

In the Matter of:

**THE REQUEST OF THE EMPIRE DISTRICT ELECTRIC COMPANY d/b/a LIBERTY, etc.**

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**ER-2021-0312, VOL. IV**

*November 18, 2021*

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BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

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TRANSCRIPT OF PROCEEDINGS

Local Public Hearing

November 18, 2021

via WebEx

Volume 4

\_\_\_\_\_

In the Matter of the Request )  
of the Empire District Electric )  
Company, d/b/a Liberty for )  
Authority to File Tariffs )  
Increasing Rates for Electric ) File No. ER-2021-0312  
Service Provided to Customers )  
in its Missouri Service Area )  
)

JOHN CLARK, Presiding  
REGULATORY LAW JUDGE

RYAN A. SILVEY, Chairman,  
MAIDA COLEMAN, JASON R. HOLSMAN  
COMMISSIONERS.

Reported by:  
Darlene Fouts, CCR No. 1228  
TIGER COURT REPORTING, LLC

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A P P E A R A N C E S

DIANA CARTER, Attorney at Law  
Empire District Electric Company  
428 E. Capitol Avenue, Suite 303  
Jefferson City, MO 65101  
417.626.5976  
For: Empire District Electric Company

NATHAN WILLIAMS, Deputy Counsel  
PO Box 2230  
Jefferson City, MO 65102  
573.751.8702  
For: Staff Missouri Public Service Commission

JAMIE MYERS, Deputy Counsel (via WebEx)  
Missouri Public Service Commission  
200 Madison Street  
Jefferson City, MO 65102  
573.526.6036  
For: Staff Missouri Public Service Commission

P R O C E E D I N G S

1  
2 JUDGE CLARK: Okay. Let's go on the record.  
3 Good evening. Today is November 18, 2021, and the  
4 current time is 6:59 p.m. The Missouri Public Service  
5 Commission has set aside this time for a local public  
6 hearing in Case No. ER-2021-0312, which is a general  
7 rate case captioned as: In the Matter of the Request of  
8 the Empire District Electric Company, d/b/a as Liberty  
9 for Authority to File Tariffs Increasing Rates for  
10 Electric Service Provided to its Customers in its  
11 Missouri Service Area.

12 Now you just had the question and answer  
13 portion of the local public hearing. The part we have  
14 right now is the formal part of the hearing, and this is  
15 to give the public an opportunity to comment directly to  
16 the Commission about Liberty's request to adjust its  
17 rates.

18 Now I'm going to ask that when you're not  
19 speaking or offering comments to the Commission, that  
20 you please mute yourself. It reduces noise levels and  
21 reduces feedback. If you are attending this hearing via  
22 WebEx, you can unmute yourself by clicking on the  
23 microphone when it's time. And if you're attending this  
24 hearing by telephone, you can unmute yourself by  
25 pressing \*6.

1           Now the Missouri Public Service Commission  
2 regulates the rates charged by investor-owned utilities  
3 in Missouri to ensure that those rates are just and  
4 reasonable. Commission also regulates the quality of  
5 service and the safety of operations of public  
6 utilities. Now the commissioner accomplishes this by  
7 hiring a staff of engineers, accountants, attorneys,  
8 financial analyst and other specialists in the area of  
9 utility regulations.

10           Commission is made up or composed of five  
11 commissioners, and those commissioners are appointed by  
12 the governor to a fixed term and confirmed by the  
13 Senate. Those commissioners are Chairman Ryan Silvey  
14 and Commissioner Scott Rupp, Maida Coleman, Jason  
15 Holsman, and Glen Kolkmeier. Chairman Silvey,  
16 Commissioners Coleman and Kolkmeier are at the hearing  
17 tonight to listen to your comments.

18           My name is John Clark, I'm the regulatory law  
19 judge that will preside over the hearing this evening.  
20 Now because this is an official hearing of the Missouri  
21 Public Service Commission, the statements and comments  
22 given tonight by public witnesses will be recorded by  
23 the court reporter and must be given under oath or  
24 affirmation.

25           At this time, I'd ask if Chairman Silvey would

1 like to make any welcoming remarks from the Commission.

2 COMMISSIONER SILVEY: Thank you, Judge. I  
3 would like to thank everyone for their participation  
4 tonight. These processes for rate cases are long and  
5 this is really the only opportunity we get to hear  
6 directly from rate payers, so your input is appreciated.  
7 We thank you for taking the time to participate.

8 Thank you, Judge for the ability to make  
9 comments and I will speak up if I have any questions.  
10 Thank you.

11 JUDGE CLARK: Thank you, Chairman. And if any  
12 commissioner has any questions after witnesses offer  
13 their comments, feel free to just go ahead and ask those  
14 questions. I'm not going to ask the Commission if they  
15 have any questions. Likewise, if I have any questions  
16 after witnesses have given comments to the Commission,  
17 I'll ask those questions myself.

18 At this time I'm going to ask the parties to  
19 enter their appearances for the record, starting with  
20 the Empire District Electric Company doing business as  
21 Liberty.

22 MS. CARTER: Good evening, this is Diana  
23 Carter for the Empire District Electric Company.

24 JUDGE CLARK: Thank you, Ms. Carter.  
25 For the Commission staff.

1 MS. MEYERS: Good evening. This is Jamie  
2 Myers on behalf of Missouri Public Service Commission.  
3 My address is 200 Madison Street, Jefferson City,  
4 Missouri, 65102.

5 JUDGE CLARK: Thank you Ms. Myers.  
6 From the office of Public counsel.

7 MR. WILLIAMS: Nathan Williams, appearing on  
8 behalf of the Office of Public Counsel.

9 JUDGE CLARK: Thank you Mr. Williams.

10 Now there are a number of intervenors who have  
11 intervened in this case. Are there any intervenor's  
12 counsel present at tonight's hearing?

13 Okay. I hear none.

14 Now what I'm going to do first is I'm going to  
15 call on the people that have preregistered to offer  
16 comments, and after that, I'll allow an opportunity for  
17 anybody else who would like to offer a comment to the  
18 Commission.

19 Now if I call your name, please go ahead and  
20 unmute yourself either by clicking your microphone if  
21 you're on video or by pressing \*6. I'll then place you  
22 under oath and ask you to state and spell your name, and  
23 then you can make your comments to the Commission.

24 I am going to say that the commissioners will  
25 not be able to answer any of your questions today, and

1 that's because they have to remain impartial until after  
2 all the evidence is presented at the evidentiary  
3 hearing. That's one of the reasons that they couldn't  
4 sit in on the question-and-answer portion of the  
5 hearing, and neither can I. Now the Commission has not  
6 made any decisions in this case, and the Commission is  
7 interested in hearing your comments, and we'll use them  
8 in conjunction with evidence the party present in making  
9 their decision.

10 I'm going to call the first witness who signed  
11 up for this hearing, and that is Richard Hatfield. Is  
12 Mr. Hatfield present this evening?

13 Mr. Hatfield. I will say Mr. Hatfield had  
14 signed up for last night's hearing and did not appear.  
15 He is the only name I have at this time signed up for  
16 this hearing, which was originally scheduled as kind of  
17 an overflow hearing.

18 Now is there anybody else who would like to  
19 offer testimony today? This is the last of three local  
20 public hearings on this rate case, and the Commission  
21 will have an opportunity to read the transcripts of  
22 comments from all three hearings and the submitted  
23 written comments. But this is really your only  
24 opportunity to tell the Commission with your own voice  
25 your thoughts about Liberty's request. So I'm going to



1 ask again at this time is there anybody who would like  
2 to offer comments to the Commission about Liberty's  
3 requested rate adjustment?

4 MR. KEELING: Excuse me, my name is Devin  
5 Keeling, I live in Cardwell, Missouri. I don't know if  
6 I give you my exact address or not.

7 JUDGE CLARK: No, I did not, and I do not want  
8 it. Personal information of ratepayers is confidential  
9 under Commission rules. What I'm going to ask you to do  
10 is would you state your name again, please.

11 MR. KEELING: Devin Keeling.

12 JUDGE CLARK: Mr. Keeling, would you raise  
13 your right hand to be sworn?

14 (Witness sworn.)

15 MR. KEELING: Yes, sir.

16 JUDGE CLARK: Would you please state and spell  
17 your name for the court reporter.

18 MR. KEELING: My name is Devin, D-E-V-I-N,  
19 Keeling, K-E-E-L-I-N-G.

20 JUDGE CLARK: And Mr. Keeling, what would you  
21 like to tell the Commission this evening?

22 MR. KEELING: I'd just like to tell the  
23 Commission that I've never done -- never participated in  
24 a rate increase hearing thing. I'm currently a new --  
25 well, I'm a recently new homeowner, so I don't -- I

1 talked to the Liberty Utilities Representative a little  
2 bit ago in the question-and-answer part of this and I  
3 just -- still having a hard time wrapping my head around  
4 why they -- why the rate increase is needed for  
5 recuperating cost.

6 I am a mechanic, so I kind of understand the  
7 maintenance cost of things and change. But I don't have  
8 a degree or anything fancy like that. I do kind of have  
9 the mindset of you don't spend money you don't have. So  
10 if they spent money that they can afford to spend, why  
11 do they have to recoup costs or increase costs without  
12 major improvement to the system, if that makes sense.

13 I mean those costs should already be covered  
14 by your -- you don't spend money before you have it, so  
15 I just don't understand the purpose of the rate  
16 increase, I guess is the simplest way to put that.

17 JUDGE CLARK: Okay. I follow what you're  
18 saying Mr. Keeling. Is there anything -- I understood  
19 the comment about not spending money you don't have. Is  
20 there anything in particular about this that you wanted  
21 to tell me about outside of that?

22 MR. KEELING: No, sir, I'm just -- this is  
23 kind of a learning experience for me, so I'm just trying  
24 to get my opinion out there, and opinions are like  
25 eyebrows, everybody's got two.

1 JUDGE CLARK: Okay. Well, thank you very  
2 much.

3 Let me ask you a question: Have you had any  
4 experience with Liberty's customer service?

5 MR. KEELING: Very little. I manage most of  
6 my bill paying I do is through there over-the-phone  
7 service, the automatic service. I've never really had a  
8 huge issue with their service that they provide, I  
9 just -- I mean I look at my bill and it's Greek to me,  
10 but I'm sure it makes sense to somebody.

11 JUDGE CLARK: Okay. You had an opportunity to  
12 ask some of the parties about the proposed rate increase  
13 tonight that involved certain questions. If you have --  
14 if you have questions about your individual bill, you  
15 might consider contacting Empire's customer service  
16 number and I would be happy to give that to you if you  
17 would like.

18 Likewise, if you have questions about how  
19 Liberty does its billing, you're welcome to call the  
20 Public Service Commission consumer services, and I have  
21 that number also if you would like. Would you be  
22 interested in having either of those numbers?

23 MR. KEELING: Sure. I have Liberty's customer  
24 service representative number on the bill. But let me  
25 grab a pen real quick and I will write down the consumer

1 services one.

2 JUDGE CLARK: Okay.

3 MR. KEELING: I am ready.

4 JUDGE CLARK: All right. Great. I'm going to  
5 go ahead and say this customer service number in case  
6 anybody else that's attending the hearing wants it.

7 It's, 1 (833)408-2712. And the Public Service  
8 Commission Consumer Services number is 1 (800)392-4211.

9 MR. KEELING: Thank you very much.

10 JUDGE CLARK: Thank you Mr. Keeling. Do you  
11 have anything else you want to tell the Commission this  
12 evening?

13 MR. KEELING: No, sir, not that I can think  
14 of.

15 JUDGE CLARK: Okay. We greatly appreciate  
16 your input. Thank you for taking the time to appear at  
17 this hearing.

18 MR. KEELING: Thank you.

19 JUDGE CLARK: You're excused.

20 Is there anybody else who would like to offer  
21 comments to the Commission at this time?

22 MR. PATRUM: By comments is this a good time  
23 to object to the rate increase?

24 JUDGE CLARK: Well, this isn't that kind of  
25 hearing where you can offer formal objection, but if you

1 wish to express that you don't think that it should  
2 occur or that you object to it personally, I think it's  
3 a fine time to do that.

4 Can I get your name, please.

5 MR. PATRUM: It's Jason, J-A-S-O-N, Patrum,  
6 P-A-T-R-U-M.

7 JUDGE CLARK: P-A-T-R-U-N.

8 MR. PATRUM: R-U-M, sorry.

9 JUDGE CLARK: R-U-M. I apologize.

10 Mr. Patrum, would you raise your right hand to  
11 be sworn.

12 (Witness sworn.)

13 MR. PATRUM: I do.

14 JUDGE CLARK: And you've already stated and  
15 spelled your first and last name, so what would you like  
16 to tell the Commission?

17 MR. PATRUM: I would like to tell the  
18 Commission that I really -- well, I personally can  
19 afford a rate increase and can see maybe how it's  
20 helpful for Liberty to do this. I honestly believe,  
21 though, this is probably the worst time to do it. I  
22 think maybe we need to sit on this for a little while,  
23 and maybe when the economy gets a little better, then we  
24 start thinking about recouping our money. I know we  
25 can't take losses forever, but maybe a year, year and a

1 half, maybe until, you know, next election. I'm just  
2 speaking for people I know that are not is off as well  
3 as I am that can afford this, and it's going to be --  
4 come down to what kind of groceries they buy or paying  
5 their electric bill. So I officially would like to  
6 object to this rate increase.

7 JUDGE CLARK: Okay. Thank you Mr. Patrum.

8 I don't have any questions regarding your  
9 comments, and I understand that you said you think you  
10 understand it, but you think that this is a bad time and  
11 maybe a year from now.

12 MR. PATRUM: Correct. I mean I just think at  
13 this current time with the economy going the way it is,  
14 this is probably not the best time to be asking for a  
15 rate increase.

16 JUDGE CLARK: Okay. Mr. Patrum, the  
17 Commission thanks you for your comments and your  
18 participation tonight.

19 Is there anybody else who would like to offer  
20 comments to the Commission? As I said before, this is  
21 the last of three hearings so this will be the last  
22 opportunity for the public to offer comments in person  
23 and live. You're still welcome to offer written  
24 comments, and I'll tell you how to do that at the end of  
25 the hearing.

1           So I ask one more time, is there anybody who  
2 would like to offer testimony this evening?

3           MR. KEELING: If it's not out of line, I would  
4 have to agree with Mr. Jason.

5           JUDGE CLARK: And those comments are from  
6 Mr. Keeling; correct?

7           MR. KEELING: Yes, sir.

8           JUDGE CLARK: Okay. Thank you again for  
9 supplementing your comments. I appreciate it.

10           Anybody else that would like to offer  
11 comments?

12           All right.

13           Are there any closing remarks from the  
14 Commission?

15           All right. I'd like to thank you all for your  
16 participation here today and the testimony that's been  
17 offered. As I said before, it seems like -- I don't  
18 know what happened during the question-and-answer  
19 session, but this seemed to run the longest of the  
20 three, so it seems like there may have been some lively  
21 discussion. I hope you were able to get your questions  
22 answered.

23           If you have additional comments that you would  
24 like to make from the two people who commented here, or  
25 if someone you know was not present and would like to

1 offer comments later or even you, yourself later on say,  
2 Hey, I really wish I'd said this to the Commission, but  
3 I didn't get an opportunity to, you can make written  
4 comments by contacting the email address pscinfo, which  
5 stands for public service Commission, info, at  
6 psc.mo.gov, or by contacting the office of the public  
7 counsel, or by going to the PSC's webpage, and there's a  
8 spot there for you to offer comments. Just be sure if  
9 you're offering comments through the webpage that you do  
10 include the appropriate case number which is  
11 ER-2021-0312.

12 I'd like to thank you all for coming out today  
13 to find out about this rate increase and to offer your  
14 comments to the Commission.

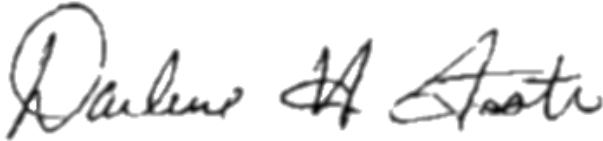
15 This hearing is now adjourned, and we'll go  
16 off the record.

17 (Off the record.)  
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REPORTER'S CERTIFICATE

I, DARLENE A. FOOTS, Certified Court Reporter within and for the State of Missouri, do hereby certify that the proceedings contained on the foregoing pages was taken by me and contain a true and accurate transcription, to the best of my ability, of the remote proceedings and thereafter transcribed by me.



Darlene A. Fouts, CCR No. 1228

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