity for KCPL, GMO or a profit level.
25 That's the exact same amount recommended by KCPL,

1 9.85. To me, that is unheard of. In my 25 years of
2 doing rate cases, I have never seen where the staff
3 comes out an ROE level the same as utility. That's
4 simply unprecedented. In rate cases, the ROE or
5 profit level is always the biggest contentious
6 issue, litigated issue, and it's always the parties,
7 the Kansas City utility, who wants a high ROE. Now,
8 for some reason, the commission staff is at a high
9 level equal to KCPL. That does not seem like a
10 staff that is working to protect the interest of the
11 consumer against the utility. Either KCPL -- which
12 I know them well -- and I doubt that they came in at
13 a low reasonable ROE, or staff's ROE is really high.
14 And I think it is high for a few reasons. In its
15 cost of service report, staff said it has a range of
16 9 to 10, and it's recommending a high end of 9.85.
17 But staff's range, staff's ROE is not based on its
18 analysis. Staff's analysis shows that KCPL's cost
19 of equity is somewhere between 6 and 8 percent. In
20 fact, staff did a discounted cash flow analysis, the
21 very analysis that the commission relies on and
22 studied ROEs, and that analysis said that KCPL's
23 cost of equity was between 7.46 and 8.26. So staff
24 analysis says high 8.26, but it's recommending to
25 the commission to give KCPL 9.85.

1 How do you possibly reconcile that? I
2 don't know, but I know staff's 9.85 percent
3 recommendation is bad for six reasons, at least, and
4 I'll give you quick.

5 First of all, it's the same rate as the
6 utility. Unprecedented in Missouri. I've never
7 seen it happen, I doubt anybody else has seen it
8 happen.

9 Second, it is much higher than the 9.5
10 percent, 9.3 percent ROE that KCPL is seeking in its
11 Kansas jurisdiction. Probably 10 or 15 miles from
12 here, it's only asking for a profit level of 9.3.
13 In Missouri, it's asking for 9.85. I find that
14 extremely difficult to reconcile.

15 Third, staff's recommendation is not
16 based on any analysis. Staff's analysis is much
17 lower. It's in the 8 level, 8.26. Well, what staff
18 said, this is the company's cost of equity, but
19 because the commission gave KCPL 9.5 in the last
20 case, and the commission gave Laclede gas another
21 rate, we're going to base our recommendations on
22 those rates, not on our analysis, but simply what
23 the commission gave other utilities. Doesn't make
24 sense to me.

25 The fifth reason is, in the 2016 KCPL

1 case, staff hired an expert witness. He's a
2 professor of finance at Penn State University, Dr.
3 Woodridge, nationally renowned, and he came up with
4 an ROE level recommended somewhere in the 8s, so
5 that was staff's recommendation in the 2016/2017
6 time frame, in the mid 8s. Now staff's up to 9.85.
7 A huge jump from what it recommended just a couple
8 years ago.

9 And, finally, staff's rate, 9.85, does
10 not include the significant reduction of risk that
11 the utility will enjoy next month when Senate Bill
12 564, Senate Bill 564 takes in effect. That bill,
13 among other things, says KCPL can get between rate
14 cases 85 percent recovery on all plant cost, all
15 return on plant cost and all depreciation on plant,
16 virtually all their plant investments. And put it
17 in the regulatory asset, add profit levels to that
18 rate base, and that's a significant reduction in
19 risk. But staff didn't address that in its cost of
20 service report. It didn't even consider it. And
21 that is another -- that is a significant problem.

22 We're seeing that KCPL witness, Tim
23 Rush, said that he estimates 26 percent of KCPL's
24 total costs are recovered to the fuel adjustment
25 clause, so automatic rate of adjustment right there

1 in fuel when you purchase power for 26 percent.

2 Now, KCPL also has other trackers for
3 pensions, all their pensions, all their retirement
4 costs are tracked. So all those costs, which are in
5 the millions of dollars, are not at risk. They also
6 have environmental cost trackers. They have the
7 demand-side management or the energy investment act.
8 They have res rams, all kinds of rate adjustment
9 mechanisms, and now they have a plant, a new plant
10 accounting system which gives them significant
11 reduction in regulatory lag and significant
12 reduction of risk in their plant investments.

13 So over a period of time, one has to
14 wonder, how much of KCPL's cost are subject to
15 automatic rate recovery. 26 percent KCPL estimates
16 for just fuel and purchase power. Where are all
17 those other trackers, all those other rate
18 adjustment mechanisms, how much is not subject to
19 risk? Could it be 50, 60 percent? Yet that --
20 that's not reflected in their cost of equity
21 recommendation and that is a problem. It's a major
22 problem for staff.

23 Now, MEEG witness Gorman recommends
24 9.3. Mr. Gorman is a national expert, very smart,
25 but he also said that he did not consider a

1 reduction of risk from Senate Bill 564, and I think
2 he needs to do that. He doesn't explain why he
3 didn't do that. Maybe he didn't have time based on
4 his analysis which the legislation just passed here
5 recently.

6 So that's all I have on ROE. I'm going
7 to quickly go into the tax law change.

8 KCPL testified that it wants its
9 customers to be made whole from the tax change.
10 Yet, in its filing, the only thing it did is change
11 the tax rate on a going forward perspective basis.
12 And this is more -- better explained in the direct
13 testimony of MCEG witness, Mike Barrage (sp). He
14 goes into the tax issue very thoroughly. But KCPL
15 indicated that they want the customers made whole.
16 That includes the reduction of taxes that they had
17 in 2018 where they were paying the low rate, yet
18 recovering rates at the much higher rate, so all
19 that money and the estimate that Mr. Barrage makes
20 is that the total for KCPL would be about
21 \$35 million. And that, if you amortize that over a
22 four-year period that KCPL will be out, that's a
23 reduction of \$8.75 million that KCPL needs to adjust
24 its revenue (inaudible). So if you add that,
25 another \$8.75 to staff's \$19 million, so we're

1 looking at \$28 million over-earnings, only if you
2 include this what they call stub period tax savings.
3 Now shouldn't be an issue. I think KCPL admitted
4 they want to include that, for some reason they just
5 did not. And I don't know why they didn't, but they
6 didn't, and that's -- that is a problem.

7 Finally, I want to talk about the fuel
8 adjustment clause. KCPL and GMO are proposing an
9 increase, it's my understanding, to its FAC. I've
10 been reading the testimony of OPC witness Mance
11 (sp), and she expressed no problem with that, but
12 KCPL failed to explain in the testimony why an
13 environment fuel cost and purchase power cost that
14 are either flat or declining, why does KCPL need to
15 increase its FAC? That's all, she's just asking
16 that question, and I think the commission should ask
17 that question to KCPL and demand an answer for it.

18 Finally, I want to quickly talk about
19 KCPL's proposal to shut down some of its power
20 plants. The example -- it applies to several power
21 plants -- but the main example I want to use is
22 Sibley 3. In 2009, Sibley 3 went through a major
23 environmental overhaul. KCPL recorded millions and
24 millions and millions of dollars in costs to get the
25 unit operating more environmentally friendly. Now,

1 they talk -- and the projected life of that plant
2 after that rehab was out to 2040, but now KCPL is
3 saying we're going to shut it down at the end of
4 2018. To me, that just makes no sense at all,
5 especially since that unit serves GMO's service
6 territory and GMO is short on capacity. Why would
7 you retire early, 20 years early, a plant that's
8 environmentally retrofitted when you need that
9 capacity? Those are questions that I think need to
10 be answered that are very serious. They're going to
11 be retiring this unit at a loss. And that loss I'm
12 sure is going to be absorbed by the rate payers.

13 Another issue related to that is KCPL
14 is going to retire these units at the end of this
15 year, yet in this case, they're keeping the return,
16 9.8 percent profit on it, the depreciation, likely
17 the operations and maintenance expense, all these
18 costs they're going to enjoy recovery over the next
19 four years, but they're not going to have any plant
20 because it's going to be retired. And the issue
21 there I think is the testing issue. They're saying,
22 well, if the true-up ends June, we're not retiring
23 till December, therefore we're going to include all
24 these costs going forward even though they won't be
25 there. Well, this commission has addressed this

1 issue. In a recent Missouri (inaudible) case, the
2 commission said, hey, we're going to go outside a
3 true-up period for specific events, and they put
4 that in the order and they had that in that case.
5 This is an event, retirement of several units, that
6 I think the commission should go outside the true-up
7 and reflect the fact that these units are no longer
8 going to be providing service to rate payers,
9 therefore, rate payers should not be paying the cost
10 for those units. That issue was addressed in OPC
11 witness Robinett's (sp) testimony.

12 I'm moving along quickly. Rate case
13 expense; one of the -- one of the greatest things
14 that this commission ever did was fix a problem on
15 rate case expense. In the 2014 KCPL rate case, the
16 commission came up with a methodology of saying to
17 the utility, okay, if you request \$50 million
18 increase and we say \$25 million is reasonable, then
19 you will get 50 percent of your rate case. But if
20 we say none, then you'll get none of your rate case
21 expense. Well, the commission has done that, and
22 the commission staff since 2014 KCPL case, and every
23 case for every utility followed that methodology.
24 Then unfortunately came the Laclede case, which has
25 many issues in it, and the commission changed it.

1 The Laclede case, it said, well, we'll do a 50/50
2 split rate case expense, so the commission just went
3 away from its prior method, which has been followed
4 in every other rate case. And so staff decided,
5 well, because they did it for Laclede, staff changed
6 its recommendation to the commission saying we now
7 recommend 50/50.

8 Now, the problem is with that here is
9 that it's not a good method as the commission felt
10 in the 2014 KCPL case. An example here is that
11 KCPL, I think they have about a million dollars in
12 rate case expense. So if this case settles at zero,
13 they're going to recover \$500,000 for filing a
14 frivolous rate case. No increase is necessary under
15 this staff methodology. However, if the commission
16 keeps its methodology that it developed in 2014,
17 KCPL will not get rewarded for filing a frivolous
18 case because there will be no rate case expense
19 under that method. So I encourage the commission to
20 keep its KCPL case method for allocating the cost of
21 rate case expense.

22 One thing -- another thing I applaud
23 the commission, especially the chairman, of
24 addressing the issue of over-classification of
25 documents. If you flip through the staff's cost of

1 service report, you'll see page and page and page of
2 redacted information, and many of that stuff is
3 obviously not needed to be classified. For example
4 on page 9, this classification for the cost of debt;
5 page 12, rate of return calculations; page 25 the
6 redacted transmission cost information; page 48,
7 historical transmission cost information. Stuff
8 that's readily available in all financial statements
9 staff is redacting, likely because KCPL has decided
10 to classify it. The commission has done a lot of
11 good in this and I hope it recognizes that Laclede's
12 cost of service report, that this is still a
13 problem, and lets the utilities know, hey, if you're
14 going to classify something, you better justify it
15 because the public is entitled to know this
16 information. They're the one that are paying the
17 utility rates.

18 Customer service, staff's report,
19 usually in rate case audits, staff addresses the
20 utility's customer service. I didn't see any
21 information about customer service in staff's cost
22 of service report. I was disappointed. I think
23 KCPL, to my recollection, has had decent customer
24 service in the past, but there's no indication at
25 all what the current level is. The only thing that

1 you can do if you want to find out about that is you
2 look to J.D. Power surveys, and they're published,
3 they do customer service surveys and they publish
4 rankings, and KCPL has done poorly in that. They've
5 been at or below the average for its period. So I'm
6 not saying that's a strong indication of the quality
7 of service, but it's the only one I have to show me
8 that KCPL has not provided high quality customer
9 service. And, commission, I request that you
10 encourage your staff to address customer service
11 issues in rate cases. They're very important, one
12 of the most critical issues, and they should not be
13 ignored.

14 We're all aware that KCPL is just a
15 merge of Westar and we've had stipulations both in
16 Missouri and Kansas, but unfortunately Kansas got a
17 better deal than Missouri did. Both -- Missouri got
18 rate credits, but Kansas got a lot more. Kansas got
19 a lower ROE, they made KCPL commit to 9.3 -- they're
20 requesting 9.85 here -- they got rate credits,
21 annual rate credits. They've got a five-year rate
22 moratorium, assuming that KCPL earns at least 9.3,
23 or if they don't, it's a three-year moratorium, and
24 any earnings above the 9.3 will be shared with
25 Kansas customers. None of that is going to be

1 enjoyed by Missouri customers, and I don't
2 understand why Missouri customers don't get at least
3 the good deal as the Kansas customers do. It's not
4 fair and it's just not right.

5 My last issue is -- the last issue is
6 staff's cost service report. Staff is required for
7 GMO to do a renewable energy standard rate
8 adjustment mechanism or res ram, it's one of those
9 automatic recovery mechanisms that KCPL and GMO had.
10 They're required to do a prudence review in every
11 GMO rate case. Staff's report said, well, we didn't
12 find any imprudence, but almost in the very next
13 sentence it says, well, yeah, we did find something
14 that's imprudent, we found a KCPL and GMO made no
15 attempt to sell their renewable energy credits,
16 because the proceeds from selling those credits will
17 offset the cost that go to the FAC. Well, despite
18 the fact the staff's required to do a prudence
19 review in this rate case, they're punting that issue
20 to the next FAC case, which to me doesn't seem like
21 it's appropriate. If they're required to do a
22 prudence review in this case, they should do it in
23 this case. If they find it not selling those recs
24 (sp) are imprudent, they should make that finding in
25 this case, not punt it off to some potential future

1 FAC case.

2 That's all my comments, and I thank you
3 very much for your patience, and I'm sorry if I went
4 a little long. Thank you.

5 MS. DIPPELL: Thank you, Mr. Hyneman.
6 Was there anyone else who would like to
7 testify?

8 MR. LIBBY: My name is Greg Libby.

9 MS. DIPPELL: I'm sorry, Greg Libby?

10 MR. LIBBY: Yes.

11 MS. DIPPELL: Could you please spell
12 that?

13 MR. LIBBY: L-I-B-B-Y.

14 GREG LIBBY,
15 being first duly sworn, testified under oath as
16 follows:

17 MS. DIPPELL: Go ahead with your
18 comments.

19 THE WITNESS: My words to you are about
20 the service that they provide. Has to do with the
21 tree trimming. I was here, I don't know, four years
22 ago and testified to it, but it's the same problem.
23 They don't have any checks and balances at the
24 company on checking on work. I personally had a
25 work order to remove part of a tree in the back yard

1 and it never was done within 30 days and this has
2 been three years ago, and I just talked to them
3 because I'm here at this meeting today, they want to
4 appease me because I'm here to testify about their
5 service. That's -- I shouldn't have to come here
6 every few years when they want a rate hike and
7 complain about their service. This gentleman gave
8 you the rating on their service. Their service is
9 horrid. Their customer service does not provide the
10 right -- how do I want to put it -- supervisory work
11 that needs to be done. I go through my own
12 neighborhood because I do stuff for the community
13 there and I have to supervise as much as I can the
14 tree trimming when they come through. And problem
15 is, is that the guys that are doing the work,
16 they've had several different companies, when I ask
17 them about how far to trim trees back, how far
18 they're supposed to trim them back from the power
19 lines, I get several different answers. That tells
20 me the company is not overseeing it, they're just
21 writing a check. They think that they're the
22 Government, can print money and come back here to
23 the customer every few years and ask for a rate
24 hike, but not provide the service that they're
25 promising to the customers. That is just not right.

1 And I'm here today to say they need to
2 go and quit asking us for more and more money. I
3 was here when they asked for the last rate hike, and
4 I feel like this time because they didn't get
5 15 percent and they got 11, they're back here today
6 to ask for the rest of it. And a lot of the stuff
7 they've done doesn't make sense, like this gentleman
8 said. A lot of their new meters on the homes, they
9 emit radiation. They don't even do the science on
10 the stuff. They want to be the cigarette company a
11 few years from now when somebody ties cancer to
12 them, and then who's going to pay for the cost of
13 that. They're going to come back to the customer
14 and they're going to be in here, we can't make any
15 money because we're getting the bajeebies sued out
16 of us. They don't run their operation of the
17 company very good. And it's just a track record of
18 it. When I come here to complain about the tree
19 department, how poorly it's managed and how poorly
20 it's supervised and how they don't check on the work
21 that's being done, none of it, it just blows my mind
22 as to what else is in the company, if they do that.
23 You have to realize that every part of the company
24 will be scrutinized after that.

25 When I hear this gentleman bring up

1 stuff, I don't doubt any of it. I don't doubt any
2 of it. But I'm here today to complain about -- it's
3 about their tree trimming department and I'm still
4 complaining about it. They, for whatever reason, I
5 don't know how they -- they base -- the tree company
6 itself bases its work on, but what I see is they
7 pick and choose what they want, and since they have
8 nobody to supervise and look at their work and go
9 behind them to make sure it's done, they just get --
10 the customer gets taken advantage of and gets
11 skipped over. I've had trees in my yard, I've lived
12 at this address for 12 years, they have trimmed it
13 there at least four times and they skip my property,
14 and I literally have to get mad and go down and
15 track the tree-trimming people. Not them, because
16 obviously if I get a work order -- and I wish I
17 would have brought it here, I didn't have time --
18 but I still have the original work order that they
19 were supposed to remove part of the tree of because
20 it's falling and it will take out power lines.
21 Their preventive maintenance program sucks. Excuse
22 my language, it sucks. They don't care about it.
23 But when you see the storms come through here and
24 you see how many power outages they got, they can
25 attribute it to -- most of it -- to tree damage,

1 yes. And, of course, you are going to have high
2 winds that knock over old trees, but, my god, I've
3 talked to some of their own employees that's been
4 out and repaired our power lines and said that the
5 tree trimming is horrible, and that if they stepped
6 it up and get more preventative maintenance, it
7 would lower the outages, it also would lower the
8 company costs for replacing all that damaged
9 equipment. I mean, it's just -- it's common sense,
10 and I just don't see any common sense in this
11 company at all.

12 I mean, in 2013 they fired all their
13 CEOs because the company can't manage itself and it
14 can't run itself. And now we -- I come here before
15 the energy commission again, the second time, and
16 it's like you guys got to start telling them no. I
17 mean, we've got every municipality in the state
18 right now asking for more money. Gas company wants
19 to replace their infrastructure and ask for more
20 pipeline infrastructure. There's a part of that
21 bill you pay every month that's supposed to replace
22 the infrastructure. They're as bad as the Kansas
23 City Water Department who had the money and somehow
24 through the Mayors frivolously lost all the money.
25 So I see all these municipalities with no checks and

1 balances, and somebody has got to start checking in
2 to what they're doing. I mean, it's just -- it's
3 like a runaway freight train. I mean, they've asked
4 for several -- to this day -- several rate
5 increases, even before the 11 percent one that I
6 testified for last time. And they had a chart there
7 and they've asked, I want to say it's got to be --
8 and I might be wrong -- but it's got to be six or
9 seven rate increases within the last ten years. I
10 mean, how many do we got to put up with?

11 I'm disabled. I can't work anymore. I
12 don't get money or raises or can earn extra money
13 because I'm disabled, so what am I supposed to do,
14 just put up with it? I mean, it's like I told him
15 before you all came in here, they need to get into
16 the energy business on the other side of providing
17 solar power and different things, maybe building and
18 making people's homes -- what do I want to call
19 it -- electricity-free and buying power from them.
20 I mean, I just see the company, it's just they don't
21 have a vision. No vision at all for the next
22 50 years. They just want to keep coming back here
23 every three or four years and asking for money
24 instead of trying to do other things to -- what do I
25 want to say -- gain revenue, just to raise the

1 revenue of their company. And that means being
2 innovative and sometimes changing the way you do
3 things. And a lot of people don't want to do that,
4 but they haven't, since the recession, they haven't
5 even changed the way the company's run or nothing.
6 They just keep coming back here and asking for more
7 money.

8 That has got to stop. And you all have
9 got to start telling them, I'm sorry, but you are
10 not getting a rate increase this time. You got one
11 just three or four years ago, a big one, and now
12 they want another one. I mean, how -- I'm just --
13 I'm just telling you, how far does it got to go? I
14 mean, how far? Pretty soon people are just going to
15 go without electricity. I'm looking at -- I have to
16 either go without food or pay my electric bill.
17 That's not fair to me. That's not fair to me one
18 bit. And that's all I've got to say.

19 MS. DIPPELL: Mr. Libby, thank you very
20 much for your comments. I just wanted to mention, I
21 know I saw you outside earlier before your
22 testimony, you were talking with some of the KCPL --

23 MR. LIBBY: Yeah, they were trying to
24 appease me about the tree in my yard, yes.

25 MS. DIPPELL: I just also want to

1 encourage you, if you have continued service
2 problems, to talk with our staff.

3 MR. LIBBY: Well, that's my question.
4 I have. I've gone through the proper channels on
5 this thing. I've lived at this address for
6 12 years. I've fought it for the last eight and
7 it's not changing. I don't see it changing. I
8 still go through my neighborhood -- I actually drove
9 with the architect, the grid guy, and we looked at
10 trees and I said, was that trimmed just a few months
11 ago? No. And they did. They just didn't trim it
12 good, and that's the problem. That's a problem with
13 this. They've got nobody going through there
14 supervising. I can't see in today's times that -- I
15 get paid, I was scrutinized by homeowners, by
16 builders, everybody looked at my work, and if it
17 wasn't up to par, I fixed it. The problem with them
18 is they don't have anybody that goes through and
19 does any of that. They just write a check. I mean
20 I don't -- I don't see how you can do that. It's
21 insane. It's just not -- it's just not right.

22 MS. DIPPELL: Okay. Mr. Silvey, I
23 think, has a question for you.

24 MR. SILVEY: Do you mind me asking
25 which neighborhood?

1 MR. LIBBY: I live over by Winnetonka
2 and Maple Park, and I've got a section of that
3 neighborhood, too. He looked it up. There was just
4 a block over, there's a street, Barnes, we can have
5 several windstorms, I don't care if it's 50, 60 mile
6 an hour winds, their lights stay on. But there's
7 a -- I want to say a ten-block grid that goes up to
8 the high school and past, the lights go out every
9 time. It doesn't matter if it's a high wind and not
10 a thunderstorm, they go out. And the architect
11 looked it up and he goes, oh, my god, you're right.
12 And it's just due to the poor trimming. And when I
13 left at the last hearing that they had on the rate
14 hike and walked out, complained about it, two people
15 ran out in the parking lot and chased me down. My
16 neighborhood's like that, I live in Overland Park.
17 Another one, Lee's Summit, so it's not just my
18 neighborhood, it's all over the city. So when you
19 see the major power outages come in after a storm, a
20 lot of it's due to just that. They just don't have
21 preventive -- a good enough preventive program out
22 there or running it good enough to prevent all that
23 stuff. I mean, it just adds up into -- up into
24 money. You know, what I'm talking about. It's
25 common sense. But then they want to ask customers

1 for more and more money. I don't -- I'm just -- I'm
2 not -- I don't see it. I don't see it today.
3 They're not -- I'm here to say no.

4 MS. DIPPELL: We do appreciate your
5 comments and I would encourage you to at least leave
6 your contact information with our staff so maybe
7 they can follow up with you in the future to see if
8 your problems have been addressed.

9 MR. LIBBY: Okay. Thank you.

10 MS. DIPPELL: Thank you.

11 Is there anyone else who would like to
12 testify? Go ahead and come forward.

13 HESTER DUISIK,
14 being first duly sworn, testified under oath as
15 follows:

16 MS. DIPPELL: Could you give us your
17 name and spell it?

18 MR. DUISIK: Yes. Hester, H-E-S-T-E-R,
19 Duisik, D-U-I-S-I-K.

20 Customer service, that is one of the
21 things that I have not had a good experience with.
22 Several years ago, a big storm, lost our power,
23 whatever, and then we're fine. And then all of a
24 sudden anything that had a plug in it, my calculator
25 or the big screen TV, it cracked the -- it cracked

1 the electrical plug-ins, but it also did major
2 damage to the big screen TV. My husband and I were
3 both home. He freaked out. And he's going -- he
4 went to go and check with somebody, it was down, I
5 think off of Bales probably, and he got the truck
6 number. And he called and they said, we don't have
7 a truck working in that area. He says, oh, yes, you
8 do, here's the truck number. And they just blew him
9 off. He went back and he got ahold of the guy that
10 was working. He said, yes, when you put it in --
11 turn it, put in a transformer, it puts a surge, so
12 he said just stick with it. So my husband did. And
13 we got a letter saying -- finally saying, oh, well,
14 too bad, so sad, turn it in on your homeowners
15 insurance, which kind of left me not trusting them
16 anymore.

17 Last, oh, this last year we've had
18 several outages, this is over by the old Carriage
19 Hills along where the walking trail is now, on that
20 street, several trees did what they did during
21 storms and we were out for a couple of days, and
22 then we were out again. Thought it was okay, the
23 next week we weren't. It has gotten to the point
24 that many of our neighbors have gotten generators.
25 One of them invested in a \$10,000 unit. Another

1 one a couple doors down, she got one, I think it was
2 only \$5,000, and my son got one out of storage that
3 he had and he has it all set to go for whenever we
4 don't have power, because it has become pretty
5 common.

6 And I do know about tree trimming
7 because I used to be a telephone installer and we
8 would trim trees, and a lot of times we would trim
9 trees to the benefit of Kansas City Power & Light.
10 So it's not being done, and it's pretty significant.
11 I mean, you see more and more of it. My daughter
12 lives in North Kansas City and she has made a
13 request twice to have someone come and trim the
14 trees over -- that are over some line. We did
15 invest in the \$3.00 a month surge protector that
16 Kansas City Power & Light provides, and we did that
17 based on the knowledge that they don't -- they do
18 not take responsibility for when there's a screw-up.

19 So, I don't know, I agree we need -- we
20 need to have more trees trimmed, but they're just
21 not trustworthy. For them to turn around, even when
22 they had to admit that, yes, indeed, they -- here
23 was the man's name, here's the truck, yes, it
24 happened. Well, what are you going to do? And
25 nobody is going to turn it in, like \$4,000 on your

1 homeowners insurance. It's been several years ago.
2 You don't do that. You save it for a bigger one.
3 So we had to eat it. It didn't make me happy. And
4 I also don't like that we now have to have
5 generators.

6 MS. DIPPELL: Thank you very much.

7 MR. DUISIK: You're welcome.

8 MS. DIPPELL: Is there anyone else who
9 would like to testify? I can't see everyone so --
10 okay. Doesn't look like anyone else is here to
11 testify. I appreciate all of you coming. And I
12 hope you at least got some questions answered. The
13 staff and the staff of Kansas City Public -- I'm
14 sorry -- KCPL, I'll get it out in a minute, are
15 still available if there are any other issues that
16 you would like to discuss with them. And with that,
17 I think we can go off the record. Thank you.

18 (Volume 5 was concluded.)

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