

Matter of the Request of The Empire District Electric Company

Evidentiary Hearing

February 07, 2022

Vol 06

PHIPPS REPORTING

Raising the Bar!

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Evidentiary Hearing, Hybrid

February 7, 2022

Jefferson City, Missouri

Volume 6

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

JOHN T. CLARK, Presiding
SENIOR REGULATORY LAW JUDGE
RYAN A. SILVEY, Chairman,
MAIDA J. COLEMAN,
JASON R. HOLSMAN,
GLEN KOLKMEYER,
COMMISSIONERS

REPORTED BY:
Tracy Taylor, CCR No. 939

1 A P P E A R A N C E S

2 DEAN COOPER
3 Brydon, Swearingen & England, PC
4 312 East Capitol Avenue
5 Jefferson City, Missouri 65102-0456
6 dcooper@brydonlaw.com
7 FOR: Liberty (Empire)

8 DIANA C. CARTER
9 428 E. Capitol Avenue, Suite 303
10 Jefferson City, Missouri 65101
11 Diana.Carter@LibertyUtilities.com
12 FOR: Liberty (Empire)

13 DAVID WOODSMALL
14 308 E. High Street, Suite 204
15 Jefferson City, Missouri 65101
16 david.woodsmall@woodsmalllaw.com
17 FOR: Midwest Energy Consumers Group
18 FOR: The Empire District Electric Company SERP
19 Retirees, LLC

20 TERRY M. JARRETT
21 514 E. High Street, Suite 22
22 Jefferson City, Missouri 65101
23 terry@healyllawoffices.com
24 FOR: Empire District Retired Members & Spouses
25 Association, LLC

16 NATHAN WILLIAMS
17 Department of Commerce & Insurance
18 200 Madison Street, Suite 650
19 PO Box 2230
20 Jefferson City, Missouri 65102
21 opcservice@opc.mo.gov
22 FOR: Office of the Public Counsel

20 KEVIN A. THOMPSON
21 NICOLE MERS
22 Department of Economic Development
23 200 Madison Street, Suite 800
24 PO Box 360
25 Jefferson City, Missouri 65102-0360
staffcounsel@psc.mo.gov
FOR: Staff of the Missouri Public Service Commission

1 JUDGE CLARK: Okay. It is 9:00 a.m.
2 Let's go on the record. Good morning. Today's
3 February 7th. The current time is 9:00 a.m. This
4 proceeding is being held in Room 310 of the Governor
5 Office Building, as well as electronically via WebEx.

6 The Commission has set aside this time
7 for a hearing in the matter of the request of the
8 Empire District Electric Company, doing business as
9 Liberty, for authority to file tariffs increasing
10 rates for electric service provided to customers in
11 its Missouri service area. And this is File Number
12 ER-2021-0312.

13 My name's John Clark. I'm the Regulatory
14 Law Judge presiding over this hearing today. We also
15 have some Commissioners present. Currently I see that
16 we have been joined by Commissioner Holsman and
17 Commissioner Coleman. Other Commissioners and the
18 Chairman may drop in and drop out to hear particular
19 testimony and particular evidence.

20 CHAIR SILVEY: Good morning, Judge. This
21 is Chairman Silvey.

22 JUDGE CLARK: Thank you, Chairman. I
23 apologize for not seeing you. And the Chairman is
24 with us as well.

25 I'm going to remind everybody to mute

1 their mics when they're not speaking because,
2 otherwise, it creates a lot of noise. And if you're
3 participating via WebEx, I'm going to ask that you
4 mute yourself. If you're participating via phone, I'm
5 going to ask that you mute yourself until such time as
6 you need to speak.

7 Now, because of the ongoing pandemic
8 situation, we're going to do the best we can in this
9 case to socially distance in this room. Masks are not
10 required, but they are encouraged.

11 I'm going to say I also received word
12 that Commissioner Kolkmeier will be joining us
13 momentarily.

14 At this time I'm going to ask counsel for
15 the parties to enter their appearance for the record.
16 On behalf of Liberty Utilities?

17 MS. CARTER: Diana Carter for the Empire
18 District Electric Company. And also Dean Cooper of
19 Brydon, Swearngen and England.

20 JUDGE CLARK: Do you want me to call you
21 Empire District Electric Company or Liberty or do you
22 care?

23 MS. CARTER: We do not care.

24 JUDGE CLARK: Okay. I'll probably go
25 with Liberty.

1 For the Staff of the Commission?

2 MR. THOMPSON: Kevin Thompson and Nicole
3 Mers for the Staff of the Public Service Commission,
4 Post Office Box 360, Jefferson City, Missouri 65102.

5 JUDGE CLARK: Thank you, Staff.

6 For Midwest Energy Consumers Group?

7 MR. WOODSMALL: Good morning, Your Honor.
8 David Woodsmall on behalf of MECG.

9 JUDGE CLARK: Thank you, MECG.

10 Anyone here for the Empire District
11 Retired Members and Spouses Association?

12 MR. JARRETT: Yes, Your Honor. Terry
13 Jarrett of Healy Law, appearing on behalf of the
14 Empire District Retired Members and Spouses
15 Association.

16 JUDGE CLARK: And you go by EDRA?

17 MR. JARRETT: Yes, E-D-R-A, EDRA.

18 JUDGE CLARK: Okay. Thank you, EDRA.

19 The Empire District Company --

20 MR. JARRETT: I'm sorry?

21 JUDGE CLARK: Did I interrupt you? I
22 apologize.

23 MR. JARRETT: No.

24 JUDGE CLARK: The Empire District
25 Electric Company SERP Retirees?

1 MR. WOODSMALL: Good morning, Your Honor.
2 David Woodsmall for the SERP Retirees.

3 JUDGE CLARK: Thank you, Mr. Woodsmall.
4 Renew Missouri filed a motion to be
5 excused and that motion was granted. The City of
6 Ozark filed a motion this morning to be excused and
7 that motion will be granted.

8 Moving on to preliminary matters, are
9 there any pending motions that need to be addressed?

10 MR. WILLIAMS: Judge, would you like an
11 entry from the Office of Public Counsel?

12 JUDGE CLARK: I apologize. Office of
13 Public Counsel.

14 MR. WILLIAMS: Nathan Williams appearing
15 on behalf of the Office of Public Counsel and the
16 public.

17 JUDGE CLARK: Thank you, Mr. Williams.

18 I'll get back to preliminary matters.

19 Are there any pending motions that have not been
20 addressed? I see no hands.

21 Are there any evidence that the parties
22 want to enter now that are undisputed or do you just
23 want to wait until the time?

24 MS. CARTER: Judge, it may be easier to
25 go ahead and put in all of our pre-filed testimony

1 now. The only witnesses that will take the stand are
2 on the one issue of class cost-of-service.

3 JUDGE CLARK: Are there going to be any
4 objections to entering testimony on behalf of the
5 witnesses?

6 MR. WILLIAMS: Not from the Office of
7 Public Counsel.

8 MR. THOMPSON: Staff has no objection.

9 MS. CARTER: The company has no
10 objection.

11 MR. JARRETT: EDRA has no objection.

12 MR. WOODSMALL: No objection.

13 JUDGE CLARK: And Mr. Woodsmall, I assume
14 that's no objection from both your clients?

15 MR. WOODSMALL: Yes.

16 JUDGE CLARK: Okay. So there are no
17 objections. What evidence would we like to go ahead
18 and admit? What testimony?

19 MS. CARTER: For the company, we
20 circulated the exhibit list. And we have paper copies
21 up there for the court reporter. Judge, would you
22 like me to go through the list or just refer to the
23 exhibit list?

24 JUDGE CLARK: I would like to go through
25 the list.

1 MS. CARTER: Okay. For the company we
2 have Exhibit 1, direct testimony of Tim Wilson;
3 Exhibit 2, rebuttal testimony of Tim Wilson; Exhibit
4 3, we have public and confidential version, Tim Wilson
5 surrebuttal testimony; Exhibit 4 in public
6 confidential and highly confidential version, Todd
7 Mooney direct testimony; Exhibit 5, Todd Mooney
8 rebuttal testimony; Exhibit 6 in public and
9 confidential versions, Todd Mooney surrebuttal
10 testimony; Exhibit 7, public and confidential Shaen
11 Rooney direct testimony; Exhibit 8, Shaen Rooney
12 rebuttal testimony; Exhibit 9, public and
13 confidential, Shaen Rooney surrebuttal testimony,
14 Exhibit 10, public and confidential, Aaron Doll direct
15 testimony; Exhibit 11, Aaron Doll rebuttal testimony;
16 Exhibit 12, Aaron Doll surrebuttal testimony; Exhibit
17 13, Jeffery Westfall direct testimony; Exhibit 14,
18 Jeffery Westfall surrebuttal testimony; Exhibit 15,
19 Chad Hook direct testimony; 16, Chad Hook rebuttal
20 testimony; Exhibit 17, in public and confidential
21 versions, Chad Hook surrebuttal testimony; Exhibit 18,
22 public and confidential, Drew Landoll direct
23 testimony; 19, Jill Schwartz, direct testimony;
24 20, Tisha Sanderson direct testimony; 21, Tisha
25 Sanderson rebuttal testimony; 22, Tisha Sanderson

1 surrebuttal testimony; Exhibit 23, 24 and 25,
2 Charlotte T. Emery direct testimony, rebuttal
3 testimony, and surrebuttal testimony; Exhibit 26,
4 public and confidential, Zachary Quintero direct
5 testimony; Exhibit 27, Greg Tillman direct testimony;
6 28, Greg Tillman rebuttal testimony; 29, Greg Tillman
7 surrebuttal testimony; Exhibit 30, public and
8 confidential, Todd Tarter direct testimony; 31, Todd
9 Tarter surrebuttal testimony; Exhibit 32, Eric Fox
10 direct testimony; Exhibits 33, 34 and 35, John Reed
11 direct testimony, rebuttal testimony, and surrebuttal
12 testimony.

13 And our witness who will be taking the
14 stand this morning, Exhibit 36, 37 and 38, Timothy S.
15 Lyons, direct testimony, rebuttal testimony and
16 surrebuttal testimony. 39, Jon Harrison direct
17 testimony; 40, Jon Harrison rebuttal testimony; 41,
18 Jon Harrison, surrebuttal testimony; Exhibit 42, Nate
19 Hackney direct testimony; 43, Nate Hackney rebuttal
20 testimony; 44 Nate Hackney surrebuttal testimony.

21 Exhibits 45, 46, and 47, Dane Watson
22 direct testimony, rebuttal testimony, and surrebuttal
23 testimony; and Exhibit 48 and 49, James Fallert direct
24 testimony, and rebuttal testimony; and Exhibit 50, 51
25 and 52, Frank Graves, direct testimony, rebuttal

1 testimony, and surrebuttal testimony. And that should
2 be all the exhibits for the company

3 JUDGE CLARK: Okay. Is that what
4 everybody was expecting? Is there anyone who wishes
5 to object to submitting any of that testimony onto the
6 hearing record? Bear with me just a second. Okay.
7 So how many pieces of testimony total?

8 MS. CARTER: Fifty-two, but some of those
9 have different versions.

10 JUDGE CLARK: You mean public,
11 confidential and highly confidential?

12 MS. CARTER: Yes.

13 JUDGE CLARK: Okay. Okay. Exhibits 1
14 through 52 will be admitted onto the hearing record
15 for Liberty.

16 (Liberty Exhibits 1 through 52 were
17 received into evidence.)

18 JUDGE CLARK: Next, let's go with
19 Commission Staff.

20 MR. THOMPSON: Thank you, Judge. At this
21 time we would tender Exhibit 100, direct testimony of
22 Amanda McMellen; 101, public and confidential Staff
23 cost-of-service report; 102, Staff accounting
24 schedules; 103, Staff's corrected --

25 JUDGE CLARK: Slow down just a second.

1 Slow down just a second. I'm sorry. Let's go back to
2 Staff's cost-of-service.

3 MR. THOMPSON: Okay.

4 JUDGE CLARK: And that's public and
5 confidential. Correct?

6 MR. THOMPSON: Yes, Judge.

7 JUDGE CLARK: All right. Go ahead.

8 MR. THOMPSON: Exhibit 102, Staff's
9 accounting schedules.

10 JUDGE CLARK: Okay.

11 MR. THOMPSON: Exhibit 103, Staff's
12 corrected accounting schedules.

13 JUDGE CLARK: Okay.

14 MR. THOMPSON: Exhibit 104, direct
15 testimony of Cedric Cunigan.

16 JUDGE CLARK: Okay.

17 MR. THOMPSON: Exhibit 105, public and
18 confidential, Staff class cost-of-service report.

19 JUDGE CLARK: Okay.

20 MR. THOMPSON: Exhibit 106, rebuttal
21 testimony of Kimberly Bolin.

22 JUDGE CLARK: All right.

23 MR. THOMPSON: Exhibit 107, rebuttal
24 testimony of Kory Boustead.

25 JUDGE CLARK: Okay.

1 MR. THOMPSON: Exhibit 108, rebuttal
2 testimony of Peter Chari.

3 JUDGE CLARK: Okay.

4 MR. THOMPSON: Exhibit 109, rebuttal
5 testimony of Amanda Coffey.

6 JUDGE CLARK: Okay.

7 MR. THOMPSON: Exhibit 110, rebuttal
8 testimony of Kim Cox.

9 JUDGE CLARK: Okay.

10 MR. THOMPSON: Exhibit 111, rebuttal
11 testimony of Cedric Cunigan.

12 JUDGE CLARK: Okay.

13 MR. THOMPSON: Exhibit 112, public and
14 confidential, rebuttal testimony of Saeid Dindarloo.

15 JUDGE CLARK: Okay.

16 MR. THOMPSON: Exhibit 113, rebuttal
17 testimony of Scott Glasgow.

18 JUDGE CLARK: Okay.

19 MR. THOMPSON: Exhibit 114, rebuttal
20 testimony of Courtney Horton.

21 JUDGE CLARK: Okay.

22 MR. THOMPSON: Exhibit 115, rebuttal
23 testimony of Jordan Hull.

24 JUDGE CLARK: Okay.

25 MR. THOMPSON: 116, rebuttal testimony of

1 Contessa King.

2 JUDGE CLARK: All right.

3 MR. THOMPSON: 117, rebuttal testimony of
4 Robin Kliethermes.

5 JUDGE CLARK: Okay.

6 MR. THOMPSON: 118, rebuttal testimony of
7 Sarah Lange.

8 JUDGE CLARK: All right.

9 MR. THOMPSON: 119, rebuttal testimony of
10 J Luebbert, public and confidential.

11 JUDGE CLARK: Go ahead.

12 MR. THOMPSON: 120, public and
13 confidential rebuttal testimony of Brooke
14 Mastrogiannis.

15 JUDGE CLARK: Go ahead.

16 MR. THOMPSON: 121, rebuttal testimony of
17 Amanda McMellen.

18 JUDGE CLARK: Okay.

19 MR. THOMPSON: 122, rebuttal testimony of
20 Mark Oligschlaeger.

21 JUDGE CLARK: Yes.

22 MR. THOMPSON: Okay. Sorry. 123,
23 rebuttal testimony of Charles Poston. And that's
24 public and confidential. Sorry.

25 JUDGE CLARK: Thank you.

1 MR. THOMPSON: 124 is rebuttal testimony
2 of Joseph Roling, public and confidential.

3 JUDGE CLARK: Go ahead.

4 MR. THOMPSON: 125, rebuttal testimony of
5 Ashley Sarver; 126 accounting schedules, 127,
6 surrebuttal of Kimberly Bolin, 128 surrebuttal of
7 Cedric Cunigan; 129, surrebuttal of Keith Foster; 130,
8 surrebuttal of Courtney Horton; 131, surrebuttal of
9 Sarah Lange; 132, public and confidential, surrebuttal
10 of J Luebbert; 133, public and confidential,
11 surrebuttal of Brooke Mastrogiannis; 134, surrebuttal
12 of Amanda McMellen; 135, surrebuttal of Caroline
13 Newkirk; 136, public and confidential, surrebuttal of
14 Angela Niemeier; 137, surrebuttal of Mark
15 Oligschlaeger; 138 is the surrebuttal of Ashley
16 Sarver; 139 is the surrebuttal of Seoung Joun Won; and
17 140 is Staff's surrebuttal EMS Run.

18 JUDGE CLARK: Okay. Are there any
19 objections to admitting Exhibits 100 through 140 for
20 Staff on to the hearing record? I see no objections.
21 Exhibits 100 through 140 for Staff are admitted onto
22 the hearing record.

23 (Staff Exhibits 100 through 140 were
24 received into evidence.)

25 MR. THOMPSON: I have copies here for the

1 court reporter.

2 JUDGE CLARK: Thank you. If you just
3 want to set them up there, I will see that they're
4 taken care of.

5 MR. THOMPSON: Thank you, Judge.

6 JUDGE CLARK: Next, for the Office of
7 Public Counsel.

8 MR. WILLIAMS: Thank you. Geoff Marke,
9 direct, 200 HC and public version; Geoff Marke
10 rebuttal, which includes rate design, Exhibit 201-C
11 and the public version; Geoff Marke surrebuttal, 202,
12 highly confidential and public version; Lena Mantle
13 revenue requirement direct 203, three versions, HC
14 confidential, and public.

15 JUDGE CLARK: Say that again, please.

16 MR. WILLIAMS: There are three versions;
17 highly confidential, confidential and public.

18 JUDGE CLARK: No, the witness name,
19 please. Lena Mantle?

20 MR. WILLIAMS: Lena M. Mantle.

21 JUDGE CLARK: Okay.

22 MR. WILLIAMS: And then Lena M. Mantle
23 direct, rate design, Exhibit 204; Lena M. Mantle
24 rebuttal, Exhibit 205, HC, C, and public version; Lena
25 M. Mantle surrebuttal, Exhibit 206, confidential and

1 public version; David Murray direct, Exhibit 207,
2 confidential and public version; David Murray
3 rebuttal, 208, confidential and a public version;
4 David Murray surrebuttal, 209, highly confidential,
5 confidential, public version; John S. Riley direct,
6 Exhibit 210; John S. Riley rebuttal, 211, a highly
7 confidential and a public version; John S. Riley
8 surrebuttal, Exhibit 212; John A. Robinett direct, two
9 versions, 213 confidential and a public version; John
10 A. Robinett rebuttal, two versions, 214 highly
11 confidential and public; John A. Robinett surrebuttal,
12 two versions, 215 confidential and public.

13 That's all of our exhibits. There are
14 copies up by the witness stand.

15 JUDGE CLARK: Thank you, Mr. Williams.
16 Any objections to admitting OPC's Exhibits 200 through
17 215 onto the hearing record? Hearing no objections.
18 OPC's Exhibits 200 through 215 will be admitted onto
19 the hearing record.

20 (OPC Exhibits 200 through 215 were
21 received into evidence.)

22 JUDGE CLARK: Midwest Energy Consumers
23 Group.

24 MR. WOODSMALL: Thank you, Your Honor.
25 We have Exhibit 350, the direct testimony of Greg

1 Meyer; Exhibit 351 -- and I'll note that when I sent
2 out the exhibit list, I didn't include the
3 confidential versions so if you're working from my
4 exhibit list, there's a change on that.

5 Exhibit 351 is the public and
6 confidential version of the surrebuttal testimony of
7 Greg Meyer; Exhibit 352, the direct testimony of
8 Kavita Maini --

9 JUDGE CLARK: Hold on just a second. You
10 said that was rebuttal?

11 MR. WOODSMALL: That was 352, her direct.

12 JUDGE CLARK: Direct. Thank you. Go
13 ahead.

14 MR. WOODSMALL: 353 is her rebuttal
15 testimony; Exhibit 354 is her surrebuttal testimony;
16 Exhibit 355 is the direct testimony of Andrew Teague;
17 finally Exhibit 356 is the direct testimony of Steve
18 Chriss.

19 We'd offer each of those pieces of
20 evidence, Your Honor.

21 JUDGE CLARK: Thank you. Any objection
22 to MECG's Exhibits 350 through 356?

23 I see none. Exhibits 350 through 356 for
24 MECG will be admitted onto the hearing record.

25 (MECG Exhibits 350 through 356 were

1 received into evidence.)

2 JUDGE CLARK: For EDRA.

3 MR. JARRETT: Yes, Judge. For EDRA,
4 Exhibit Number 450, both public and highly
5 confidential, William L. Gipson direct testimony; and
6 Exhibit Number 451, both public and highly
7 confidential, William L. Gipson surrebuttal testimony.
8 And that's it.

9 JUDGE CLARK: And you said on
10 surrebuttal, public and confidential?

11 MR. JARRETT: Highly confidential.

12 JUDGE CLARK: Highly confidential. Thank
13 you.

14 Any objections to EDRA's Exhibits 450 and
15 451?

16 I see none. Exhibits 450 and 451 for
17 EDRA are admitted on to the hearing record.

18 (EDRA Exhibits 450 and 451 were received
19 into evidence.)

20 JUDGE CLARK: And finally for the SERP
21 Retirees, Mr. Woodsmall.

22 MR. WOODSMALL: Your Honor, the SERP
23 Retirees is not offering their pieces of testimony
24 that were pre-filed.

25 JUDGE CLARK: Okay. Thank you very much.

1 I know that took a while. I appreciate everybody
2 going through it, but I think it will save some time
3 down the road.

4 Okay. I'm relying on the parties,
5 because there is a lot of confidential information in
6 this case. If I catch it, I will immediately mute and
7 go in-camera, but if you know in advance you're going
8 to be putting on confidential testimony, please let me
9 know so I can go in-camera for the presentation of
10 that.

11 With that in mind, is there anything else
12 I need to address before we begin opening statements
13 from the parties?

14 Okay. I see none so I will go with the
15 order as was submitted for opening statements and that
16 has Liberty Utilities going first for opening.

17 MS. CARTER: Thank you, Judge. Good
18 morning. I am Diana Carter, the director of legal
19 services for Liberty's Central Region, which includes
20 the Empire District Electric Company. And in addition
21 to Dean Cooper, I have with me today Charlotte Emery,
22 our Central Region director of rates and regulatory
23 affairs; and Tim Wilson, our vice president for
24 electric is on WebEx in case there happen to be
25 questions for him.

1 We are completing a trilogy with this
2 case. We started with our customer savings plan
3 docket back in 2017 where the Commission noted that
4 the public policy of this state is to diversify the
5 energy supply through the support of renewable and
6 alternative energy sources. And this Commission held
7 back in that 2017 proceeding that Empire's proposed
8 acquisition of 600 megawatts of additional wind
9 generation assets is clearly aligned with the public
10 policy of the Commission and of this state.

11 Next, in 2019, Empire received the
12 requested certificates of convenience and necessity
13 for the wind project. And this grant was based on the
14 Commission findings that there is a need for the
15 service, that Empire is qualified and has the
16 financial ability to provide the service, that
17 Empire's proposal is economically feasible and that
18 approval of the wind project promotes the public
19 interest.

20 I am very proud to say that we've
21 executed on our customer savings plan and purchased
22 the three wind farms so now we are here to complete
23 our trilogy.

24 To benefit all stakeholders, the Asbury
25 coal plant has been retired and our three wind

1 projects are now online. We have Kings Point and
2 North Fork Ridge here in Missouri and Neosho Ridge
3 over in Kansas. The wind farms are an investment in
4 the future of our company, for our customers and for
5 local community.

6 The pre-filed testimony that has now been
7 admitted into the record also explains that Empire has
8 made other investments in our system that will
9 continue to serve our customers for decades to come.
10 We've installed smart meters, AMIs that will allow our
11 customers to see their energy usage in near real-time.
12 In turn, giving customers greater ability to control
13 their energy usage and ultimately their electric
14 bills.

15 Coupled with management actions, AMI led
16 to a dramatic decrease in estimated bills. We heard
17 our customers and we heard from the Commission through
18 the discussion in our last rate case. We worked very
19 hard to improve our customer service moving to more
20 advanced technology and offering more ways for our
21 customers to interact with us.

22 All of the revenue requirement issues are
23 settled among the parties with rates to be designed
24 using an annual increase of approximately
25 35.5 million. Asking customers to pay more is not an

1 easy thing to do, not for us and not for the
2 Commission. We understand that. But the stipulated
3 rate increase here is an investment in the future that
4 will pay off for years to come for customers, the
5 company and all stakeholders.

6 And we worked hard to minimize the rate
7 increase. First, with the design of the company's
8 initial filing, by working with all parties to reach
9 the four partial stipulations. And also, as we all
10 know, significant legislation was signed into law
11 after we filed our rate case and Empire was able to
12 file the first of its kind petition in Missouri under
13 this new securitization statute for the qualified
14 extraordinary costs for Winter Storm Uri and the
15 company has also now filed a notice of intent
16 regarding the retirement of the Asbury generating
17 plant.

18 Pursuant to the stipulations that are on
19 file with the Commission, rates stemming from this
20 case will not reflect any increase related to Storm
21 Uri and Asbury will not be reflected in those rates.
22 The Asbury AAO will continue, but with tracking
23 balances reset to zero, all issues on Asbury of Storm
24 Uri will move over to those securitization dockets.

25 The Storm Uri and Asbury costs were

1 removed from the company's rate request to reflect the
2 company's election to securitize those costs in lieu
3 of pursuing traditional rate recovery in this
4 proceeding, and this will lead to significant customer
5 benefits.

6 The four partial stipulations resolve all
7 but one issue in this case. Although not signed by
8 all parties, all four of those stipulations have the
9 affirmative non-objections. So those four
10 stipulations could be approved now, treated as
11 unanimous as a near global resolution of this case.

12 The first stipulation established some
13 starting numbers using Staff's rate base and other
14 balances reflected in Staff's surrebuttal filings.
15 And then the fourth stipulation resolved the issue of
16 the appropriate annual revenue requirement increase.

17 Numerous rate design issues and other
18 matters are also resolved with the stipulation,
19 including the establishment of tariffs to implement
20 Empire's new transportation electrification program,
21 various additional reports in stakeholder meetings to
22 maintain open lines of communication, continuation of
23 Empire's low-income pilot program, and additional
24 shareholder funding for low-income programs, and the
25 creation of time-of-use rates for all residential and

1 small commercial customers.

2 The time-of-use agreement establishes a
3 default for limited impact time-of-use rates. It also
4 maintains options in the form of the current
5 non-time-of-use rates and a limited availability high
6 differential time-of-use rates. This portfolio of
7 rates supports the educational benefit, introducing
8 all customers to time differentiated rates, the value
9 of high differential TOU rates and increasing customer
10 response, incenting that customer response, and
11 provides the company with the ability to further
12 understand our customers' response to these new rate
13 options.

14 With the four partial stipulations, only
15 one issue remains for hearing today: The question of
16 how Empire's stipulated revenue requirement should be
17 allocated among Empire's customer classes.

18 The company recommends an allocation
19 method that considers the results of the class
20 cost-of-service study consistent with the rate design
21 principles of fairness and equity, but also considers
22 customer bill impact. The company's witness, Tim
23 Lyons, will be appearing by WebEx this morning.

24 Permitting Empire to charge reasonable
25 rates that will allow us to recover our cost to

1 provide electric service is an essential element of a
2 long recognized compact that assures the reliability
3 of electric service.

4 We ask that the Commission recognize the
5 overwhelming benefits to our customers from the
6 transformation to doing the right thing for a
7 sustainable future for our customers. And in
8 conjunction with the Commission's decision on the one
9 remaining contested issue, we ask that the Commission
10 approve the final stipulation as a just and reasonable
11 resolution of this case. Thank you, Judge.

12 JUDGE CLARK: Any questions from the
13 Commission? Okay. I have no questions. Thank you,
14 Liberty.

15 MS. CARTER: Thank you.

16 JUDGE CLARK: Next for opening statements
17 is the Staff of the Commission. And Mr. Thompson, is
18 that microphone on?

19 MR. THOMPSON: Should be on.

20 JUDGE CLARK: Yes, thank you.

21 MR. THOMPSON: Thank you, Judge. May it
22 please the Commission.

23 Today we are here to litigate the single
24 remaining issue in this case, which is the area of
25 rate design. Rate design is the process of devising

1 prices that will collect the necessary revenue
2 requirement from the company's customers.

3 The particular issue under consideration
4 today is that of class cost responsibility shifts.
5 What does that mean? Utility customers are sorted
6 into classes based upon various characteristics.
7 Rates are devised for each class based upon the cost
8 of serving the customers in that class.

9 The goal is to match costs to cost
10 causers so that each customer will pay an amount
11 approximately equivalent to what it actually costs to
12 serve that customer.

13 Sometimes, however, rates and costs get
14 out of alignment. In that situation, the prices
15 charged for service no longer match the actual cost of
16 the service. In such circumstances, some customers
17 pay more than the actual cost of their service and
18 other customers pay less than the actual cost of their
19 service.

20 This problem is addressed through class
21 cost responsibility shifts. This entails a percentage
22 adjustment to the cost responsibility of each class in
23 order to bring prices and costs back into alignment.
24 Necessarily, this causes some rates to go up and some
25 rates to go down.

1 The Staff and the Office of Public
2 Counsel oppose any class cost responsibility shifts in
3 this case, and instead, support equal percentage
4 increases. That means that everybody's rates would
5 increase by the same percentage.

6 Empire and MECG, on the other hand, urge
7 the Commission to make class cost responsibility
8 adjustments in order to bring rates back into
9 alignment with costs.

10 Why would Staff oppose this? Rate design
11 is guided by a complex statistical study known as a
12 class cost-of-service study. In the present case,
13 Empire submitted a class cost-of-service study and the
14 Missouri Energy Consumers Group has made certain
15 adjustments to it. Staff believes that these studies
16 are flawed and, therefore, should not be trusted.
17 Staff is strongly opposed to class cost responsibility
18 adjustments based on unreliable studies.

19 The studies in question purport to show
20 that the rates of the residential class are nearly
21 20 percent below the actual cost of serving that
22 class. The industrial classes, on the other hand, are
23 purportedly paying 20 percent more than their actual
24 cost-of-service. Those industrial customers, of
25 course, are MECG's clients.

1 If the class cost responsibility shifts
2 proposed by MEGC and Empire are implemented, the
3 industrial rates will go down and the residential
4 rates will go up.

5 Staff is of the opinion that class cost
6 responsibility shifts should not be made on the basis
7 of untrustworthy studies. Much better studies will be
8 available in the future, due to the new meters that
9 are being deployed by Empire. Staff urges the
10 Commission to leave any class cost responsibility
11 adjustments for Empire's next rate case when they can
12 be made with confidence on the basis of reliable data.
13 Thank you, Judge.

14 JUDGE CLARK: Thank you, Staff. Any
15 questions from the Commission? And I have no
16 questions at this time.

17 Opening statement from Public Counsel.

18 MR. WILLIAMS: Thank you. May it please
19 the Commission. My name's Nathan Williams and I'm
20 appearing before you on behalf of the Office of the
21 Public Counsel and the public.

22 As the other -- as the -- as Liberty and
23 Staff have indicated, we're left with one issue
24 basically before the Commission and that's rate
25 design, and in particular, whether or not there should

1 be shifting class responsibilities to increase the
2 rates of residential customers more than other
3 classes.

4 It's the Office of Public Counsel's
5 position that the customer charge for the residential
6 customer should not be changed and that generally
7 rates should be increased across the board in an equal
8 proportion of all the rate elements of the different
9 classes.

10 The Commission should not dogmatically
11 look at class cost-of-service when deciding shifts in
12 class responsibility. It's a factor that should be
13 taken into consideration, but it should also take into
14 consideration that if the Commission approves the
15 agreements in this case, there's going to be about a
16 6 percent increase in every cus- -- on average, of
17 costs more towards customers coming out of this case,
18 and we're going to be seeing a couple of
19 securitization cases shortly that are also going to
20 have a rate impact to increase rates.

21 Those are all additional factors the
22 Commission should take into consideration. And the
23 impact on low-income customers that Covid -- as well
24 as others, but Covid has had recently and inflation
25 that's impacting our economy currently. Those are all

1 considerations the Commission should take into
2 account.

3 Additionally, there's a reason for why
4 the rate class responsibilities are what they are now
5 and it's historical. I couldn't tell you exactly why,
6 but it didn't come about by accident. Thank you.

7 JUDGE CLARK: Thank you, Public Counsel.
8 Any questions from the Commission? Okay. No
9 questions for me at this time either.

10 And while Midwest Energy Consumers Group
11 sets up, I believe they have a presentation and --
12 hold on. Let me see how I get that presentation on.
13 I'm not 100 percent sure. Bear with me while I figure
14 out how we get this onto the WebEx. And let's go off
15 the record for just a moment.

16 (Off the record.)

17 JUDGE CLARK: Okay. Let's go back on the
18 record. I assume we can all see it now. Sorry for
19 the technical difficulty.

20 MECG, if you want to go ahead with your
21 opening statement.

22 MR. WOODSMALL: Thank you, Your Honor.
23 Good morning. David Woodsmall appearing on behalf of
24 the Midwest Energy Consumers Group.

25 As you know, MECG represents the

1 interests of large commercial and industrial customers
2 in Missouri. Relevant to the Empire District
3 Electric, MECG represents the interests of large
4 customers being served on the general power, large
5 power, and transmission service tariffs.

6 As it pertains to the issues to be heard
7 here today, each of these rate classes are paying
8 rates that are significantly above cost-of-service
9 simply to help subsidize residential rates. The
10 obvious impact of the continued existence of this
11 residential subsidy is to place a mammoth drain on the
12 economic development of the Empire service area.

13 Uh-oh. That didn't get it.

14 MR. WILLIAMS: Do you want me to try and
15 see if I can?

16 (Off the record discussion between
17 counsel.)

18 MR. WOODSMALL: Okay. Here are the
19 issues that I'll be discussing today during my
20 statement. I'll discuss the class cost-of-service
21 studies that have been filed in this case.
22 Specifically I'll discuss the studies completed by
23 both Empire and MECG.

24 Importantly, no other party has filed a
25 class cost-of-service study. Instead, Staff has

1 simply raised unfounded criticisms designed to
2 convince the Commission to reject the unavoidable --
3 unavoidable conclusions in both the Empire and MECG
4 studies and continue to preserve the residential
5 subsidy.

6 Next, I'll discuss how the Commission
7 should interpret these class cost-of-service studies
8 and how they should make decisions regarding revenue
9 allocation in this case. After this, I will discuss
10 several of OPC's self-serving pleas designed to
11 maintain that same residential subsidy. Finally,
12 since the Commission has relied upon it in other
13 Empire cases, I will discuss the competitiveness of
14 Empire's industrial rates.

15 As I mentioned, there were two class
16 cost-of-service studies filed in this case. One by
17 Empire, the other prepared by MECG. Importantly, both
18 of these studies utilize the A and E method for
19 allocating fixed production costs. This is important
20 because the Commission, just last Wednesday, found
21 that the Ameren study, which also relied upon the
22 A and E methodology, provided the most reasonable
23 estimate of Ameren's class cost-of-service.

24 While Empire and MECG both utilized that A and
25 E methodologies, there were originally three issues

1 between those parties in their methodology. First,
2 there was the difference over the manner in which the
3 load factor portion of the A and E was calculated. In
4 its rebuttal, however, Empire agreed to a load factor
5 calculation that is based upon a single coincident
6 peak. Given that resolution, that issue has now been
7 resolved.

8 Next, there was a disagreement between
9 MECG and Empire over the manner in which interruptible
10 credits should be allocated amongst the classes.
11 Again, this has been resolved by Empire agreeing that
12 interruptible load should be eliminated from the A and
13 E allocator used to allocate interruptible credits.
14 So a second point of contention has been resolved.

15 Finally, MECG and Empire utilized a
16 different variant of the A and E allocator,
17 specifically Empire originally used a 12 NCP version
18 that considers the peak months or the peaks from all
19 12 months. On the other hand, MECG originally used
20 only the peaks from the five months that are within
21 10 percent of the annual peak.

22 After some testimony was filed, both MECG
23 and Empire agreed to a middle ground, which would
24 consider the peaks from eight months; four summer
25 months and four winter months. So with that

1 resolution, all differences between Empire and MECG's
2 class cost-of-service studies have been resolved.
3 They are in perfect alignment.

4 And here you see the outcome of that.
5 What this shows, without any disagreement between
6 Empire and MECG, is that the residential class in
7 order just to get to cost-of-service, would need an
8 18.99 percent rate increase. And then any rate
9 increase in this case would need to be put on top of
10 that. So just a revenue neutral increase of 18.99
11 percent for residential.

12 Who's paying for that? Who is currently
13 paying to allow residential customers to have this
14 subsidized rate? Basically every non-lighting class.
15 So the commercial class, the Casey's General Store,
16 the pizza parlors, everybody else. You can see
17 they're currently rates that are 4.2 percent above
18 cost-of-service.

19 The general power class. These are
20 larger commercial customers and some small industrial
21 customers. So you'll see Wal-Marts in here and
22 pipelines and companies like that. They're paying
23 rates that are currently 19.8 percent above
24 cost-of-service simply so that the residential class
25 can have subsidized rates.

1 The large power class. Who is this?
2 This is the General Mills, the Tysons, the TAMCOs of
3 the world. They're all currently paying rates -- you
4 can see here -- 19.58 percent above cost-of-service
5 simply so residential can have a subsidized rate.

6 And finally, the worst one, the
7 transmission service class. Currently paying rates
8 31.8 percent above cost-of-service simply so
9 residential customers can pay less than
10 cost-of-service.

11 As I mentioned, there are no disputes
12 about the existence of a residential subsidy. Both
13 class cost-of-service studies show this to be a fact.
14 Staff didn't file a class cost-of-service study.
15 Rather, Staff simply stood on the sideline and leveled
16 criticism at the MECG and Empire studies. Each Staff
17 criticism, however, has been discredited.

18 As an initial matter, Staff questioned
19 the legitimacy of the A and E methodology. But as I
20 mentioned, just last week the Commission said that
21 Ameren's A and E methodology provided the best
22 estimation of the class cost -- of the cost to serve
23 each class. So the A and E is a valid methodology.

24 Next, Staff claims that the demand data
25 contained in the studies is unreliable. Empire's

1 Witness Lyons pointed out, however, that there is no
2 data, no analysis, no study to support such a
3 criticism. It's just been thrown out there. And he
4 showed that it's not a problem.

5 Next, Staff raises a new concern and
6 suggests that the studies are unreliable because the
7 Empire classes are unstable due to rate switching.
8 But as Mr. Lyons points out, quote, rate switching
9 occurs every year and a level that occurred in the
10 test year did not appear to be extraordinary, end
11 quote.

12 Criticism number three here, Staff
13 suggests that the A and E approach, the same approach
14 just adopted by the Commission, is faulty because it
15 is heavily dependent on class peak demands. But
16 Mr. Lyons pointed out that this is completely
17 unfounded. As Mr. Lyons points out, given the A and E
18 methodology and the way it was calculated, actually
19 57.3 percent of fixed production costs are allocated
20 based upon class energy usage. Only 42.7 percent is
21 on class peak demand. So it is not dependent on class
22 peaks; if anything, it is overly dependent on class
23 energy usage.

24 Criticism number four, Staff claims that
25 Empire's class cost-of-service study is faulty because

1 it allocates SPP revenues to the classes. As
2 Mr. Lyons points out in his testimony, however, it
3 makes sense to allocate SPP revenues on the basis of
4 class energy usage. The same costs that are used to
5 create SPP revenues, the operating costs, the fuel,
6 the costs are allocated based upon class energy usage;
7 therefore, it only makes sense that the SPP revenues
8 also be allocated based upon class energy usage.

9 Finally, Staff lofts a more generic
10 criticism by claiming that class -- that company's
11 cost-of-service study is unreliable. Mr. Lyons, in
12 his surrebuttal testimony, astutely points out --
13 points out, however, that the results of the study are
14 quote, generally consistent, end quote, with the
15 studies in the last two cases.

16 There's nothing new here. The results
17 that the studies are done the same way using the same
18 data, the results are all relatively similar. There's
19 no basis to suggest that the study in this case is
20 unreliable when the Commission has used it in the 2014
21 and 2016 cases.

22 So where are we? We have two class
23 cost-of-service studies in this case. Those studies
24 are each based on the same methodology adopted by the
25 Commission just last week in the Ameren rate case.

1 Both of these studies now show the existence of a
2 significant residential subsidy.

3 Originally, MEEG asked that the
4 Commission eliminate 25 percent of the residential
5 subsidy. This is consistent with the two recent
6 Empire rate cases in which the Commission did that
7 very thing. In 2014, you can see here, ER-2014-0351,
8 Commission's order: The Commission finds that the
9 increase to residential rates by 25 percent of a
10 needed 8.1 percent revenue neutral adjustment is just
11 and reasonable. Commission used that 25 percent that
12 we were originally recommending. Again, in 2016, the
13 Commission approved a settlement that did that very
14 thing again.

15 While MEEG believes a 25 percent shift is
16 appropriate, we are willing to modify that slightly.
17 Specifically in its testimony, Empire suggested that
18 residential rates should be capped at a 9.9 percent
19 increase. Originally the 9.9 percent increase was
20 designed to mitigate the rate increase originally
21 sought in this case.

22 That said, however, Empire also said that
23 if the overall rate increase was reduced then, quote,
24 principles of fairness and equity, end quote, dictate
25 that a revenue neutral shift is appropriate.

1 With the revenue requirement settlement
2 in this case, the parties agree that Empire should
3 receive an overall increase of something around
4 7.5 percent. Therefore, as Empire points out, you can
5 now increase residential customers to 9.9 percent. It
6 will take care of some amount of the residential
7 subsidy and would be consistent with interests of
8 fairness and equity, and recognizes bill impacts.

9 It is critical that the Commission not
10 waste this opportunity again. As I said, in 2014 and
11 '16, the Commission took decisive steps to address the
12 residential subsidy. In the last case, however, the
13 Commission was convinced by Staff and Public Counsel
14 that there was a problem with the studies because of
15 high number of estimated bills.

16 Therefore, relying upon this concern, the
17 Commission simply applied the rate increase in that
18 last case on an equal percent basis. The practical
19 effect of the Commission's decision to ignore this
20 issue in the last case was to undo all the efforts
21 that had been made in previous cases.

22 As you can see from this chart -- as you
23 can see from this chart, several classes -- as you
24 work from right to left, the far right for each one is
25 the 2014 case, then the middle color is the 2019 case

1 and now this case.

2 So if you look at like the large power
3 class, what you see is the overall rate of return for
4 that class is now going up higher and higher and
5 higher. In the meantime, the residential class on the
6 far left has seen its earned rate of return go down.

7 What that means is because the Commission
8 didn't do anything on this issue in the last case, the
9 problem has now been exacerbated.

10 I'll just wing it from here.

11 What is the implication of having large
12 commercial industrial customers pay rates that are
13 above cost-of-service?

14 JUDGE CLARK: Mr. Woodsmall, would you
15 like me to get someone in here to --

16 MR. WOODSMALL: Let me see if I can --
17 we'll just leave it on there. I can finish up.

18 What is the implication of having large
19 commercial industrial customers pay rates that are
20 above cost-of-service? In just a few words, the
21 residential subsidy means that industrial rates are
22 not competitive.

23 In 2011 and 2014, the Commission
24 discussed the need to eliminate subsidies and have
25 classes pay cost-based rates. For instance, in 2014,

1 the Commission specifically stated that, quote,
2 competitive industrial rates are important for the
3 retention and expansion of industries within Empire's
4 service area. If businesses leave Empire's service
5 area, Empire's remaining customers bear the burden of
6 covering the utility's fixed cost with a smaller
7 number of billing determinants, end quote.

8 In other words, while residential
9 customers may think that they're getting a great deal
10 with the residential subsidy, they may end up paying
11 more later. Eventually industries will leave Empire
12 service area for cheaper rates in other parts of the
13 state and the nation. When that happens, residential
14 customers will pay more.

15 There was no old adage in an oil filter
16 commercial where a mechanic says "You can pay me now
17 or you can pay me later." That adage is equally
18 applicable here. The residential customers may think
19 they're getting a break now, but when industrial
20 customers leave, they'll end up paying for it.

21 So how competitive are Empire's
22 industrial rates? They are terribly uncompetitive.
23 Here you see a chart that is based upon the EEI
24 typical bills and average rate report. What you see
25 here on the far left is Empire's average industrial

1 rate. This shows that Empire's average industrial
2 rate is 22 percent above the Missouri average
3 industrial rate, about the same above the regional
4 average industrial rate, and about the same above the
5 national average industrial rate.

6 You can see all three of those others run
7 about 6.7 percent. But in Empire's service area,
8 because of the significance of the residential
9 subsidy, it's almost 8.3 percent -- 8.3 cents per
10 kilowatt hour.

11 And the situation is getting worse. In
12 2015, the Empire industrial rate was 17 percent above
13 the national average. In 2019, the Empire industrial
14 rate was then 21 percent above the national average.
15 Now, after having ignored this problem in the last
16 case, Empire's industrial rate is now 24 percent above
17 the national average. It's time to wake up and
18 address this issue.

19 In its testimony, OPC tried to make light
20 of this sobering situation and claimed that the same
21 dynamic exists for all Empire's customers. This is
22 inaccurate. As you can see in this table, Empire's
23 residential rate is only 3.6 percent above the
24 national average, basically right at the national
25 average. Empire's commercial rate, only 5.4 percent

1 above the national average. Only the industrial rate
2 sees this huge problem, 24.3 percent above the
3 national average.

4 In another effort to make light of this
5 drastic situation, Staff questions the reliability of
6 the EEI data. Noticeably, Staff doesn't provide
7 anything better. It just questioned whether the data
8 could be used.

9 But as we've seen, EEI data is used
10 routinely by utilities, commissions and customers.
11 Data request responses show that the EEI data is used
12 by Excel, Evergy Metro and Evergy West to assess the
13 competitiveness of its rates.

14 Commissions -- as I told you, in 2014 the
15 Commission expressly relied on testimony that
16 relied -- that utilized that EEI data. Finally,
17 customers use it. As Steve Chriss and Rick Nelson
18 noted in the 2019 case, while the values are based on
19 averages, the rankings can still be meaningful as
20 customers seek to benchmark their energy costs against
21 other utilities and regions and use those to assess
22 competitiveness of utilities.

23 Like Staff, Public Counsel also didn't
24 conduct a class cost-of-service study. Unlike Staff,
25 however, Public Counsel does not question the accuracy

1 or reliability of the two studies in this case.
2 Rather, Public Counsel on behalf of its client, the
3 residential class, throws itself on the mercy of the
4 Commission. Specifically, Public Counsel points to
5 inflation and uncertainty surrounding the ongoing
6 Covid pandemic. The evidence indicates, however, that
7 these factors are equally applicable to all customers.
8 They are not unique to the residential class.

9 Frankly, Public Counsel has a litany of
10 excuses to get the Commission not to address the
11 residential subsidy. Estimated bills, unreliable
12 data, Covid, inflation, unemployment. You name it,
13 they have a book upstairs where they can find an
14 excuse to keep you from addressing it.

15 As Commissioner Rupp noted just last week
16 when deliberating the Ameren case, quote, the argument
17 is made that this is not the right time to do it,
18 address the residential subsidy, because it's never
19 the right time to do it, end quote.

20 That's Public Counsel playbook. Don't it
21 now because of Covid. Don't do it now because of
22 inflation. But if those factors go away, in the next
23 case it will be unemployment or something else. It's
24 never the right time. As Commissioner Rupp noted
25 about Public Counsel's position, it's never the right

1 time to address it.

2 That's the extent of my comments. Just
3 urge the Commission to go back to what they did in
4 2014 and '16 and take steps to address the residential
5 subsidy in this case. Thank you, Your Honor.

6 JUDGE CLARK: Thank you. Are there any
7 questions from the Commission? And I'll remind
8 everybody who is participating via phone, you want to
9 dial *6 to unmute. I hear no questions and I have no
10 questions at this time.

11 We're going to go off record for just a
12 moment while we set up for the next opening statement.

13 (Off the record.)

14 JUDGE CLARK: And we will go back on the
15 record now. Is there an opening statement from the
16 Empire District Retired Members and Spouses
17 Association?

18 MR. JARRETT: Yes. Good morning, Judge
19 and Commissioners. Just a brief opening statement.

20 As Ms. Carter indicated in her opening
21 statement, EDRA has entered into a stipulation and
22 agreement on its one issue with the company. The
23 association represents retirees of Empire, which was
24 acquired by Liberty in the merger case in 2016 and so
25 these are sort of the legacy Empire retirees.

1 An agreement on post-retirement benefits
2 was approved in a stipulation and agreement in that
3 2016 merger case. The purpose of the new stip- --
4 stipulation in this case is to clarify some of the
5 language from that original stipulation and agreement
6 and it also gives company some flexibility to
7 transition those retirees into a new -- new plan so
8 long as the benefits stay -- stay materially similar
9 to the existing plan.

10 We would urge the Commission to approve
11 it. We also believe that it's just and reasonable to
12 do so. And with that, I will take any questions.

13 JUDGE CLARK: Any questions from the
14 Commission? I have no questions.

15 But what I am going to do at this time is
16 say that, just for clarification, there are four filed
17 partial stipulations in this case that are meant to
18 resolve all but the class cost-of-service issue. I
19 had set this as hearing for two days, but what it is,
20 is today is the evidentiary hearing in regard to the
21 class cost-of-service issue, which is the issue up for
22 the Commission's determination.

23 Tomorrow is the on-the-record
24 presentation for Commission questions. These are two
25 separate hearings. I don't want to muddy the record

1 in this case by combining those two. So you're
2 welcome to make whatever opening statement you would
3 like to make today certainly.

4 Does EDRA have a position on class
5 cost-of-service they want to put forward? Or did you
6 just want to talk about the stipulation at this point?

7 MR. JARRETT: No, Judge. Yes, I just
8 wanted to talk about the stipulation. I was going to
9 ask for leave to be excused for the rest of the
10 hearing today and obviously be available tomorrow. I
11 can come back and answer any questions about the
12 stipulation.

13 JUDGE CLARK: Okay. Is there -- and --
14 and it's possible that we may move to give the
15 Commission more time to look at that stipulation.
16 It's possible that we may move tomorrow's hearing
17 date, but I will have to check on that.

18 But to address one thing at a time, is
19 there any objection to the Commission excusing EDRA
20 from the rest of the hearing?

21 I see no objections. Mr. Jarrett, thank
22 you very much. I'll grant your request and you're
23 excused from the rest of the day's hearing and I hope
24 that you will certainly come back and talk about the
25 stipulation for the on-the-record presentation.

1 MR. JARRETT: Absolutely we'll be here.
2 Thank you, Judge.

3 JUDGE CLARK: Thank you. Mr. Woodsmall,
4 do the SERP Retirees have any opening statement that
5 they wanted to make?

6 MR. WOODSMALL: No, Your Honor.

7 JUDGE CLARK: City of Ozark and Renew, as
8 I said before, have both asked to be excused from
9 today's hearing and that was granted in both cases so
10 we're now ready to take witnesses in this case. Does
11 anybody at this point need to take a break?

12 MR. WOODSMALL: No, Your Honor, but I did
13 want to bring up something. We never spelled out an
14 order of cross-examination in the second issue list.
15 The very first one that had a multitude of issues, we
16 did.

17 I believe the situations are different.
18 We usually do cross-examination in order of how
19 opposed parties are. So I would say that I would
20 probably cross-examine Empire's witness first, but
21 similarly I think Staff and OPC on their witnesses, I
22 should get to cross-examine last.

23 JUDGE CLARK: Okay. Well, why don't we
24 do this. I was looking at the order of cross. And
25 the way I have it right now is, is there -- EDRA has

1 asked to be excused. Are the SERP Retirees going to
2 have any cross-examination?

3 MR. WOODSMALL: No, Your Honor.

4 JUDGE CLARK: Okay. Then let me -- let
5 me go through the order of cross minus all the parties
6 that have asked to be excused and minus those parties
7 that have indicated they do not have a
8 cross-examination. And -- and from that, we'll see if
9 we can cobble together an order of cross.

10 Now, for Liberty, for witness Tim Lyons,
11 I currently have MECG going first for
12 cross-examination, followed by Staff and OPC. Any
13 objection to that order? I see none.

14 In regards to Staff's witness Sarah
15 Lange, I have MECG, followed by OPC and then Liberty.
16 Any objection?

17 MR. WOODSMALL: Yes. I believe given
18 that MECG is most opposed of the parties, that we
19 should get to do cross-examination last.

20 JUDGE CLARK: Any objection to that? I
21 see no objection. So cross-examination for Staff's
22 witness will be OPC first, followed by Liberty,
23 followed by MECG.

24 For OPC witness Dr. Geoff Marke, I have
25 MECG, followed by Staff, followed by Liberty.

1 MR. WOODSMALL: Same point, Your Honor.
2 I believe MECG should go last.

3 JUDGE CLARK: Any objections from any
4 party to MECG going last? Okay. I see none. The new
5 order of cross-examination for OPC's witness is Staff,
6 followed by Liberty, followed by MECG.

7 And finally for MECG's witness Ms. -- is
8 it Maini?

9 MR. WOODSMALL: Maini.

10 JUDGE CLARK: Maini, I apologize. I have
11 OPC, followed by Staff, followed by Liberty. Any
12 objections to that order of cross-examination?

13 MR. THOMPSON: We believe that Empire
14 should go first, followed by OPC, followed by Staff.

15 JUDGE CLARK: Any objections to that?
16 Okay. The new order of cross-examination for MECG's
17 witness is Liberty, followed by OPC, followed by
18 Staff. Now, I've got this penciled in as best I can.
19 If for some reason I accidentally deviate from that,
20 I'd rather you stop me before questions get asked, but
21 I will do my best to adhere to that order.

22 Okay. Given that -- nobody indicated
23 they wanted to take a break at this time, but it is my
24 intention to take a break around eleven o'clock --
25 between 10:30 and 11:00. Why don't we go ahead and

1 hear from the first witness and if we need to break in
2 the middle of that witness's testimony, we will. So
3 Liberty call your witness.

4 MS. CARTER: Tim Lyons.

5 (Witness sworn by Judge Clark.)

6 JUDGE CLARK: Thank you, Mr. Lyons.

7 Okay. Liberty, you can commence with your direct
8 examination.

9 TIMOTHY LYONS,
10 appearing virtually, having been first duly sworn,
11 testified as follows:

12 MS. CARTER: Thank you.

13 DIRECT EXAMINATION BY MS. CARTER:

14 Q. Mr. Lyons, if you will please state and
15 spell your first and last name.

16 A. Timothy S. Lyons. Last name
17 Is L-y-o-n-s.

18 Q. By whom are you employed and in what
19 capacity?

20 A. I am with ScottMadden and I'm a partner.

21 Q. Are you testifying today on behalf of the
22 Empire District Electric Company?

23 A. Yes, I am.

24 Q. Did you prepare and prefile direct,
25 rebuttal and surrebuttal testimony in this matter that

1 has now been marked and admitted as Exhibit 36, 37 and
2 38?

3 A. Yes, I did.

4 Q. Do you have any corrections for your
5 pre-filed testimony?

6 A. No, I do not.

7 Q. If I were to ask you those same questions
8 today, would your answers be substantially the same?

9 A. Yes, they would.

10 Q. And are those answers true and correct to
11 the best of your information, knowledge and belief?

12 A. Yes, they are.

13 Q. Thank you.

14 MS. CARTER: I tender Mr. Lyons for
15 cross-examination.

16 JUDGE CLARK: Thank you, Liberty. First
17 to cross-examine Liberty's witness is MECG.

18 MR. WOODSMALL: Thank you, Your Honor.

19 CROSS-EXAMINATION BY MR. WOODSMALL:

20 Q. Good morning, sir. Can you hear me?

21 A. I can. Thank you. Good morning.

22 Q. So it's my understanding that you
23 conducted -- or your firm conducted the class
24 cost-of-service study presented by Empire in this
25 case; is that correct?

1 A. That's correct.

2 Q. And the only other class cost-of-service
3 study in this case was filed by MECG. Is that your
4 understanding?

5 A. Yes, it is.

6 Q. Were you here for my opening statement?

7 A. Yes, I was.

8 Q. Would you agree that as far as Empire's
9 class cost-of-service study and MECG's class
10 cost-of-service study, there were initially three
11 differences? Is that a fair assessment?

12 A. I have not done a side-by-side comparison
13 of the two studies, but I think the issues that you
14 identified were the major differences.

15 Q. Okay. Let's -- let's walk through those.
16 First off, just as some background, can you tell me
17 how the average in excess is calculated?

18 A. Sure. The average in excess is -- it's a
19 production plan allocator and it reflects that --
20 that -- that the plants are designed to meet both
21 energy and demand requirements. And so it's really
22 split into two different allocators.

23 First is the energy allocator that's
24 developed based on energy load throughout the year,
25 the kWh. And then the second would be the peak

1 demands, and it looks at non-coincidental peak demands
2 by class and apportions -- the other piece of the
3 allocator is based on those non-coincidental demands.
4 So the average in excess is a combination of both or
5 a -- of both the energy and the peak demand
6 components.

7 Q. And can you tell me how the system load
8 factor is then utilized for the average in excess
9 calculation?

10 A. Sure. When you put those together, the
11 energy and the peak demands, the question is what
12 percent would you use that's energy and what percent
13 would be peak demands, because they're separate
14 allocators. And what the load factor does is you look
15 at the system load factor and then based on that
16 percentage, you would apply it to the energy and then
17 the remaining percentage would be peak demand.

18 So with this case, the energy portion
19 would be based on the load factor and the peak demand
20 would be one minus the load factor.

21 Q. And originally there was a difference
22 between MEGC and your study and how that load factor
23 is calculated; is that true?

24 A. That's correct.

25 Q. And it was my understanding that you had

1 originally used a load factor calculation that looked
2 at all 12 months and that MECG looked at one single
3 annual system load factor. Is that accurate?

4 A. Yes, that is.

5 Q. And in your rebuttal testimony, you
6 agreed to the use of one single system load peak for
7 calculating the load factor. Is that accurate?

8 A. Yes. Except what we said is we wouldn't
9 oppose it. You had that in your slides as well.

10 Q. Okay. And then there was an issue
11 between the MECG and Empire class cost-of-service
12 study and the method by which interruptible credits
13 are allocated. First off, can you tell me what
14 interruptible credits are?

15 A. Sure. These are credits that compensate
16 interruptible customers for foregoing having firm
17 service. So at the time of peak demand, the
18 interruptible customers will leave the system or not
19 add to -- to that demand. So the credits are a way to
20 compensate customers for interrupting their load or
21 not being on the system at the time of that peak
22 demand.

23 Q. And can you tell me -- describe what the
24 difference was between the way these credits were
25 allocated among the classes between the Empire and the

1 MECG studies?

2 A. Yes. So in the Empire study, the credit
3 was applied to all of the customer classes, including
4 the interruptibles. And in the MECG study, it was
5 applied to all of the credit -- all of the classes
6 except the interruptible class. And -- and we agreed
7 with that application.

8 Q. Okay. So that difference has been
9 resolved between MECG and Empire; is that correct?

10 A. Yes, it has.

11 Q. Okay. Finally, it is my understanding
12 that initially Empire used an average in excess that
13 was based upon the peaks for all 12 months; is that
14 correct?

15 A. That is.

16 Q. And is it fair to use the acronym 8 NCP
17 for that variant?

18 A. Yes. So the original was a 12 NCP, so it
19 was using all 12 months. And then in our rebuttal
20 testimony we -- we reverted to the NCP using eight
21 months.

22 Q. Okay. And MECG agreed that the 8 NCP
23 version of the average in excess was appropriate as
24 well; is that true?

25 A. Yes, that's correct.

1 Q. So that difference has been resolved
2 between MCEG and Empire as well; is that correct?

3 A. Yes.

4 Q. Okay. And I believe at the very
5 beginning you mentioned that there were three -- those
6 were the three major differences between the Empire
7 and the MCEG studies. Correct?

8 A. Yes.

9 Q. Okay. So would you agree then that there
10 are no longer any major differences between the two
11 class cost-of-service studies?

12 A. Yes, I would.

13 Q. Okay. Moving on, Staff leveled a number
14 of criticisms at your class cost-of-service study and
15 at the use of the average in excess methodology. Did
16 you read those -- that -- those criticisms?

17 A. Yes.

18 Q. First, do you believe -- well, did you,
19 by any chance, have the opportunity to read the Ameren
20 order from last week where they adopted the Ameren
21 class cost-of-service study?

22 A. I've only read a very small section of
23 it.

24 Q. Is it your understanding that Ameren
25 utilized an A and E allocator for fixed production

1 costs?

2 A. I didn't look at that section,
3 unfortunately.

4 Q. Okay. Do you believe the average in
5 excess allocator is still relevant?

6 A. Yes, I do.

7 Q. And that hasn't changed based upon the
8 introduction of the MPP integrated marketplace?

9 A. No, it hasn't.

10 Q. And would you agree that the average in
11 excess allocator is widespread in its usage by state
12 utility commissions in vertically integrated states?

13 A. I haven't done a study on it. I know
14 it's used in other jurisdictions. It's included in
15 the NARUC Electric Utility Cost Allocation Manual and
16 it's generally accepted -- it's generally one of the
17 accepted methodologies for allocating production plant
18 investments.

19 Q. Do you recall a criticism from Staff that
20 demand data, as it's used in the average in excess
21 methodology, is unreliable?

22 A. Yes.

23 Q. Do you agree with that criticism?

24 A. No. And we've -- no.

25 Q. Can you tell me why you don't agree with

1 that criticism?

2 A. Well, first, it's -- it's data and it's
3 an approach that the company has been using for -- for
4 a number of years now. It's based on load research
5 information that it has where it's measuring actual
6 customer demands across the service area.

7 And in Staff's criticism, we didn't see
8 any data or analysis or studies that would support
9 exactly why this data couldn't be used in this case
10 but it was used in other cases.

11 Q. So what you're saying, if I may try to
12 summarize, you're saying that Staff made the
13 criticism, but then didn't provide any real
14 justification for that criticism?

15 A. Yeah. As I said, we just didn't see any
16 data, analyses or studies that ended up supporting
17 that position that the demand data could not be used
18 in this study.

19 Q. Did you also see Staff's criticism about
20 concerns with rate switching; that is, migration
21 between customer classes?

22 A. Yes.

23 Q. Do you believe that is a valid concern in
24 this case?

25 A. No. So I spoke with the company about

1 this and their -- their reference was that rate
2 switching occurred -- occurs in any year and that in
3 the test year that there wasn't any extraordinary
4 switching that occurred that would -- would create
5 concerns for using the data.

6 Q. And would you agree that rate switching
7 is a phenomenon that is not unique to Empire? That it
8 happens with all utilities?

9 A. Yes. I would agree with that.

10 Q. Staff also criticized your study because
11 it allegedly relies extensively on class peak demand.
12 Are you familiar with that criticism?

13 A. Yes.

14 Q. And do you agree with that criticism?

15 A. No. That was one of the reasons for
16 using an average in excess production allocator where
17 it's based both on energy and peak requirements. As I
18 mentioned earlier, the average requirements would be
19 the kWh demand throughout the year, and then the
20 excess piece or the peaking piece would be related to
21 those non-coincidental demands by class. So it's a
22 combination -- it's a combination allocator, both
23 energy and demand.

24 Q. So if a party was to propose to residents
25 a 1 CP methodology for allocating fixed production

1 costs, that would rely entirely on class peak demand;
2 is that correct?

3 A. Yes, that's correct.

4 Q. And the A and E as proposed by both you
5 and MECG and Ameren all rely more heavily on class
6 energy usage than class peak demand; is that correct?

7 A. Well, by that the percentage that's
8 related to the energy allocator is higher than the
9 percentage -- percentage that's related to the demand
10 allocator, that's correct.

11 Q. Okay. Staff criticized your study
12 because you allocated SPP revenues on the basis of the
13 energy allocator. First off, can you tell me what SPP
14 revenues are?

15 A. Yes. My understanding is that any
16 production that Empire has, they can sell it into the
17 market and be able to accrue revenues associated with
18 it.

19 Q. And would you agree that the costs,
20 primarily fuel, needed to derive those SPP revenues
21 are allocated amongst the parties based upon an energy
22 allocator?

23 A. Yes, that's correct.

24 Q. So by allocating the revenues on the
25 basis of the energy allocator, you're simply

1 replicating the same allocator for both the costs and
2 the associated revenues?

3 A. Yes. That's correct. In the surrebuttal
4 testimony, we pointed out that there is additional --
5 or there's isolated revenues related to the wind
6 investments. And so in that case, there would be no
7 incremental expenses associated with that. And so
8 those revenues were apportioned based on the A and E
9 allocator, which is consistent with how the investment
10 is allocated. So that's -- that's the one exception
11 to that.

12 Q. Okay. Finally, page 7 of your
13 surrebuttal you state that you believe that your class
14 cost-of-service study provides, quote, important
15 guidance on the allocation of any revenue requirement.
16 Do you still believe this?

17 A. Yes, I do.

18 Q. Okay. You filed testimony in Empire's
19 last electric rate case; is that correct?

20 A. Yes, it is.

21 Q. And is it correct too that in that case,
22 you proposed to address the residential subsidy by
23 placing a greater amount of revenue responsibility on
24 the residential class versus the other classes?

25 A. I haven't reviewed that testimony, but

1 subject to check, I would agree with that.

2 Q. Okay. Are you aware that Empire has also
3 filed a gas case that is pending as -- as of today?

4 A. Yes.

5 Q. And you filed class cost-of-service
6 testimony in that gas case; is that correct?

7 A. That is correct.

8 Q. Is it your understanding that in that
9 case, the company is seeking an increase of 6.7
10 percent in base revenues?

11 A. I -- I don't have those numbers in front
12 of me, but I'll -- I'll accept your representation at
13 this point.

14 Q. Okay. And would you agree that your
15 class cost-of-service study in that case showed that
16 residential class should receive a revenue neutral
17 increase of 22.4 percent?

18 MR. THOMPSON: I'm going to object on the
19 basis of relevance, Judge.

20 JUDGE CLARK: Mr. Woodsmall, do you have
21 a response?

22 MR. WOODSMALL: Just trying to show how
23 the methodology that he is using in this case, how it
24 is consistent or inconsistent with that gas case.

25 JUDGE CLARK: Mr. Thompson?

1 MR. THOMPSON: Gas and electric are two
2 different things, Judge. And I'm not even sure that
3 the service territories are the same. I don't see the
4 relevance of what's being done in a gas case to what
5 is being done in the electric case.

6 MR. WOODSMALL: I'll give you gas is
7 different than electric. I'll also give you that the
8 Empire -- the service areas are somewhat different.
9 The methodologies and how he applies revenue
10 allocation are relevant to each other.

11 JUDGE CLARK: Why?

12 MR. WOODSMALL: Why? Well, what I'm
13 going to show is that how he used -- in this case, he
14 is proposing a 9.9 percent rate cap on residential
15 customers. In the gas case, he proposed the same
16 thing. I'm going to show why those -- those target
17 revenues are consistent and how he's using the
18 information.

19 JUDGE CLARK: Why does it -- I don't
20 understand why it matters if he chose a number -- the
21 same number for gas as for electric. I don't -- I
22 don't see what those have to do with each other.

23 MR. WOODSMALL: Well, in the -- in the
24 electric case, originally the company had an
25 increase -- an overall increase greater than

1 10 percent and he used the rate cap to justify a
2 lessened system average to the residential class. In
3 the gas case it's just the exact reverse. That's
4 where it started.

5 Now that we have a settlement, I want to
6 ask him if his position in this case has changed. I'm
7 just trying to provide some foundation, some
8 background to get to the point of asking whether his
9 position has changed.

10 MR. THOMPSON: Judge, the fact that he
11 just characterized the position of his witness in the
12 two different -- in the gas case as being the exact
13 reverse shows that it's irrelevant to this case.

14 JUDGE CLARK: Well, it's --

15 MR. WOODSMALL: It was the exact reverse.
16 It is no longer the exact reverse.

17 JUDGE CLARK: I think you can ask him if
18 his position has changed without dealing with the gas
19 case. So I'm going to sustain the objection.

20 BY MR. WOODSMALL:

21 Q. Okay. Let's see how I can get to that.
22 Okay. So in this case is it your understanding that
23 Empire was originally seeking an increase in excess of
24 10 percent? Sir, can you still hear me?

25 A. Yes. The overall increase exceeding

1 10 percent? I don't think so. That -- that's --
2 that's not my recollection.

3 Q. In the original case with the Uri
4 increase, you used a rate cap for residential
5 customers of 9.9 percent, which was less than the
6 system average; is that correct?

7 A. Yes. When you -- when you added Uri in
8 there, now I understand the numbers. Yeah. Yes.

9 Q. Okay. And so the rate cap that you used
10 in this case was designed to limit residential
11 customers to an increase below system average; is that
12 correct?

13 A. It was -- there was no rate cap. It was
14 simply just recognizing what the bill impacts would be
15 for the customer and managing that relative to the
16 overall increase for the residential. But there
17 wasn't a -- a hard cap or established cap that the
18 company had.

19 Q. Okay. It was -- I'll use the words -- I
20 think you used target revenues; is that correct?

21 A. Yes.

22 Q. Okay. And are you aware that the revenue
23 requirement in this case is now settled?

24 A. Yes, I am.

25 Q. And would you agree that the settled

1 revenue increase is about 7.5 or 7.6 percent?

2 A. I -- it's -- it's in that -- I think the
3 number that you had up on your chart was somewhere
4 around 7.6 percent. So I think that's generally
5 within the range of what I thought it would be.

6 Q. Okay. In your rebuttal testimony, you
7 originally said that you agreed with the principles of
8 MECG's revenue allocation. You talked about
9 principles of fairness and equity, but you said that
10 that should be -- you should also consider bill
11 impacts. Do you recall that?

12 A. Yes.

13 Q. And now that the settled rate increase is
14 7.6 percent, would you agree still that a 9.9 percent
15 increase for residential customers considers bill
16 impacts while now supporting the principles of
17 fairness and equity?

18 A. No. I -- the -- the testimony that the
19 company and the position that the company has taken is
20 really supporting -- it's more principle based than
21 numbers based. And so there was no hard cap, as you
22 said earlier, or there was no hard percentage in terms
23 of what it means to be subject to bill impacts.

24 And so as we discussed earlier with the
25 cost-of-service study, it's really focused on

1 measuring what does fairness mean or what does equity
2 mean. So how does the cost-of-service apportion to
3 each of the classes relative to the revenues. And
4 that's really focused on the -- the principles around
5 fairness and equity.

6 In terms of bill impact, that has more to
7 do with what the overall impact is on the rate, so how
8 much would the rates go up relative to -- to the
9 current levels. So those are -- those are concepts
10 that kind of work together.

11 And at this point, like I said, that --
12 that -- there's a framework that's been established,
13 but the company's not taking a specific position as to
14 beyond what -- what's already in the testimony in
15 terms of that framework.

16 Q. Okay. Now I'm really confused. So as
17 far as setting target revenues in this case, you and
18 the company were originally okay with the residential
19 class receiving a 9.9 percent rate increase; is that
20 correct?

21 A. The original target was based on that
22 amount, yes.

23 Q. Okay. How has that been changed now that
24 the settlement provides for a 7.64 percent overall
25 increase?

1 A. Well, it -- like I said, it wasn't --
2 there wasn't a target in terms of what the bill impact
3 would be. So there wasn't a -- an established amount
4 that the company had that said that based on any level
5 of increase, this is the amount that -- that the
6 residential customers would see.

7 So it wasn't that hard cap of saying
8 okay, it must be 9.9. It was looking at the overall
9 increase for the -- for the company, which at that
10 time the base rate increase was around 50, 52 million.

11 And it looked at that relative to what
12 impact that would be on the different classes,
13 including the residential class, and decided that it
14 was reasonable to have that 9 percent increase for the
15 residential relative to the overall increase, with the
16 overall company increase of that 50 to 52 million.

17 How that translates into the settlement,
18 that's something that the company hasn't taken a
19 position on other than the fact that it still has the
20 framework in place, which is balancing the fairness
21 and equity issues relative to the bill impacts.

22 Q. And that's what I'm asking you to do. To
23 take a position, as the expert here today, on what is
24 the appropriate increase to the residential class in
25 light of principles of fairness and equity and in

1 light of a settlement of 7.64 percent?

2 A. Yeah. And beyond the framework that I
3 mentioned, just balancing the fairness and equity
4 relative to the bill impacts, that's as -- that's as
5 far as -- that the company is going at this point is
6 the framework is still in place -- going back to your
7 earlier comment where is the consistency, that's the
8 consistency at looking at fairness and equity relative
9 to the bill impacts.

10 How that translates into what that
11 revenue target, what that means for the residential
12 class, that's -- that's beyond the stated testimony at
13 this point.

14 Q. I appreciate that and appreciate the
15 company hasn't gone that far. You are the expert here
16 today. You've testified on this issue in other cases
17 umpteen times.

18 Do you -- let's start this way. Do you
19 believe that an increase for the residential class of
20 something above 7.64 percent is appropriate?

21 MR. THOMPSON: I'm going to object,
22 Judge. He's badgering the witness. The witness has
23 already answered the question, that the company has
24 not taken a position.

25 MR. WOODSMALL: And I'm asking for his

1 expert opinion.

2 JUDGE CLARK: I -- I disagree. I
3 actually -- in all of the things that Mr. Lyons has
4 said, I did not hear whether his position has changed
5 or not. I heard a lot of talking around that point,
6 but my understanding from his testimony was that it
7 was 9.9 percent when it was -- when Uri was included
8 in the request and he hasn't -- he hasn't actually
9 answered the question.

10 So I don't believe he's badgering the
11 witness. He just hasn't had his question answered.
12 So I'm going to overrule your objection.

13 MR. THOMPSON: Thank you, Judge.

14 BY MR. WOODSMALL:

15 Q. Your Honor -- or excuse me. Mr. Lyons,
16 to restate this, let's start with given a settlement
17 of a 7.64 percent revenue increase, do you believe
18 that it is appropriate, fair, equitable to increase
19 residential rates by more than 7.64 percent?

20 A. Let me -- let me put it this way. That
21 an increase beyond the 7.6 can be supported by the
22 results of the class cost-of-service study. However,
23 any increase would need to be subject to any bill
24 impact considerations.

25 Q. But -- and when you -- when you

1 previously filed testimony, you said bill impact
2 considerations allowed more increase for residential
3 customers of 9.9 percent; is that correct?

4 A. Yes.

5 Q. And can you tell me why if bill impact
6 considerations allowed for an increase of 9.9 percent
7 before, why it wouldn't allow for an increase of
8 9.9 percent now?

9 A. Well, in -- we -- there is -- in -- in
10 looking at any of the designs, right, it's not just
11 one factor. So you're just focused on, you know, one
12 factor. And it's really -- there's a number of
13 factors that play into setting the overall design.

14 And it's -- it's not -- you know, it's --
15 it's not -- it -- there's just a lot of factors. And
16 there's no rule of thumb when it comes to setting
17 these, balancing the equity and the fairness relative
18 to the impact. And that's -- that -- that's what
19 we're -- that's what I'm trying to get across.

20 Q. But what you said in your direct
21 testimony and what you've said repeatedly today is
22 that bill impact considerations led to a
23 recommendation of 9.9 percent. Correct?

24 A. Yes.

25 Q. Can you tell me why those same bill

1 impact considerations would not allow for that same
2 9.9 percent increase to residential customers given
3 the reduced revenue requirement?

4 A. Well, the circumstances are different.
5 The overall increase is different. And you know, that
6 would be -- that would be a consideration in terms of
7 what would -- what you would look at on a relative
8 overall increase for one class versus another --

9 Q. So --

10 A. -- that -- go ahead.

11 Q. -- bill impact considerations always work
12 in the favor of the residential customers. Is that
13 what you're saying?

14 A. Not necessarily. I think in -- in some
15 cases, maybe even in the last case, I think there was
16 some special considerations given to the industrial
17 class, for example.

18 Q. In your -- that's what I was asking
19 earlier. In your testimony in the last case, you
20 agreed that the residential customers should receive
21 an above-system average increase.

22 A. Yes. That's what I recall. And I recall
23 at the same time that I think on the industrial side
24 as well, that there was a -- there was special
25 consideration given to that increase for the

1 industrials. So I was just responding to your earlier
2 question. It's not only focused on the residential,
3 but it also can clude the -- include the industrials
4 as well.

5 Q. Okay. And even though your
6 recommendation in the last case was, quote, to give
7 special consideration to the industrial customers and
8 provide a system average increase -- over a system
9 average increase to residential customers, the
10 Commission did not adopt that position, did they?

11 A. No. That's correct.

12 Q. And would you agree that the magnitude of
13 the residential subsidy has increased since that last
14 case?

15 A. I'm just looking at the graph that you
16 showed earlier, which is that unit rate of return. It
17 looks at the class rate of return relative to the
18 system ROR. And if I compare -- if I look at that
19 chart -- so this would be on the -- in the surrebuttal
20 testimony, Exhibit 38.

21 MR. WILLIAMS: That's him relying on
22 something that's not in evidence in the case.

23 MR. WOODSMALL: He's referring to where
24 it is in evidence.

25 THE WITNESS: On page 6 within that

1 Exhibit 38, which is the surrebuttal testimony -- I
2 don't have the numbers in front of me. All I have is
3 this visual. And it does look like the return -- the
4 unit rate of return for the residential --

5 JUDGE CLARK: Mr. Lyons, hold on just a
6 second.

7 THE WITNESS: Sure.

8 JUDGE CLARK: Mister -- OPC's objection
9 will be overruled.

10 Go ahead and answer, Mr. Lyons.

11 THE WITNESS: Okay. So if I look at that
12 graphic, I don't have the numbers in front of me. I
13 only have that Figure 1, page 6, surrebuttal
14 testimony, which has been marked as Exhibit 38. It
15 looks like the blue bar, which is the 2021 class
16 cost-of-service, is -- is just a shade higher than the
17 2019. So what that would mean is that the return is a
18 little bit higher for the residential in this case
19 than it was in the last case.

20 BY MR. WOODSMALL:

21 Q. But still well below where it was in
22 2018; is that correct?

23 A. Yes, that's correct.

24 Q. And you would agree that under all three
25 of those studies, there is a residential subsidy in

1 that the residential class is not paying its full rate
2 of return; is that correct?

3 A. Yes. The return of that class is below
4 the unit rate of return or less than the overall
5 company rate of return in each of those studies.

6 Q. Okay. Let's look at some -- on that same
7 table then, let's look at some of the other classes.
8 Would you agree that the LP, the large power class, is
9 generally the industrial class?

10 A. Yes.

11 Q. And would you agree that since the last
12 case, the large power class is paying even more above
13 cost base rates than it was in the last case; is that
14 correct?

15 A. Yes. I would agree that that unit rate
16 of return has increased from '14 to 2019 and then
17 again in 2021.

18 Q. And we see an even more dramatic increase
19 for what is labeled as the SVP class; is that true?

20 A. Yes.

21 Q. So what all those show is that industrial
22 customers are paying even more above cost-based rates
23 since the last case; is that true?

24 A. Yes.

25 Q. Okay. You were saying earlier that your

1 recommendations depend on the context of a case --
2 your recommendations regarding revenue allocation
3 depend on the context of the case. Do you recall
4 that?

5 A. Yes.

6 Q. Okay. And just to test that out after
7 you said it, can you tell me what your recommendation
8 was in the pending gas case?

9 A. Well, the -- the approach was the same --
10 MR. THOMPSON: Judge --

11 THE WITNESS: -- which is looking at the
12 class cost-of-service --

13 JUDGE CLARK: Hold on, Mr. Lyons. I
14 did -- I did sustain the objection to that. I believe
15 that information was already out though prior to the
16 objection.

17 MR. THOMPSON: Very well.

18 MR. WOODSMALL: Let me repeat the
19 question, Your Honor.

20 BY MR. WOODSMALL:

21 Q. Can you tell me what your revenue
22 allocation recommendation is in the context of that
23 Empire Gas case?

24 A. It's a -- it's a similar approach to
25 what's done in the Empire electric, which is to

1 perform the class cost-of-service and then based on
2 the principles of fairness and equity, subject to bill
3 impacts, establish revenue targets.

4 I don't have the case in front of me, I
5 don't have the numbers in front of me so I don't want
6 to at this point just go pure on memory of exactly
7 what all those allocations are. So -- but it's the
8 same principle, same approach and same conditions
9 around bill impact considerations.

10 Q. Well, would you agree in that case that
11 your recommendation was for the residential class to
12 receive above a system average increase?

13 MR. THOMPSON: I'm going to object,
14 relevance.

15 MR. WOODSMALL: He was saying it all
16 depends on the context of the case. Now he's talked
17 about the context of that case and I'm just asking
18 what his recommendation was in the context of that
19 case.

20 JUDGE CLARK: We've gone outside the
21 9.9 percent that was previously out there and you're
22 kind of going back on track, so I'm going to sustain
23 that objection.

24 MR. WOODSMALL: Well, I'm not talking
25 about the 9.9. I'm just asking whether his

1 recommendation in that case was an increase that's
2 above the system average -- an increase for the
3 residential classes above the system average.

4 JUDGE CLARK: And -- and right now we're
5 in an electric case that's kind of in hearing and this
6 is a case that is just -- the gas case is a case
7 that's currently pending right now.

8 MR. WOODSMALL: Right. And I'm just
9 asking --

10 JUDGE CLARK: And so it's in its -- in
11 its beginning stages. It hasn't gone through really
12 anything, has it?

13 MR. WOODSMALL: Testimony has been filed
14 by all parties. I'm just simply asking one question,
15 whether his recommendation in the context of the case
16 and given principles of fairness and equity, one
17 question, was it above -- for the residential class,
18 above system average.

19 THE WITNESS: Subject to check, I'll --
20 I'll agree with that.

21 JUDGE CLARK: Hold on, Mr. Lyons.

22 THE WITNESS: Sorry.

23 MR. THOMPSON: It's got nothing to do
24 with this case, Judge.

25 JUDGE CLARK: I'm going to allow him to

1 ask the question. Overruled.

2 MR. WILLIAMS: Judge -- Judge given what
3 I heard about "subject to check," I object to any
4 testimony being admitted that's subject to check. He
5 either knows or he does not.

6 MR. WOODSMALL: If we want to go there, I
7 have his testimony. I can take the time to send it to
8 him as an exhibit and we can walk through it.

9 JUDGE CLARK: You -- you can ask him if
10 he knows; and if he knows, he can answer the question.

11 BY MR. WOODSMALL:

12 Q. Do you know, in the context of that gas
13 case in which you filed testimony, whether your
14 recommendation was an increase for the residential
15 class that is above the system average?

16 A. Subject to check, I believe that's the
17 case.

18 MR. THOMPSON: Objection. When he says
19 "subject to check," Judge, he's saying he doesn't
20 know.

21 MR. WOODSMALL: Okay, your Honor. Can
22 you -- I need to send an exhibit --

23 JUDGE CLARK: Are you going to be getting
24 into testimony from another case?

25 MR. WOODSMALL: I'm just asking --

1 JUDGE CLARK: I mean is that what
2 you're -- is that what you're asking to do is to -- to
3 submit as an exhibit, testimony from a gas case?

4 MR. WOODSMALL: I'm not going to mark it
5 as an exhibit. I'm going -- because they're griping
6 about the subject to check, I'm giving him an
7 opportunity to -- to check. And I'm sure -- do you
8 have the testimony right there or do you need me to
9 send it? If he was here, I'd hand it to him.

10 JUDGE CLARK: Hold on. Hold on. Let me
11 think about this. Because, in essence, this is a
12 memory refresh. While I don't think it's very --
13 particularly relevant and I'm going to take it on
14 weight, I'm going to allow you to refresh his memory.

15 BY MR. WOODSMALL:

16 Q. Do you, by any chance, have your
17 testimony from the Empire Gas case or do you need me
18 to --

19 A. I just brought it up and I can confirm
20 what you said. The overall was a 6.7 and the
21 residential was a 9.9.

22 Q. And your -- your class cost-of-service
23 study showed that residential needed a 22.4 percent;
24 is that correct?

25 A. Yes, that's correct.

1 Q. And you believe that recommendation in
2 that case was consistent with principles of fairness
3 and equity; is that true?

4 A. Yes.

5 MR. WOODSMALL: I have no further
6 questions, Your Honor.

7 JUDGE CLARK: Okay. It's now 10:56. I
8 think what I'd like to do before Staff's
9 cross-examination is take a 15-minute recess. And so
10 why don't -- or roughly 15 minutes. Why don't we come
11 back at 11:15. And we will go off the record.

12 (A recess was taken.)

13 JUDGE CLARK: Let's go on the record.
14 We're going to pick up where we left off with
15 Mr. Lyons' testimony. And it is -- it is Staff's
16 cross-examination. So Staff.

17 MR. THOMPSON: Thank you, Judge. I'll
18 try to make this brief.

19 CROSS-EXAMINATION BY MR. THOMPSON:

20 Q. How are you doing, Mr. Lyons?

21 A. Hi. How are you? Good morning.

22 Q. I'm okay. Thank you.

23 I wonder if you could tell me what is the
24 percentage increase that you recommend for the
25 residential customer class if, in fact, you have a

1 percentage increase that you recommend?

2 A. No, there's no percentage increase at
3 this point.

4 Q. And am I correct in understanding the
5 general increase to be 7.64 percent?

6 A. Yes. Based on the settlement.

7 Q. And would you have any problem with a
8 7.64 percent increase for the residential class?

9 A. No. That could be supported based on
10 bill impact considerations.

11 Q. And if you know, is Empire deploying
12 improved meters in the near future?

13 A. Yes. The AMI meters.

14 Q. And will those meters provide a
15 significantly improved data set for class cost
16 responsibility shifts in the future?

17 A. It will provide more data. Whether it's
18 better data or not remains to be seen based on the
19 results of that data.

20 Q. Okay. But it could be better data; isn't
21 that correct?

22 A. It could be. It will certainly be -- it
23 will be more data. And if the data is good, it will
24 be a full population as opposed to a sample
25 population.

1 Q. Okay. And you made revisions to your
2 class cost-of-service study in your surrebuttal; isn't
3 that correct?

4 A. Yes.

5 Q. And that's because your original study,
6 in fact, was incorrect; isn't that correct?

7 A. The update that was provided in the
8 surrebuttal included three changes. One was just
9 update the revenue requirements. The second was the
10 wind allocation, which I mentioned earlier. And the
11 third was to revise the allocation of the
12 interruptible credit. Those were the three changes.

13 Q. Okay. But wouldn't you agree that that
14 made your surrebuttal study more reliable than your
15 direct study?

16 A. It made it a little more precise,
17 especially, for example, around the wind allocation
18 and then the interruptible credit. But I -- it's --
19 yeah, more precise.

20 Q. The chart that Mr. Woodsmall was working
21 off, was that based on your direct study or your
22 surrebuttal study?

23 A. It was based on the direct.

24 Q. So it was not as precise as it could have
25 been; isn't that correct?

1 A. Sure. Yes.

2 MR. THOMPSON: I have no further
3 questions. Thank you.

4 JUDGE CLARK: Cross-examination from the
5 Office of Public Counsel.

6 MR. WILLIAMS: I think just a few
7 questions.

8 CROSS-EXAMINATION BY MR. WILLIAMS:

9 Q. Mr. Lyons, at this point in this case,
10 Asbury impacts on rates and Storm Uri impacts on rates
11 are not part of the company's position at this time,
12 are they?

13 A. Yes, that's my understanding. It's not
14 part of the base rate increase.

15 Q. And with those changes, do those impact
16 what you would recommend for class revenue shifts from
17 what you put in your pre-filed testimony?

18 A. No. There's no -- there's nothing -- in
19 terms of recommendation, there's nothing beyond what's
20 already been stated in our testimony -- in the
21 testimony.

22 Q. But all that testimony was predicated on
23 Storm Uri costing and Asbury costing in the case, was
24 it not?

25 A. It was a factor in the decision, yes.

1 MR. WILLIAMS: No further questions.

2 JUDGE CLARK: Any questions from the
3 Commission?

4 QUESTIONS BY JUDGE CLARK:

5 Q. Okay. I have one just because -- I
6 believe it's been answered, but we've kind of danced
7 around it too. Mr. Lyons, I think as MECG asked you,
8 your position originally in your direct testimony was
9 a 9.9 percent shift; is that correct?

10 A. It's not a 9.9 percent shift. It was a
11 9.9 percent increase.

12 Q. Okay. Thank you for clarifying that.
13 And MECG asked you if your position had changed. And
14 it appeared that you went from having a position to no
15 longer having a position. Is that correct or is that
16 incorrect?

17 A. Well, in the direct testimony, it was a
18 specific position in terms of what the increase would
19 be for the residential class. Now it's not specific.
20 It's more of just continuing with the same framework;
21 fairness, equity, subject to bill impacts, but not
22 coming out with a specific position on what the
23 increase could -- should be for the residential class.

24 Q. Okay. Thank you.

25 JUDGE CLARK: Any questions based upon

1 Bench questions?

2 MR. WILLIAMS: No, thank you.

3 MR. THOMPSON: No, thank you.

4 JUDGE CLARK: Okay. Not seeing any, is
5 there any reason this witness should not be excused?

6 MS. CARTER: I had some redirect, Your
7 Honor.

8 JUDGE CLARK: I apologize. Go ahead.

9 MS. CARTER: Thank you.

10 REDIRECT EXAMINATION MS. CARTER:

11 Q. Mr. Lyons, can you hear me okay?

12 A. Yes, I can.

13 Q. I have some questions just based for
14 clarity on the questions you received based on
15 cross-examination. Currently Empire commercial
16 customers are paying more than their cost-of-service;
17 is that correct?

18 A. Yes, it is.

19 Q. And your testimony filed on behalf of
20 Empire generally supports moving all classes closer to
21 their true cost-of-service; is that correct?

22 A. Yes, it does.

23 Q. You stated in response to Mr. Thompson's
24 question on behalf of the Staff of the Commission that
25 your testimony in this case could support a

1 residential increase of 7.6 percent. Do you recall
2 that?

3 A. Yes.

4 Q. Is it accurate that your testimony and
5 the rate design principle discussed in your testimony
6 could equally support an increase in the residential
7 rate anywhere between the 7.6 and 9.9?

8 A. Yes, it could.

9 MS. CARTER: That's all I had. Thank
10 you.

11 JUDGE CLARK: Any recross? I see none.
12 All right. Mr. Lyons, you're excused.

13 THE WITNESS: Thank you.

14 MR. WOODSMALL: Your Honor, before we
15 move on to the next witness, as you know, several
16 parties filed a stipulation on Saturday morning.
17 While MECG originally indicated that it did not oppose
18 that, we have now reconsidered that and it's likely
19 that we will be opposing that stipulation.

20 I don't believe it's -- it's still within
21 our statutory timeline and I don't believe it's
22 prejudiced anybody because that was filed on Saturday
23 and here we are on Monday morning. So we are
24 continuing to look at that, but I just want to make
25 people aware that we may be filing that objection.

1 JUDGE CLARK: Okay. You say -- you say
2 that it didn't -- you don't believe it's prejudiced
3 anyone, but that was what reduced it to the number of
4 issues we have today. So I'm assuming that based upon
5 that, that would -- that you would be asking that all
6 of these issues go back into play.

7 MR. WOODSMALL: Correct. And this is
8 being filed on the first business day after that
9 objection -- or after that stipulation was filed. So
10 it's not like days of the hearing were cancelled in
11 light of that stipulation. This objection is the
12 first business day after that stipulation.

13 JUDGE CLARK: Well, certainly Friday was
14 cancelled in anticipation.

15 MR. WOODSMALL: In anticipation. So I'm
16 just making you aware we're considering that.

17 JUDGE CLARK: Okay. Thank you.

18 All right. Our next witness is from
19 Staff. Staff you may call your witness.

20 MR. THOMPSON: It's my understanding that
21 the parties are in agreement to waive cross on
22 Ms. Lange.

23 MR. WOODSMALL: Correct.

24 MR. THOMPSON: So Staff doesn't see any
25 point in calling her at this time.

1 JUDGE CLARK: Okay. Since her testimony
2 had been admitted, you have no direct you wanted to
3 ask?

4 MR. THOMPSON: The parties have waived
5 cross, so I think Ms. Lange is free to leave.

6 JUDGE CLARK: Is there any party not
7 waiving cross on Ms. Lange?

8 MR. WILLIAMS: As long as the
9 Commissioners have no questions.

10 JUDGE CLARK: Does the Commission have
11 any questions for Ms. Lange? I hear none. I have no
12 questions for Ms. Lange, so we will rest on testimony
13 in the record?

14 MR. THOMPSON: Yes, Judge. Thank you.

15 JUDGE CLARK: Okay. Ms. Lange, you're
16 excused.

17 Okay. Mister -- OPC, would you call your
18 witness?

19 MR. WILLIAMS: I believe the same
20 circumstance applies to Mr. Marke.

21 JUDGE CLARK: Is there any party that has
22 questions for Mr. Marke?

23 MR. THOMPSON: No questions, Judge.

24 MR. WOODSMALL: No, Your Honor.

25 JUDGE CLARK: Liberty, I see a head nod.

1 Is that --

2 MS. CARTER: Oh, that was the "no
3 questions head nod."

4 JUDGE CLARK: Okay. So OPC is just
5 willing to rest on his admitted testimony?

6 MR. WILLIAMS: Certainly.

7 JUDGE CLARK: Any Commission questions
8 for Dr. Marke? I hear none and I have none. I'm
9 getting some feedback. Does somebody have a question
10 for Dr. Marke? Okay. I hear none. I have no
11 questions. Dr. Marke, you're excused.

12 MR. WOODSMALL: I guess we're up to my
13 witness, Your Honor.

14 JUDGE CLARK: Okay. MECG's witness.

15 MR. WOODSMALL: And just to be clear,
16 what I'm being told now is that the other parties are
17 willing to waive on her.

18 MR. THOMPSON: That's correct.

19 JUDGE CLARK: Okay. Which brings me to
20 my next issue. Given that you've indicated that
21 you're going to object, do we come back this afternoon
22 and start the remaining issues? Because that seems to
23 be where we are.

24 MR. WOODSMALL: I think that it's
25 necessary, yes, Your Honor. We'll know by the end of

1 the day whether we're going to file the objection.

2 But I think in order to try to get as close on
3 schedule as we can, I think it's necessary.

4 MS. CARTER: Do you have cross for
5 anyone?

6 MR. WOODSMALL: No.

7 MR. WILLIAMS: Everything's admitted.

8 MS. CARTER: Could we all just waive
9 cross on everybody?

10 MR. WOODSMALL: We can do that.

11 JUDGE CLARK: Okay. So there's currently
12 no -- there are no questions for any -- from any party
13 for Ms. Maini?

14 MR. WOODSMALL: Maini.

15 JUDGE CLARK: Maini, thank you. Are
16 there any Commission questions for Ms. Maini? Okay.
17 I hear none. I have no questions that come to mind.
18 So you're willing to rest on her admitted testimony?

19 MR. WOODSMALL: Yes.

20 JUDGE CLARK: Okay. So I don't have any
21 more witnesses for this issue. I don't know at this
22 point -- here's what I'm going to do. I'm going to go
23 off the record so that we can discuss some scheduling
24 matters. I think that's probably the appropriate
25 thing to do. So we will go off the record for a few

1 minutes.

2 (Off the record.)

3 JUDGE CLARK: Okay. We're going to go
4 back on the record. We are going to take an early
5 lunch until one o'clock to give the parties an
6 opportunity to discuss how we are going to conduct the
7 remainder of the case and see if they can agree on a
8 schedule and what issues need to be resolved by the
9 Commission. So with that, we'll -- we'll return at
10 one o'clock and we'll go off the record.

11 (A recess was taken.)

12 JUDGE CLARK: We will go back on the
13 record now. It is one o'clock. Hope everyone had a
14 good lunch. Bear with me just a second. There we go.
15 That's what I want.

16 Okay. When we left off, we had finished
17 presenting evidence in regards to the single issue
18 that was up for today. At that point, Mr. Woodsmall
19 had indicated that MCEG would be filing an objection
20 to the, I believe, fourth stipulation; is that
21 correct?

22 MR. WOODSMALL: Yes, Your Honor. So
23 during the break, we had some discussion about some of
24 the events that occurred this morning and to try to
25 clarify some positions. And I think the company is

1 going to clarify its position, which will alleviate my
2 need to object.

3 JUDGE CLARK: Okay. And -- and how --
4 how are we planning on doing this?

5 MS. CARTER: Judge, if I could just make
6 a statement that would effectively add to or amend our
7 position statement in light of this stipulation, if
8 that works for you? It's a very short little
9 statement.

10 JUDGE CLARK: Is that acceptable?

11 MR. WOODSMALL: Yes, Your Honor.

12 JUDGE CLARK: Okay. If that will resolve
13 the issue, I'm -- I'm certainly happy to do that. Let
14 me ask, just because I want to be sure I've covered
15 all my bases. Is there any other evidence that needs
16 to be presented at this time in regards to class
17 cost-of-service?

18 MR. WILLIAMS: No.

19 JUDGE CLARK: And everybody's gotten
20 everything into the record they wanted in the way of
21 testimony and evidence?

22 MR. WOODSMALL: Yes, Your Honor.

23 JUDGE CLARK: Okay. Empire, if you --
24 you indicated that you wanted to clarify the position
25 of the Empire District Electric Company; is that

1 correct?

2 MS. CARTER: Yes, Judge.

3 JUDGE CLARK: Okay.

4 MS. CARTER: We file position statements,
5 of course, based on the list of issues at the time.
6 And since position statements were filed, the
7 stipulations were entered into and submitted to the
8 Commission for consideration. With regard to the one
9 remaining contested issue, we wanted to clarify the
10 company's position.

11 Given the stipulation, particularly the
12 fourth stipulation, if you then couple that with Tim
13 Lyons' testimony and the fairness and equity
14 consideration in his testimony, the company would
15 recommend an 8.3 percent increase for the residential
16 class.

17 And in relation to our understanding --

18 THE COURT REPORTER: I'm sorry,
19 Ms. Carter. You were breaking up there.

20 MS. CARTER: Our understanding of Public
21 Counsel's rate design proposal as applied to
22 stipulation would be an increase to the residential
23 class of approximately 7.6 percent. So again, that
24 would be -- the company's recommendation would be a
25 residential increase of approximately 8.3 percent in

1 relation to that 7.6 percent.

2 JUDGE CLARK: Okay. Okay. I've noted
3 that. Does anyone else have anything they wanted to
4 say on that topic? Okay. I'll ask again, are there
5 any -- hold on just a second. Let me get to my --
6 I've addressed issues. Ms. Taylor, when do you have
7 transcripts currently set to be -- to be done?

8 THE COURT REPORTER: I don't have an
9 expedited order, so right now it's two weeks.

10 JUDGE CLARK: Okay. Can you give me a
11 date? And I'm not ordering any expedited transcript.

12 THE COURT REPORTER: All right. Give me
13 just a second here.

14 (Off the record.)

15 THE COURT REPORTER: It would be the 22nd
16 of February.

17 JUDGE CLARK: The 22nd. And initial
18 briefs are due the 25th; is that correct?

19 MR. WOODSMALL: It's something like that.
20 I don't have an exact date.

21 JUDGE CLARK: I'm reluctant to order an
22 expedited transcript when we are only discussing one
23 issue.

24 MS. CARTER: Currently, Judge, I had on
25 my calendar that briefs are due on February 24th.

1 JUDGE CLARK: If I moved it to the 25th,
2 would that work for everybody? That gives an
3 additional day.

4 MR. WILLIAMS: Why not the 24th?

5 MR. WOODSMALL: If it's possible to do
6 the bre- -- or the transcript in ten days, that would
7 be better, but I don't understand those logistics.

8 JUDGE CLARK: There are logistics
9 involved. It's just not -- it's not something we like
10 to order unless there's an absolute need for it. And
11 given that there's only one issue involved, I think it
12 would be easier to move the due date of the briefs by
13 one day then do that. So I'm going to move the dates
14 for initial briefs to February 25th.

15 Is there any reason that I would need to
16 move the responsive briefs from the March 11th? Okay.
17 I see no input on that.

18 All right. At this point in time and
19 there's going to be a little bit more discussion on
20 it, but at this point in time, I'm thinking that we
21 will probably want to do an on-the-record presentation
22 where the Commission can ask questions about the filed
23 stipulation this Thursday, the 10th. Is that going to
24 be a problem for anyone? And I will provide a WebEx
25 number for any witnesses who would like to be present

1 via WebEx.

2 MR. WILLIAMS: Judge, would that be at
3 nine o'clock?

4 JUDGE CLARK: That -- I really don't have
5 a preference between 9:00 or 10:00. I don't know how
6 many questions there are going to be, but typically
7 the on-the-records don't take as long. So if the
8 parties have a time that they would prefer, I'm
9 certainly willing to work in regard to that.

10 Somebody has -- I'm getting some feedback
11 so somebody is not muted. If you could please mute
12 yourself, I would appreciate it.

13 MR. WILLIAMS: If it suits the
14 Commission, I would suggest ten o'clock.

15 JUDGE CLARK: Okay. I'm seeing some nods
16 so ten o'clock bid wins it. So as of right now, I'm
17 planning on ordering it for this Thursday. If that
18 changes, I will let everybody know. I will issue a
19 written order to that effect once we've made sure that
20 that is the date and I will make a point to set it for
21 10:00 a.m.

22 Are there any matters that need to be
23 addressed by the Commission before we adjourn?

24 MS. CARTER: Judge, I just want to make
25 sure it would be all right for the company

1 representative, other than counsel, to appear by WebEx
2 on Thursday?

3 JUDGE CLARK: Yes. Anything else that
4 needs to be addressed before we adjourn?

5 MR. WILLIAMS: I -- this is the counsel
6 for Public Counsel. I just suggest that if the
7 Commission has specific questions of specific
8 witnesses, if it's possible to identify that in
9 advance, that would be great.

10 JUDGE CLARK: If I can give anybody a
11 head's up at all as to subjects that the Commission
12 will have questions on, I will certainly do so.

13 MR. WILLIAMS: Thank you.

14 JUDGE CLARK: All right. Well, I would
15 like to thank everybody for their participation today.
16 And with that, we will adjourn this proceeding. This
17 evidentiary hearing is adjourned and we will go off
18 the record.

19 (WHEREUPON, the evidentiary hearing
20 concluded at 1:10 p.m.)

21

22

23

24

25

1	INDEX	
2		
3	Opening Statement by Ms. Carter	34
3	Opening Statement by Mr. Thompson	40
	Opening Statement by Mr. Williams	43
4	Opening Statement by Mr. Woodsmall	45
	Opening Statement by Mr. Jarrett	60
5		
	EMPIRE EVIDENCE	
6		
	TIMOTHY LYONS	
7	Direct Examination by Ms. Carter	66
	Cross-Examination by Mr. Woodsmall	67
8	Cross-Examination by Mr. Thompson	97
	Cross-Examination by Mr. Williams	100
9	Questions by Judge Clark	101
	Redirect Examination by Ms. Carter	102
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

	EXHIBIT INDEX	Page 117
1		REC'D
2	LIBERTY:	
3	Exhibit 1	
	Direct Testimony of Tim Wilson	26
4	Exhibit 2	
5	Rebuttal Testimony of Tim Wilson	26
6	Exhibit 3-P	
7	Surrebuttal Testimony of Tim Wilson, Public	26
8	Exhibit 3-C	
9	Surrebuttal Testimony of Tim Wilson, Confidential	26
10	Exhibit 4-P	
11	Direct Testimony of Todd Mooney, Public	26
12	Exhibit 4-C	
13	Direct Testimony of Todd Mooney, Confidential	26
14	Exhibit 4-HC	
15	Direct Testimony of Todd Mooney, Highly Confidential	26
16	Exhibit 5	
	Rebuttal Testimony of Todd Mooney	26
17	Exhibit 6-P	
18	Surrebuttal Testimony of Todd Mooney, Public	26
19	Exhibit 6-C	
20	Surrebuttal Testimony of Todd Mooney, Confidential	26
21	Exhibit 7-P	
22	Direct Testimony of Shaen Rooney, Public	26
23	Exhibit 7-C	
24	Direct Testimony of Shaen Rooney, Confidential	26
25		

	EXHIBIT INDEX (CONT'D)	Page 118
1		REC'D
2	Exhibit 8	
	Rebuttal Testimony of Shaen Rooney	26
3		
	Exhibit 9-P	
4	Surrebuttal Testimony of Shaen Rooney, Public	26
5		
	Exhibit 9-C	
6	Surrebuttal Testimony of Shaen Rooney, Confidential	26
7		
	Exhibit 10-P	
8	Direct Testimony of Aaron Doll, Public	26
9		
	Exhibit 10-C	
10	Direct Testimony of Aaron Doll, Confidential	26
11		
	Exhibit 11	
12	Rebuttal Testimony of Aaron Doll	26
13		
	Exhibit 12	
14	Surrebuttal Testimony of Aaron Doll	26
15		
	Exhibit 13	
16	Direct Testimony of Jeffrey Westfall	26
17		
	Exhibit 14	
18	Surrebuttal Testimony of Jeffrey Westfall	26
19		
	Exhibit 15	
20	Direct Testimony of Chad Hook	26
21		
	Exhibit 16	
22	Rebuttal Testimony of Chad Hook	26
23		
	Exhibit 17-P	
24	Surrebuttal Testimony of Chad Hook, Public	26
25		
	Exhibit 17-C	
26	Surrebuttal Testimony of Chad Hook, Confidential	26
27		
	Exhibit 18-P	
28	Direct Testimony of Drew Landoll, Public	26

	EXHIBIT INDEX (CONT'D)	Page 119
1		REC'D
2	Exhibit 18-C	
3	Direct Testimony of Drew Landoll, Confidential	26
4	Exhibit 19	
5	Direct Testimony of Jill Schwartz	26
6	Exhibit 20	
7	Direct Testimony of Tisha Sanderson	26
8	Exhibit 21	
9	Rebuttal Testimony of Tisha Sanderson	26
10	Exhibit 22	
11	Surrebuttal Testimony of Tisha Sanderson	26
12	Exhibit 23	
13	Direct Testimony of Charlotte Emery	26
14	Exhibit 24	
15	Rebuttal Testimony of Charlotte Emery	26
16	Exhibit 25	
17	Surrebuttal Testimony of Charlotte Emery	26
18	Exhibit 26-P	
19	Direct Testimony of Zachary Quintero, Public	26
20	Exhibit 26-C	
21	Direct Testimony of Zachary Quintero, Confidential	26
22	Exhibit 27	
23	Direct Testimony of Greg Tillman	26
24	Exhibit 28	
25	Rebuttal Testimony of Greg Tillman	26
26	Exhibit 29	
27	Surrebuttal Testimony of Greg Tillman	26
28	Exhibit 30-P	
29	Direct Testimony of Todd Tarter, Public	26
30		

	EXHIBIT INDEX (CONT'D)	Page 120
1		REC'D
2	Exhibit 30-C	
3	Direct Testimony of Todd Tarter, Confidential	26
4	Exhibit 31	
5	Surrebuttal Testimony of Todd Tarter	26
6	Exhibit 32	
7	Direct Testimony of Eric Fox	26
8	Exhibit 33	
9	Direct Testimony of John Reed	26
10	Exhibit 34	
11	Rebuttal Testimony of John Reed	26
12	Exhibit 35	
13	Surrebuttal Testimony of John Reed	26
14	Exhibit 36	
15	Direct Testimony of Timothy S. Lyons	26
16	Exhibit 37	
17	Rebuttal Testimony of Timothy S. Lyons	26
18	Exhibit 38	
19	Surrebuttal Testimony of Timothy S. Lyons	26
20	Exhibit 39	
21	Direct Testimony of Jon Harrison	26
22	Exhibit 40	
23	Rebuttal Testimony of Jon Harrison	26
24	Exhibit 41	
25	Surrebuttal Testimony of Jon Harrison	26
26	Exhibit 42	
27	Direct Testimony of Nate Hackney	26
28	Exhibit 43	
29	Rebuttal Testimony of Nate Hackney	26
30	Exhibit 44	
31	Surrebuttal Testimony of Nate Hackney	26
32	Exhibit 45	
33	Direct Testimony of Dane Watson	26

	EXHIBIT INDEX (CONT'D)	Page 121 REC'D
1		
2	Exhibit 46	
3	Rebuttal Testimony of Dane Watson	26
4	Exhibit 47	
5	Surrebuttal Testimony of Dane Weston	26
6	Exhibit 48	
7	Direct Testimony of James Fallert	26
8	Exhibit 49	
9	Rebuttal Testimony of James Fallert	26
10	Exhibit 50	
11	Direct Testimony of Frank Graves	26
12	Exhibit 51	
13	Rebuttal Testimony of Frank Graves	26
14	Exhibit 52	
15	Surrebuttal Testimony of Frank Graves	26
16	STAFF:	
17	Exhibit 100	
18	Direct Testimony of Amanda McMellen	30
19	Exhibit 101-P	
20	Staff cost-of-service report, Public	30
21	Exhibit 101-C	
22	Staff cost-of-service report, Confidential	30
23	Exhibit 102	
24	Staff accounting schedules	30
25	Exhibit 103	
26	Staff corrected accounting schedules	30
27	Exhibit 104	
28	Direct Testimony of Cedric Cunigan	30
29	Exhibit 105-P	
30	Staff class cost-of-service report, Public	30

	EXHIBIT INDEX (CONT'D)	REC'D
1		
2		
3	Exhibit 105-C Staff class cost-of-service report, Confidential 30	
4		
5	Exhibit 106 Rebuttal Testimony of Kimberly Bolin	30
6		
7	Exhibit 107 Rebuttal Testimony of Kory Boustead	30
8		
9	Exhibit 108 Rebuttal Testimony of Peter Chari	30
10		
11	Exhibit 109 Rebuttal Testimony of Amanda Coffey	30
12		
13	Exhibit 110 Rebuttal Testimony of Kim Cox	30
14		
15	Exhibit 111 Rebuttal Testimony of Cedric Cunigan	30
16		
17	Exhibit 112-P Rebuttal Testimony of Saeid Dindarloo, Public	30
18		
19	Exhibit 112-C Rebuttal Testimony of Saeid Dindarloo, Confidential	30
20		
21	Exhibit 113 Rebuttal Testimony of Scott Glasgow	30
22		
23	Exhibit 114 Rebuttal Testimony of Courtney Horton	30
24		
25	Exhibit 115 Rebuttal Testimony of Jordan Hull	30
26		
27	Exhibit 116 Rebuttal Testimony of Contessa King	30
28		
29	Exhibit 117 Rebuttal Testimony of Robin Kliethermes	30
30		
31	Exhibit 118 Rebuttal Testimony of Sarah Lange	30

	EXHIBIT INDEX (CONT'D)	Page 123 REC'D
1		
2	Exhibit 119-P	
3	Rebuttal Testimony of J Luebbert, Public	30
4	Exhibit 119-C	
5	Rebuttal Testimony of J Luebbert, Confidential	30
6	Exhibit 120-P	
7	Rebuttal Testimony of Brooke Mastrogiannis, Public	30
8	Exhibit 120-C	
9	Rebuttal Testimony of Brooke Mastrogiannis, Confidential	30
10	Exhibit 121	
11	Rebuttal Testimony of Amanda McMellen	30
12	Exhibit 122	
13	Rebuttal Testimony of Mark Oligschlaeger	30
14	Exhibit 123-P	
15	Rebuttal Testimony of Charles Poston, Public	30
16	Exhibit 123-C	
17	Rebuttal Testimony of Charles Poston, Confidential	30
18	Exhibit 124-P	
19	Rebuttal Testimony of Joseph Roling, Public	30
20	Exhibit 124-C	
21	Rebuttal Testimony of Joseph Roling, Confidential	30
22	Exhibit 125	
23	Rebuttal Testimony of Ashley Sarver	30
24	Exhibit 126	
25	Accounting schedules	30
	Exhibit 127	
	Surrebuttal Testimony of Kimberly Bolin	30

	EXHIBIT INDEX (CONT'D)	Page 124 REC'D
1		
2		
3	Exhibit 128 Surrebuttal Testimony of Cedric Cunigan	30
4	Exhibit 129 Surrebuttal Testimony of Keith Foster	30
5		
6	Exhibit 130 Surrebuttal Testimony of Courtney Horton	30
7	Exhibit 131 Surrebuttal Testimony of Sarah Lange	30
8		
9	Exhibit 132-P Surrebuttal Testimony of J Luebbert, Public	30
10		
11	Exhibit 132-C Surrebuttal Testimony of J Luebbert, Confidential	30
12		
13	Exhibit 133-P Surrebuttal Testimony of Brooke Mastrogiannis, Public	30
14		
15	Exhibit 133-C Surrebuttal Testimony of Brooke Mastrogiannis, Confidential	30
16		
17	Exhibit 134 Surrebuttal Testimony of Amanda McMellen	30
18	Exhibit 135 Surrebuttal Testimony of Caroline Newkirk	30
19		
20	Exhibit 136-P Surrebuttal Testimony of Angela Niemeier, Public	30
21		
22	Exhibit 136-C Surrebuttal Testimony of Angela Niemeier, Confidential	30
23		
24	Exhibit 137 Surrebuttal Testimony of Mark Oligschlaeger	30
25	Exhibit 138 Surrebuttal Testimony of Ashley Sarver	30

	Page 125
1	EXHIBIT INDEX (CONT'D)
2	REC'D
3	30
4	30
5	
6	
7	32
8	
9	32
10	
11	32
12	
13	32
14	
15	32
16	
17	32
18	
19	32
20	
21	32
22	
23	32
24	
25	32

	EXHIBIT INDEX (CONT'D)	Page 126
1		REC'D
2		
3	Exhibit 205-P Rebuttal Testimony of Lena Mantle, Public	32
4		
5	Exhibit 205-C Rebuttal Testimony of Lena Mantle, Confidential	32
6		
7	Exhibit 205-HC Rebuttal Testimony of Lena Mantle, Highly Confidential	32
8		
9	Exhibit 206-P Surrebuttal Testimony of Lena Mantle, Public	32
10		
11	Exhibit 206-C Surrebuttal Testimony of Lena Mantle, Confidential	32
12		
13	Exhibit 207-P Direct Testimony of David Murray, Public	32
14		
15	Exhibit 207-C Direct Testimony of David Murray, Confidential	32
16		
17	Exhibit 208-P Rebuttal Testimony of David Murray, Public	32
18		
19	Exhibit 208-C Rebuttal Testimony of David Murray, Confidential	32
20		
21	Exhibit 209-P Surrebuttal Testimony of David Murray, Public	32
22		
23	Exhibit 209-HC Surrebuttal Testimony of David Murray, Highly Confidential	32
24		
25	Exhibit 210 Direct Testimony of John S. Riley	32

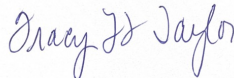
	Page 127
1	EXHIBIT INDEX (CONT'D)
2	REC'D
3	32
4	
5	32
6	
7	32
8	
9	32
10	
11	32
12	
13	32
14	
15	32
16	
17	32
18	
19	32
20	MECG:
21	33
22	
23	33
24	
25	33

	EXHIBIT INDEX (CONT'D)	Page 128 REC'D
1		
2	Exhibit 352	
3	Direct Testimony of Kavita Maini	33
4	Exhibit 353	
	Rebuttal Testimony of Kavita Maini	33
5	Exhibit 354	
6	Surrebuttal Testimony of Kavita Maini	33
7	Exhibit 355	
	Direct Testimony of Andrew Teague	33
8	Exhibit 356	
9	Direct Testimony of Steve Chriss	33
10	EDRA:	
11	Exhibit 450-P	
12	Direct Testimony of William L. Gipson, Public	34
13	Exhibit 450-HC	
14	Direct Testimony of William L. Gipson, Highly Confidential	34
15	Exhibit 451-P	
16	Surrebuttal Testimony of William L. Gipson, Public	34
17	Exhibit 451-HC	
18	Surrebuttal Testimony of William L. Gipson, Highly Confidential	34
19		
20		
21		
22		
23		
24		
25		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER

I, Tracy Thorpe Taylor, CCR No. 939, within the State of Missouri, do hereby certify that the testimony appearing in the foregoing matter was duly sworn by me; that the testimony of said witnesses 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 matter was taken, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.



Tracy Thorpe Taylor, CCR

<hr/> 1 <hr/> 1 24:2 26:13,16 76:25 91:13 117:3 10 24:14 49:21 81:1,24 82:1 10-C 118:9 10-P 118:7 100 26:21 30:19, 21,23 46:13 116:8 121:14 101 26:22 116:9 101-C 121:17 101-P 121:15 102 26:23 27:8 116:9 121:19 103 26:24 27:11 121:21 104 27:14 121:22 105 27:17 105-C 122:2 105-P 121:24	106 27:20 122:4 107 27:23 122:6 108 28:1 122:7 109 28:4 122:9 10:00 114:5,21 10:30 66:25 10:56 98:7 10th 113:23 11 24:15 118:11 110 28:7 122:10 111 28:10 122:12 112 28:13 112-C 122:15 112-P 122:13 113 28:16 122:17 114 28:19 122:19 115 28:22 122:20 116 28:25 122:22 117	29:3 122:23 118 29:6 122:25 119 29:9 119-C 123:4 119-P 123:2 11:00 66:25 11:15 98:11 11th 113:16 12 24:16 49:17, 19 71:2 72:13,18,19 118:13 120 29:12 120-C 123:8 120-P 123:6 121 29:16 123:10 122 29:19 123:12 123 29:22 123-C 123:15 123-P 123:13 124 30:1	124-C 123:19 124-P 123:17 125 30:4 123:21 126 30:5 123:23 127 30:5 123:24 128 30:6 124:2 129 30:7 124:4 13 24:17 118:14 130 30:7 124:5 131 30:8 124:7 132 30:9 132-C 124:10 132-P 124:8 133 30:10 133-C 124:14 133-P 124:12 134 30:11 124:16 135 30:12 124:18 136
--	---	--	--

30:13	18.99	2016	206
136-C	50:8,10	53:21 54:12	31:25
124:21	19	61:24 62:3	206-C
136-P	24:23 119:4	2017	126:10
124:19	19.58	36:3,7	206-P
137	51:4	2018	126:8
30:14 124:23	19.8	91:22	207
138	50:23	2019	32:1
30:15 124:25	1:10	36:11 55:25	207-C
139	115:20	58:13 59:18	126:14
30:16 125:2	<hr/>	91:17 92:16	207-P
14	2	202	126:12
24:17 92:16	<hr/>	31:11	208
118:16	2	202-HC	32:3
140	24:3 117:4	125:16	208-C
30:17,19,21,	20	202-P	126:18
23 125:4	24:24 43:21,	125:14	208-P
15	23 119:5	2021	126:16
24:18 98:10	200	91:15 92:17	209
118:17	31:9 32:16,	203	32:4
15-minute	18,20	31:13	209-HC
98:9	200-HC	203-C	126:22
16	125:8	125:20	209-P
24:19 55:11	200-P	203-HC	126:20
61:4 118:19	125:6	125:22	21
17	201-C	203-P	24:24 58:14
24:20 58:12	31:10 125:12	125:18	119:7
17-C	201-P	204	210
118:22	125:10	31:23 125:24	32:6 126:24
17-P	2011	205	211
118:20	56:23	31:24	32:6
18	2014	205-C	211-HC
24:21	53:20 54:7	126:4	127:4
18-C	55:10,25	205-HC	211-P
119:2	56:23,25	126:6	127:2
18-P	59:14 61:4	205-P	212
118:24	2015	126:2	32:8 127:6
	58:12		

213 32:9 213-C 127:10 213-P 127:8 214 32:10 214-HC 127:14 214-P 127:12 215 32:12,17,18, 20 215-C 127:18 215-P 127:16 22 24:25 58:2 119:8 22.4 79:17 97:23 22nd 112:15,17 23 25:1 119:10 24 25:1 58:16 119:11 24.3 59:2 24th 112:25 113:4 25 25:1 54:4,9, 11,15 119:13	25th 112:18 113:1, 14 26 25:3 117:3,5, 7,9,11,13,15, 16,18,20,22, 24 118:2,4,6, 8,10,12,15, 16,18,21,23 119:3,4,7,12, 15,17,19,20, 22,24 120:3, 4,6,7,10,12, 13,15,16,18, 19,21,22,24 121:3,4,6,9, 10,12 26-C 119:16 26-P 119:14 27 25:5 119:18 28 25:6 119:20 29 25:6 119:21 <hr/> 3 <hr/> 3 24:4 3-C 117:8 3-P 117:6 3.6 58:23	30 25:7 121:16, 18,20,21,23, 25 122:3,5,6, 8,11,12,14, 16,19,21,24 123:3,5,7,9, 11,14,16,18, 20,23,25 124:3,4,7,9, 11,13,15,18, 20,22,24 125:4 30-C 120:2 30-P 119:23 31 25:8 120:4 31.8 51:8 310 19:4 32 25:9 120:5 125:7,9,11, 13,15,17,19, 21,23,25 126:3,5,7,9, 11,13,15,17, 19,21,23,25 127:3,5,7,9, 11,13,15,17, 19 33 25:10 120:7 127:21,23 128:3,4,6,7,9 34 25:10 116:2	120:8 128:12, 14,16,18 35 25:10 120:10 35.5 37:25 350 32:25 33:22, 23,25 127:21 351 33:1,5 351-C 127:24 351-P 127:22 352 33:7,11 128:2 353 33:14 128:4 354 33:15 128:5 355 33:16 128:7 356 33:17,22,23, 25 128:8 36 25:14 68:1 120:11 360 21:4 37 25:14 68:1 120:13 38 25:14 68:2 90:20 91:1,14 120:14
---	--	---	--

39 25:16 120:16 <hr/> 4 <hr/> 4 24:5 4-C 117:12 4-HC 117:14 4-P 117:10 4.2 50:17 40 25:17 116:3 120:17 41 25:17 120:19 42 25:18 120:20 42.7 52:20 43 25:19 116:3 120:22 44 25:20 120:23 45 25:21 116:4 120:25 450 34:4,14,16,18 450-HC 128:13 450-P 128:11	451 34:6,15,16,18 451-HC 128:17 451-P 128:15 46 25:21 121:2 47 25:21 121:4 48 25:23 121:5 49 25:23 121:7 <hr/> 5 <hr/> 5 24:7 117:16 5.4 58:25 50 25:24 85:10, 16 121:8 51 25:24 121:10 52 25:25 26:14, 16 85:10,16 121:11 57.3 52:19 <hr/> 6 <hr/> 6 24:8 45:16 61:9 90:25 91:13	6-C 117:19 6-P 117:17 6.7 58:7 79:9 97:20 60 116:4 600 36:8 65102 21:4 66 116:7 67 116:7 <hr/> 7 <hr/> 7 24:10 78:12 7-C 117:23 7-P 117:21 7.5 55:4 83:1 7.6 83:1,4,14 87:21 104:1,7 111:23 112:1 7.64 84:24 86:1,20 87:17,19 99:5,8 7th 19:3	<hr/> 8 <hr/> 8 24:11 72:16, 22 118:2 8.1 54:10 8.3 58:9 111:15, 25 <hr/> 9 <hr/> 9 24:12 85:14 9-C 118:5 9-P 118:3 9.9 54:18,19 55:5 80:14 82:5 83:14 84:19 85:8 87:7 88:3,6,8,23 89:2 94:21,25 97:21 102:9, 10,11 104:7 939 129:4 97 116:8 9:00 19:1,3 114:5 <hr/> A <hr/> a.m. 19:1,3 114:21
--	---	--	--

AAO 38:22	acquired 61:24	adhere 66:21	agree 55:2 69:8
Aaron 24:14,15,16 118:8,10,12, 13	acquisition 36:8	adjourn 114:23 115:4, 16	73:9 74:10, 23,25 76:6,9, 14 77:19
ability 36:16 37:12 40:11 129:8	acronym 72:16	adjourned 115:17	79:1,14 82:25 83:14 90:12 91:24 92:8, 11,15 94:10 95:20 100:13 109:7
above-system 89:21	action 129:11,15	adjustment 42:22 54:10	agreed 49:4,23 71:6 72:6,22 83:7 89:20
absolute 113:10	actions 37:15	adjustments 43:8,15,18 44:11	agreeing 49:11
Absolutely 64:1	actual 42:15,17,18 43:21,23 75:5	admit 23:18	agreement 40:2 61:22 62:1,2,5 105:21
accept 79:12	adage 57:15,17	admitted 26:14 30:21 32:18 33:24 34:17 37:7 68:1 96:4 106:2 107:5 108:7,18	agreements 45:15
acceptable 110:10	add 71:19 110:6	admitting 30:19 32:16	ahead 22:25 23:17 27:7 29:11,15 30:3 33:13 46:20 66:25 89:10 91:10 103:8
accepted 74:16,17	added 82:7	adopt 90:10	aligned 36:9
accident 46:6	addition 35:20	adopted 52:14 53:24 73:20	alignment 42:14,23 43:9 50:3
accidentally 66:19	additional 36:8 39:21,23 45:21 78:4 113:3	advance 35:7 115:9	allegedly 76:11
account 46:2	Additionally 46:3	advanced 37:20	alleviate 110:1
accounting 26:23 27:9,12 30:5 121:20, 21 123:23	address 35:12 55:11 58:18 60:10, 18 61:1,4 63:18 78:22	affairs 35:23	
accrue 77:17	addressed 22:9,20 42:20 112:6 114:23 115:4	affirmative 39:9	
accuracy 59:25	addressing 60:14	afternoon 107:21	
accurate 71:3,7 104:4			

allocate 49:13 53:3	amend 110:6	appeared 102:14	111:23,25
allocated 40:17 49:10 52:19 53:6,8 71:13,25 77:12,21 78:10	Ameren 48:21 53:25 60:16 73:19, 20,24 77:5	appearing 21:13 22:14 40:23 44:20 46:23 67:10 129:6	area 19:11 41:24 47:12 57:4,5, 12 58:7 75:6
allocates 53:1	Ameren's 48:23 51:21	applicable 57:18 60:7	areas 80:8
allocating 48:19 74:17 76:25 77:24	AMI 37:15 99:13	application 72:7	argument 60:16
allocation 40:18 48:9 74:15 78:15 80:10 83:8 93:2,22 100:10,11,17	AMIS 37:10	applied 55:17 72:3,5 111:21	Asbury 36:24 38:16, 21,22,23,25 101:10,23
allocations 94:7	amount 42:10 55:6 78:23 84:22 85:3,5	applies 80:9 106:20	Ashley 30:5,15 123:22
allocator 49:13,16 69:19,23 70:3 73:25 74:5,11 76:16,22 77:8,10,13, 22,25 78:1,9	analyses 75:16	apply 70:16	assess 59:12,21
allocators 69:22 70:14	analysis 52:2 75:8	apportion 84:2	assessment 69:11
allowed 88:2,6	Andrew 33:16 128:7	apportioned 78:8	assets 36:9
alternative 36:6	Angela 30:14 124:20, 22	apportions 70:2	association 21:11,15 61:17,23
Amanda 26:22 28:5 29:17 30:12 121:14 122:9 123:11 124:17	annual 37:24 39:16 49:21 71:3	approach 52:13 75:3 93:9,24 94:8	assume 23:13 46:18
	answers 68:8,10	approval 36:18	assuming 105:4
	anticipation 105:14,15	approve 41:10 62:10	assures 41:2
	apologize 19:23 21:22 22:12 66:10 103:8	approved 39:10 54:13 62:2	astutely 53:12
	appearance 20:15	approves 45:14	attorney 129:13
		approximately 37:24 42:11	authority 19:9

availability 40:5	85:20 86:3 88:17	beginning 73:5 95:11	bit 91:18 113:19
average 45:16 57:24, 25 58:1,2,4, 5,13,14,17, 24,25 59:1,3 69:17,18 70:4,8 72:12, 23 73:15 74:4,10,20 76:16,18 81:2 82:6,11 89:21 90:8,9 94:12 95:2,3,18 96:15	bar 91:15	behalf 20:16 21:8,13 22:15 23:4 44:20 46:23 60:2 67:21 103:19,24	blue 91:15
averages 59:19	base 39:13 79:10 85:10 92:13 101:14	belief 68:11	board 45:7
aware 79:2 82:22 104:25 105:16	based 36:13 42:6,7 43:18 49:5 52:20 53:6,8, 24 57:23 59:18 69:24 70:3,15,19 72:13 74:7 75:4 76:17 77:21 78:8 83:20,21 84:21 85:4 94:1 99:6,9, 18 100:21,23 102:25 103:13,14 105:4 111:5	believes 43:15 54:15	Bolin 27:21 30:6 122:5 123:25
<hr/> B <hr/>		Bench 103:1	book 60:13
back 22:18 27:1 36:3,7 42:23 43:8 46:17 61:3,14 63:11,24 86:6 94:22 98:11 105:6 107:21 109:4,12		benchmark 59:20	Boustead 27:24 122:6
background 69:16 81:8		benefit 36:24 40:7	Box 21:4
badgering 86:22 87:10		benefits 39:5 41:5 62:1,8	bre- 113:6
balances 38:23 39:14		bid 114:16	break 57:19 64:11 66:23,24 67:1 109:23
balancing		bill 40:22 55:8 82:14 83:10, 15,23 84:6 85:2,21 86:4, 9 87:23 88:1, 5,22,25 89:11 94:2,9 99:10 102:21	breaking 111:19
		billing 57:7	briefs 112:18,25 113:12,14,16
		bills 37:14,16 55:15 57:24 60:11	bring 42:23 43:8 64:13
			brings 107:19
			Brooke 29:13 30:11 123:7,9 124:13,15
			brought 97:19
			Brydon

20:19	55:6	13,19,22	36:12
Building	Caroline	82:3,10,23	certify
19:5	30:12 124:18	84:17 89:15,	129:5
burden	Carter	19 90:6,14,22	Chad
57:5	20:17,23	91:18,19	24:19,21
business	22:24 23:9,19	92:12,13,23	118:18,19,21,
19:8 105:8,12	24:1 26:8,12	93:1,3,8,23	23
businesses	35:17,18	94:4,10,16,	CHAIR
57:4	41:15 61:20	17,19 95:1,5,	19:20
	67:4,12,13	6,15,24	Chairman
<hr/>	68:14 103:6,	96:13,17,24	19:18,21,22,
C	9,10 104:9	97:3,17 98:2	23
<hr/>	107:2 108:4,8	101:9,23	chance
calculated	110:5 111:2,	103:25 109:7	73:19 97:16
49:3 52:18	4,19,20	cases	change
69:17 70:23	112:24 114:24	45:19 48:13	33:4
calculating	116:2,7,9	53:15,21 54:6	changed
71:7	case	55:21 64:9	45:6 74:7
calculation	20:9 35:6,24	75:10 86:16	81:6,9,18
49:5 70:9	36:2 37:18	89:15	84:23 87:4
71:1	38:11,20	Casey's	102:13
calendar	39:7,11	50:15	characteristics
112:25	41:11,24	catch	42:6
call	43:3,12 44:11	35:6	characterized
20:20 67:3	45:15,17	causers	81:11
105:19 106:17	47:21 48:9,16	42:10	charge
calling	50:9 53:19,	CCR	40:24 45:5
105:25	23,25 54:21	129:4,18	charged
cancelled	55:2,12,18,	Cedric	42:15
105:10,14	20,25 56:1,8	27:15 28:11	Chari
cap	58:16 59:18	30:7 121:23	28:2 122:8
80:14 81:1	60:1,16,23	122:12 124:3	Charles
82:4,9,13,17	61:5,24 62:3,	Central	29:23 123:14,
83:21 85:7	4,17 63:1	35:19,22	16
capacity	64:10 68:25	cents	Charlotte
67:19	69:3 70:18	58:9	25:2 35:21
capped	75:9,24 78:6,	CERTIFICATE	119:10,12,13
54:18	19,21 79:3,6,	129:2	chart
care	9,15,23,24	certificates	
20:22,23 31:4	80:4,5,13,15,		
	24 81:3,6,12,		

55:22,23 57:23 83:3 90:19 100:20 cheaper 57:12 check 63:17 79:1 95:19 96:3,4, 16,19 97:6,7 chose 80:20 Chriss 33:18 59:17 128:9 circulated 23:20 circumstance 106:20 circumstances 42:16 89:4 City 21:4 22:5 64:7 claimed 58:20 claiming 53:10 claims 51:24 52:24 clarification 62:16 clarify 62:4 109:25 110:1,24 111:9 clarifying 102:12 clarity	103:14 Clark 19:1,13,22 20:20,24 21:5,9,16,18, 21,24 22:3, 12,17 23:3, 13,16,24 26:3,10,13, 18,25 27:4,7, 10,13,16,19, 22,25 28:3,6, 9,12,15,18, 21,24 29:2,5, 8,11,15,18, 21,25 30:3,18 31:2,6,15,18, 21 32:15,22 33:9,12,21 34:2,9,12,20, 25 41:12,16, 20 44:14 46:7,17 56:14 61:6,14 62:13 63:13 64:3,7, 23 65:4,20 66:3,10,15 67:5,6 68:16 79:20,25 80:11,19 81:14,17 87:2 91:5,8 93:13 94:20 95:4, 10,21,25 96:9,23 97:1, 10 98:7,13 101:4 102:2, 4,25 103:4,8 104:11 105:1, 13,17 106:1, 6,10,15,21,25 107:4,7,14,19	108:11,15,20 109:3,12 110:3,10,12, 19,23 111:3 112:2,10,17, 21 113:1,8 114:4,15 115:3,10,14 116:9 class 23:2 27:18 40:19 42:4,7, 8,20,22 43:2, 7,12,13,17, 20,22 44:1,5, 10 45:1,11,12 46:4 47:20,25 48:7,15,23 50:2,6,14,15, 19,24 51:1,7, 13,14,22,23 52:15,20,21, 22,25 53:4,6, 8,10,22 56:3, 4,5 59:24 60:3,8 62:18, 21 63:4 68:23 69:2,9 70:2 71:11 72:6 73:11,14,21 76:11,21 77:1,5,6 78:13,24 79:5,15,16 81:2 84:19 85:13,24 86:12,19 87:22 89:8,17 90:17 91:15 92:1,3,8,9, 12,19 93:12 94:1,11 95:17	96:15 97:22 98:25 99:8,15 100:2 101:16 102:19,23 110:16 111:16,23 121:24 122:3 classes 40:17 42:6 43:22 45:3,9 47:7 49:10 52:7 53:1 55:23 56:25 71:25 72:3,5 75:21 78:24 84:3 85:12 92:7 95:3 103:20 clear 107:15 client 60:2 clients 23:14 43:25 close 108:2 closer 103:20 clude 90:3 coal 36:25 cobble 65:9 Coffer 28:5 Coffer30 122:9
--	--	--	--

coincident 49:5	56:7,23 57:1 59:15 60:4,10	67:22 75:3,25 79:9 80:24	concern 52:5 55:16 75:23
Coleman 19:17	61:3,7 62:10, 14,24 63:15, 19 90:10	82:18 83:19 84:18 85:4,9, 16,18 86:5, 15,23 92:5	concerns 75:20 76:5
collect 42:1	102:3 103:24 106:10 107:7	109:25 110:25 111:14 114:25	concluded 115:20
color 55:25	108:16 109:9 111:8 113:22	company's 38:7 39:1,2 40:22 42:2 53:10 84:13 101:11 111:10,24	conclusions 48:3
combination 70:4 76:22	114:14,23 115:7,11	compare 90:18	conditions 94:8
combining 63:1	Commission's 41:8 54:8 55:19 62:22	comparison 69:12	conduct 59:24 109:6
commence 67:7	Commissioner 19:16,17 20:12 60:15, 24	compensate 71:15,20	conducted 68:23
comment 86:7	Commissioners 19:15,17 61:19 106:9	competitive 56:22 57:2,21	confidence 44:12
comments 61:2	commissions 59:10,14 74:12	competitiveness 48:13 59:13, 22	confidential 24:4,6,9,10, 13,14,20,22 25:4,8 26:11, 22 27:5,18 28:14 29:10, 13,24 30:2,9, 10,13 31:12, 14,17,25 32:2,3,4,5,7, 9,11,12 33:3, 6 34:5,7,10, 11,12 35:5,8 117:9,13,15, 20,24 118:6, 10,23 119:3, 17 120:3 121:18 122:3, 16 123:5,9, 16,20 124:11, 15,22 125:9, 13,17,21,23 126:5,7,11,
commercial 40:1 47:1 50:15,20 56:12,19 57:16 58:25 103:15	communication 39:22	complete 36:22	
Commission 19:6 21:1,3 26:19 36:3,6, 10,14 37:17 38:2,19 41:4, 9,13,17,22 43:7 44:10, 15,19,24 45:10,14,22 46:1,8 48:2, 6,12,20 51:20 52:14 53:20, 25 54:4,6,8, 11,13 55:9, 11,13,17	community 37:5	completed 47:22	
	compact 41:2	completely 52:16	
	companies 50:22	completing 36:1	
	company 19:8 20:18,21 21:19,25 23:9,19 24:1 26:2 35:20 37:4 38:5,15 40:11,18 61:22 62:6	complex 43:11	
		components 70:6	
		concepts 84:9	

15,19,23 127:5,11,15, 19 128:14,18 confirm 97:19 confused 84:16 conjunction 41:8 consideration 42:3 45:13, 14,22 89:6,25 90:7 111:8,14 considerations 46:1 87:24 88:2,6,22 89:1,11,16 94:9 99:10 considers 40:19,21 49:18 83:15 consistency 86:7,8 consistent 40:20 53:14 54:5 55:7 78:9 79:24 80:17 98:2 Consumers 21:6 32:22 43:14 46:10, 24 CONT'D 118:1 119:1 120:1 121:1 122:1 123:1 124:1 125:1 126:1 127:1 128:1	contained 51:25 contention 49:14 Contessa 29:1 122:22 contested 41:9 111:9 context 93:1,3,22 94:16,17,18 95:15 96:12 continuation 39:22 continue 37:9 38:22 48:4 continued 47:10 continuing 102:20 104:24 control 37:12 convenience 36:12 convince 48:2 convinced 55:13 Cooper 20:18 35:21 copies 23:20 30:25 32:14 correct 27:5 68:10,25 69:1 70:24 72:9,14,25	73:2,7 77:2, 3,6,10,23 78:3,19,21 79:6,7 82:6, 12,20 84:20 88:3,23 90:11 91:22,23 92:2,14 97:24,25 99:4,21 100:3,6,25 102:9,15 103:17,21 105:7,23 107:18 109:21 111:1 112:18 corrected 26:24 27:12 121:21 corrections 68:4 cost 40:25 42:4,7, 9,15,17,18, 21,22 43:2,7, 17,21 44:1,5, 10 51:22 57:6 74:15 92:13 99:15 cost-based 56:25 92:22 cost-of-service 23:2 26:23 27:2,18 40:20 43:12,13,24 45:11 47:8, 20,25 48:7, 16,23 50:2,7, 18,24 51:4,8, 10,13,14 52:25 53:11,	23 56:13,20 59:24 62:18, 21 63:5 68:24 69:2,9,10 71:11 73:11, 14,21 78:14 79:5,15 83:25 84:2 87:22 91:16 93:12 94:1 97:22 100:2 103:16, 21 110:17 121:16,18,24 122:3 costing 101:23 costs 38:14,25 39:2 42:9,11,13,23 43:9 45:17 48:19 52:19 53:4,5,6 59:20 74:1 77:1,19 78:1 counsel 20:14 22:11, 13,15 23:7 31:7 43:2 44:17,21 46:7 47:17 55:13 59:23,25 60:2,4,9,20 101:5 115:1, 5,6 125:5 129:10,13 Counsel's 45:4 60:25 111:21 couple 45:18 111:12
---	--	--	---

Coupled 37:15	53:10 74:19, 23 75:1,7,13, 14,19 76:12, 14	82:15 98:25	date 63:17 112:11, 20 113:12 114:20
court 23:21 31:1 111:18 112:8, 12,15	criticisms 48:1 73:14,16	customers 19:10 37:4,9, 11,12,17,21, 25 38:4 40:1, 8 41:5,7 42:2,5,8,16, 18 43:24 45:2,17,23 47:1,4 50:13, 20,21 51:9 55:5 56:12,19 57:5,9,14,18, 20 58:21 59:10,17,20 60:7 71:16, 18,20 80:15 82:5,11 83:15 85:6 88:3 89:2,12,20 90:7,9 92:22 103:16	dates 113:13
Courtney 28:20 30:8 122:19 124:6	criticized 76:10 77:11		David 21:8 22:2 32:1,2,4 46:23 126:13, 15,17,19,21, 23
covered 110:14	cross 64:24 65:5,9 105:21 106:5, 7 108:4,9		day 105:8,12 108:1 113:3, 13
covering 57:6	cross- examination 64:14,18 65:2,8,12,19, 21 66:5,12,16 68:15,19 98:9,16,19 101:4,8 103:15 116:7, 8	customers' 40:12	day's 63:23
Covid 45:23,24 60:6,12,21			days 62:19 105:10 113:6
Cox 28:8 122:11	cross-examine 64:20,22 68:17		deal 57:9
CP 76:25	Cunigan 27:15 28:11 30:7 121:23 122:12 124:3	<hr/> D <hr/>	dealing 81:18
create 53:5 76:4		danced 102:6	Dean 20:18 35:21
creates 20:2		Dane 25:21 121:3,4	decades 37:9
creation 39:25	current 19:3 40:4 84:9	data 44:12 51:24 52:2 53:18 59:6,7,9,11, 16 60:12 74:20 75:2,8, 9,16,17 76:5 99:15,17,18, 19,20,23	decided 85:13
credit 72:2,5 100:12,18	cus- 45:16		deciding 45:11
credits 49:10,13 71:12,14,15, 19,24	customer 36:2,21 37:19 39:4 40:9,10, 17,22 42:10, 12 45:5,6 72:3 75:6,21		decision 41:8 55:19 101:25
critical 55:9			decisions 48:8
criticism 51:16,17 52:3,12,24			

decisive 55:11	104:5 111:21	difficulty 46:19	disagreement 49:8 50:5
decrease 37:16	designed 37:23 48:1,10 54:20 69:20	Dindarloo 28:14 122:14, 16	discredited 51:17
default 40:3	designs 88:10	direct 24:2,7,11,14, 17,19,22,23, 24 25:2,4,5, 8,10,11,15, 16,19,22,23, 25 26:21	discuss 47:20,22 48:6,9,13 108:23 109:6
deliberating 60:16	determinants 57:7	determination 62:22	discussed 56:24 83:24 104:5
demand 51:24 52:21 69:21 70:5, 17,19 71:17, 19,22 74:20 75:17 76:11, 19,23 77:1,6, 9	developed 69:24	development 47:12	discussing 47:19 112:22
demands 52:15 70:1,3, 11,13 75:6 76:21	deviate 66:19	devised 42:7	discussion 37:18 47:16 109:23 113:19
depend 93:1,3	devising 41:25	devising 41:25	disputes 51:11
dependent 52:15,21,22	dial 61:9	Diana 20:17 35:18	distance 20:9
depends 94:16	dictate 54:24	dictate 54:24	District 19:8 20:18,21 21:10,14,19, 24 35:20 47:2 61:16 67:22 110:25
deployed 44:9	difference 49:2 70:21 71:24 72:8 73:1	difference 49:2 70:21 71:24 72:8 73:1	diversify 36:4
deploying 99:11	differences 50:1 69:11,14 73:6,10	differences 50:1 69:11,14 73:6,10	docket 36:3
derive 77:20	differential 40:6,9	direction 129:9	dockets 38:24
describe 71:23	differentiated 40:8	director 35:18,22	dogmatically 45:10
design 31:10,23 38:7 39:17 40:20 41:25 43:10 44:25 88:13		disagree 87:2	Doll 24:14,15,16 118:8,10,12
			Doll26

118:13	economic	electrification	80:8 81:23
drain	47:12	39:20	93:23,25
47:11	economically	electronically	97:17 99:11
dramatic	36:17	19:5	103:15,20
37:16 92:18	economy	element	110:23,25
drastic	45:25	41:1	116:5
59:5	EDRA	elements	Empire's
Drew	21:16,17,18	45:8	36:7,17
24:22 118:25	23:11 34:2,3,	eleven	39:20,23
119:2	17,18 61:21	66:24	40:16,17
drop	63:4,19 64:25	eliminate	44:11 48:14
19:18	128:10	54:4 56:24	51:25 52:25
due	EDRA's	eliminated	57:3,4,5,21,
44:8 52:7	34:14	49:12	25 58:1,7,16,
112:18,25	educational	Emery	21,22,25
113:12	40:7	25:2 35:21	64:20 69:8
duly	EEI	119:12	78:18
67:10 129:6	57:23 59:6,9,	Emery26	employed
dynamic	11,16	119:10,13	67:18 129:10,
58:21	effect	Empire	13
	55:19 114:19	19:8 20:17,21	employee
E	effectively	21:10,14,19,	129:13
	110:6	24 35:20	EMS
E-D-R-A	effort	36:11,15 37:7	30:17 125:4
21:17	59:4	38:11 40:24	encouraged
earlier	efforts	43:6,13 44:2,	20:10
76:18 83:22,	55:20	9 47:2,12,23	end
24 86:7 89:19	election	48:3,13,17,24	52:10 53:14
90:1,16 92:25	39:2	49:4,9,11,15,	54:24 57:7,
100:10	electric	17,23 50:1,6	10,20 60:19
early	19:8,10	51:16 52:7	107:25
109:4	20:18,21	54:6,17,22	ended
earned	21:25 35:20,	55:2,4 57:11	75:16
56:6	24 37:13	58:12,13	energy
easier	41:1,3 47:3	61:16,23,25	21:6 32:22
22:24 113:12	67:22 74:15	66:13 67:22	36:5,6 37:11,
easy	78:19 80:1,5,	68:24 71:11,	13 43:14
38:1	7,21,24 93:25	25 72:2,9,12	46:10,24
	95:5 110:25	73:2,6 76:7	52:20,23
		77:16 79:2	53:4,6,8

59:20 69:21, 23,24 70:5, 11,12,16,18 76:17,23 77:6,8,13,21, 25	ER-2021-0312 19:12 Eric 25:9 120:6 essence 97:11 essential 41:1 establish 94:3 established 39:12 82:17 84:12 85:3 establishes 40:2 establishment 39:19 estimate 48:23 estimated 37:16 55:15 60:11 estimation 51:22 events 109:24 Eventually 57:11 Evergy 59:12 everybody's 43:4 110:19 Everything's 108:7 evidence 19:19 22:21 23:17 26:17 30:24 32:21	33:20 34:1,19 60:6 90:22,24 109:17 110:15,21 116:5 evidentiary 62:20 115:17, 19 exacerbated 56:9 exact 81:3,12,15,16 112:20 examination 67:8,13 103:10 116:7, 9 exceeding 81:25 Excel 59:12 exception 78:10 excess 69:17,18 70:4,8 72:12, 23 73:15 74:5,11,20 76:16,20 81:23 excuse 60:14 87:15 excused 22:5,6 63:9, 23 64:8 65:1, 6 103:5 104:12 106:16 107:11 excuses	60:10 excusing 63:19 executed 36:21 exhibit 23:20,23 24:2,3,5,7,8, 10,11,12,14, 15,16,17,18, 20,21 25:1,3, 5,7,9,14,18, 23,24 26:21 27:8,11,14, 17,20,23 28:1,4,7,10, 13,16,19,22 31:10,23,24, 25 32:1,6,8, 25 33:1,2,4, 5,7,15,16,17 34:4,6 68:1 90:20 91:1,14 96:8,22 97:3, 5 117:1,3,4, 6,8,10,12,14, 16,17,19,21, 23 118:1,2,3, 5,7,9,11,13, 14,16,17,19, 20,22,24 119:1,2,4,5, 7,8,10,11,13, 14,16,18,20, 21,23 120:1, 2,4,5,7,8,10, 11,13,14,16, 17,19,20,22, 23,25 121:1, 2,4,5,7,8,10, 11,14,15,17,
England 20:19 entails 42:21 enter 20:15 22:22 entered 61:21 111:7 entering 23:4 entry 22:11 equal 43:3 45:7 55:18 equally 57:17 60:7 104:6 equitable 87:18 equity 40:21 54:24 55:8 83:9,17 84:1,5 85:21, 25 86:3,8 88:17 94:2 95:16 98:3 102:21 111:13 equivalent 42:11 ER-2014-0351 54:7			

19,21,22,24 122:1,2,4,6, 7,9,10,12,13, 15,17,19,20, 22,23,25 123:1,2,4,6, 8,10,12,13, 15,17,19,21, 23,24 124:1, 2,4,5,7,8,10, 12,14,16,18, 19,21,23,25 125:1,2,4,6, 8,10,12,14, 16,18,20,22, 24 126:1,2,4, 6,8,10,12,14, 16,18,20,22, 24 127:1,2,4, 6,8,10,12,14, 16,18,21,22, 24 128:1,2,4, 5,7,8,11,13, 15,17	expecting 26:4 expedited 112:9,11,22 expenses 78:7 expert 85:23 86:15 87:1 explains 37:7 expressly 59:15 extensively 76:11 extent 61:2 extraordinary 38:14 52:10 76:3	87:18 fairness 40:21 54:24 55:8 83:9,17 84:1,5 85:20, 25 86:3,8 88:17 94:2 95:16 98:2 102:21 111:13 Fallert 25:23 121:6 Fallert26 121:7 familiar 76:12 farms 36:22 37:3 faulty 52:14,25 favor 89:12 feasible 36:17 February 19:3 112:16, 25 113:14 feedback 107:9 114:10 Fifty-two 26:8 figure 46:13 91:13 file 19:9,11 38:12,19 51:14 108:1 111:4 filed	22:4,6 38:11, 15 47:21,24 48:16 49:22 62:16 69:3 78:18 79:3,5 88:1 95:13 96:13 103:19 104:16,22 105:8,9 111:6 113:22 filing 38:8 104:25 109:19 filings 39:14 filter 57:15 final 41:10 finally 33:17 34:20 48:11 49:15 51:6 53:9 59:16 66:7 72:11 78:12 financial 36:16 financially 129:14 find 60:13 findings 36:14 finds 54:8 finish 56:17 finished 109:16
exhibits 25:10,21 26:2,13,16 30:19,21,23 32:13,16,18, 20 33:22,23, 25 34:14,16, 18 existence 47:10 51:12 54:1 existing 62:9 exists 58:21 expansion 57:3	<hr/> F <hr/> fact 51:13 81:10 85:19 98:25 100:6 factor 45:12 49:3,4 70:8,14,15, 19,20,22 71:1,3,7 88:11,12 101:25 factors 45:21 60:7,22 88:13,15 fair 69:11 72:16		

firm 68:23 71:16	10,12	36:9	graph 90:15
fixed 48:19 52:19 57:6 73:25 76:25	Frankly 60:9	generic 53:9	graphic 91:12
flawed 43:16	free 106:5	Geoff 31:8,9,11 65:24 125:7, 9,11,13,15,17	Graves 25:25 121:9, 10,12
flexibility 62:6	Friday 105:13	Gipson 34:5,7 128:11,13,15, 17	great 57:9 115:9
focused 83:25 84:4 88:11 90:2	front 79:11 91:2,12 94:4,5	give 63:14 80:6,7 90:6 109:5 112:10,12 115:10	greater 37:12 78:23 80:25
foregoing 71:16 129:6	fuel 53:5 77:20	Glasgow 28:17	Greg 25:5,6 32:25 33:7 119:19, 20,22 127:21, 23,25
Fork 37:2	full 92:1 99:24	Glasgow30 122:18	gripping 97:5
form 40:4	funding 39:24	giving 37:12 97:6	ground 49:23
forward 63:5	future 37:4 38:3 41:7 44:8 99:12,16	global 39:11	Group 21:6 32:23 43:14 46:10, 24
Foster 30:7 124:4	<hr/> G <hr/>	goal 42:9	guess 107:12
found 48:20	gas 79:3,6,24 80:1,4,6,15, 21 81:3,12,18 93:8,23 95:6 96:12 97:3,17	good 19:2,20 21:7 22:1 35:17 46:23 61:18 68:20,21 98:21 99:23 109:14	guidance 78:15
foundation 81:7	general 47:4 50:15,19 51:2 99:5	Governor 19:4	guided 43:11
fourth 39:15 109:20 111:12	generally 45:6 53:14 74:16 83:4 92:9 103:20	grant 36:13 63:22	<hr/> H <hr/>
Fox 25:9 120:6	generating 38:16	granted 22:5,7 64:9	Hackney 25:19,20 120:21,22,24
framework 84:12,15 85:20 86:2,6 102:20	generation		hand 43:6,22 49:19
Frank 25:25 121:9,			

97:9	20,23 64:9	93:19 96:21	85:2,12 87:24
hands	95:5 105:10	98:6 103:7	88:1,5,18,22
22:20	115:17,19	104:14 106:24	89:1,11 94:9
happen	hearings	107:13,25	99:10 101:15
35:24	62:25	109:22	impacting
happy	heavily	110:11,22	45:25
110:13	52:15 77:5	Hook	impacts
hard	held	24:19,21	55:8 82:14
37:19 38:6	19:4 36:6	118:18,21,23	83:11,16,23
82:17 83:21,	high	Hook26	85:21 86:4,9
22 85:7	40:5,9 55:15	118:19	94:3 101:10
Harrison	higher	hope	102:21
25:16,17,18	56:4,5 77:8	63:23 109:13	implement
120:16,18,19	91:16,18	Horton	39:19
HC	highly	28:20 30:8	implemented
31:9,13,24	24:6 26:11	122:19	44:2
head	31:12,17	Horton30	implication
106:25 107:3	32:4,6,10	124:6	56:11,18
head's	34:4,6,11,12	hour	important
115:11	117:15 125:9,	58:10	48:19 57:2
Healy	17,23 126:7,	huge	78:14
21:13	23 127:5,15	59:2	Importantly
hear	128:14,18	Hull	47:24 48:17
19:18 61:9	historical	28:23 122:21	improve
67:1 68:20	46:5		37:19
81:24 87:4	hold	<hr/> I <hr/>	improved
103:11 106:11	33:9 46:12	identified	99:12,15
107:8,10	91:5 93:13	69:14	in-camera
108:17	95:21 97:10	identify	35:7,9
heard	112:5	115:8	inaccurate
37:16,17 47:6	Holsman	ignore	58:22
87:5 96:3	19:16	55:19	incenting
hearing	Honor	immediately	40:10
19:7,14 26:6,	21:7,12 22:1	35:6	include
14 30:20,22	32:24 33:20	impact	33:2 90:3
32:17,19	34:22 46:22	40:3,22	included
33:24 34:17	61:5 64:6,12	45:20,23	74:14 87:7
40:15 62:19,	65:3 66:1	47:10 84:6,7	100:8
20 63:10,16,	68:18 87:15		

includes 31:10 35:19	increasing 19:9 40:9	113:17	78:9
including 39:19 72:3 85:13	incremental 78:7	installed 37:10	investments 37:8 74:18 78:6
inconsistent 79:24	INDEX 116:1 117:1 118:1 119:1 120:1 121:1 122:1 123:1 124:1 125:1 126:1 127:1 128:1	instance 56:25	involved 113:9,11
incorrect 100:6 102:16	industrial 43:22,24 44:3 47:1 48:14 50:20 56:12, 19,21 57:2, 19,22,25 58:1,3,4,5, 12,13,16 59:1 89:16,23 90:7 92:9,21	integrated 74:8,12	irrelevant 81:13
increase 37:24 38:3,7, 20 39:16 43:5 45:1,16,20 50:8,9,10 54:9,19,20,23 55:3,5,17 79:9,17 80:25 81:23,25 82:4,11,16 83:1,13,15 84:19,25 85:5,9,10,14, 15,16,24 86:19 87:17, 18,21,23 88:2,6,7 89:2,5,8,21, 25 90:8,9 92:18 94:12 95:1,2 96:14 98:24 99:1,2, 5,8 101:14 102:11,18,23 104:1,6 111:15,22,25	industrials 90:1,3	intent 38:15	isolated 78:5
increased 45:7 90:13 92:16	industries 57:3,11	intention 66:24	issue 23:2 39:7,15 40:15 41:9,24 42:3 44:23 49:6 55:20 56:8 58:18 61:22 62:18, 21 64:14 71:10 86:16 107:20 108:21 109:17 110:13 111:9 112:23 113:11 114:18
increases 43:4	inflation 45:24 60:5, 12,22	interest 36:19	issues 37:22 38:23 39:17 47:6,19 48:25 64:15 69:13 85:21 105:4,6 107:22 109:8 111:5 112:6
	information 35:5 68:11 75:5 80:18 93:15	interested 129:15	
	initial 38:8 51:18 112:17 113:14	interests 47:1,3 55:7	
	initially 69:10 72:12	interpret 48:7	
	input	interrupt 21:21	
		interruptible 49:9,12,13 71:12,14,16, 18 72:6 100:12,18	
		interruptibles 72:4	
		interrupting 71:20	
		introducing 40:7	
		introduction 74:8	
		investment 37:3 38:3	
			<hr/> J <hr/>
			James 25:23 121:6,7
			Jarrett 21:12,13,17, 20,23 23:11 34:3,11 61:18

63:7,21 64:1 116:4 Jefferson 21:4 Jeffery 24:17,18 Jeffrey 118:15,16 Jill 24:23 119:4 John 19:13 25:10 32:5,6,7,8,9, 11 120:7,9,10 126:25 127:3, 5,7,8,10,12, 14,16,18 joined 19:16 joining 20:12 Jon 25:16,17,18 120:16,18,19 Jordan 28:23 122:21 Joseph 30:2 123:18, 20 Joun 30:16 125:3 Judge 19:1,14,20,22 20:20,24 21:5,9,16,18, 21,24 22:3, 10,12,17,24 23:3,13,16, 21,24 26:3,	10,13,18,20, 25 27:4,6,7, 10,13,16,19, 22,25 28:3,6, 9,12,15,18, 21,24 29:2,5, 8,11,15,18, 21,25 30:3,18 31:2,5,6,15, 18,21 32:15, 22 33:9,12,21 34:2,3,9,12, 20,25 35:17 41:11,12,16, 20,21 44:13, 14 46:7,17 56:14 61:6, 14,18 62:13 63:7,13 64:2, 3,7,23 65:4, 20 66:3,10,15 67:5,6 68:16 79:19,20,25 80:2,11,19 81:10,14,17 86:22 87:2,13 91:5,8 93:10, 13 94:20 95:4,10,21, 24,25 96:2,9, 19,23 97:1,10 98:7,13,17 101:4 102:2, 4,25 103:4,8 104:11 105:1, 13,17 106:1, 6,10,14,15, 21,23,25 107:4,7,14,19 108:11,15,20 109:3,12 110:3,5,10,	12,19,23 111:2,3 112:2,10,17, 21,24 113:1,8 114:2,4,15,24 115:3,10,14 116:9 jurisdictions 74:14 justification 75:14 justify 81:1 <hr/> K <hr/> Kansas 37:3 Kavita 33:8 128:3,4, 6 Keith 30:7 124:4 Kevin 21:2 kilowatt 58:10 Kim 28:8 122:11 Kimberly 27:21 30:6 122:5 123:25 kind 38:12 84:10 94:22 95:5 102:6 King 29:1 King30	122:22 Kings 37:1 Kliethermes 29:4 122:24 knowledge 68:11 Kolkmeier 20:12 Kory 27:24 122:6 kwh 69:25 76:19 <hr/> L <hr/> L-Y-O-N-S 67:17 labeled 92:19 Landoll 24:22 118:25 119:2 Lange 29:7 30:9 65:15 105:22 106:5,7,11, 12,15 124:7 language 62:5 large 47:1,3,4 51:1 56:2,11,18 92:8,12 larger 50:20 law 19:14 21:13 38:10
---	--	---	--

lead 39:4	41:14 44:22 61:24 65:10, 15,22,25	logistics 113:7,8	<hr/> M <hr/>
leave 44:10 56:17 57:4,11,20 63:9 71:18 106:5	66:6,11,17 67:3,7 68:16 106:25 117:2	long 41:2 62:8 106:8 114:7	made 37:8 43:14 44:6,12 55:21 60:17 75:12 100:1,14,16 114:19
led 37:15 88:22	Liberty's 35:19 68:17	longer 42:15 73:10 81:16 102:15	magnitude 90:12
left 44:23 55:24 56:6 57:25 98:14 109:16	lieu 39:2	looked 71:1,2 85:11	Maini 33:8 66:8,9, 10 108:13,14, 15,16 128:3, 4,6
legacy 61:25	light 58:19 59:4 85:25 86:1 105:11 110:7	lot 20:2 35:5 87:5 88:15	maintain 39:22 48:11
legal 35:18	limit 82:10	low-income 39:23,24 45:23	maintains 40:4
legislation 38:10	limited 40:3,5	LP 92:8	major 69:14 73:6,10
legitimacy 51:19	lines 39:22	Luebbert 29:10 30:10 123:3,5 124:9,11	make 43:7 48:8 58:19 59:4 63:2,3 64:5 98:18 104:24 110:5 114:20, 24
Lena 31:12,19,20, 22,23,24 125:19,21,23, 25 126:3,5,7, 9,11	list 23:20,22,23, 25 33:2,4 64:14 111:5	lunch 109:5,14	makes 53:3,7
lessened 81:2	litany 60:9	Lyons 25:15 40:23 52:1,8,16,17 53:2,11 65:10 67:4,6,9,14, 16 68:14 87:3,15 91:5, 10 93:13 95:21 98:20 101:9 102:7 103:11 104:12 116:6 120:12, 13,15	making 105:16
level 52:9 85:4	litigate 41:23	Lyons' 98:15 111:13	mammoth 47:11
leveled 51:15 73:13	load 49:3,4,12 69:24 70:7, 14,15,19,20, 22 71:1,3,6, 7,20 75:4		management 37:15
levels 84:9	local 37:5		managing 82:15
liberty 19:9 20:16, 21,25 26:15, 16 35:16	lofts 53:9		

manner 49:2,9	matter 19:7 51:18 67:25 129:6, 11	127:20	methodology 48:22 49:1 51:19,21,23 52:18 53:24 73:15 74:21 76:25 79:23
Mantle 31:12,19,20, 22,23,25 125:19,21,23, 25 126:3,5,7, 9,11	matters 22:8,18 39:18 80:20 108:24 114:22	MECG's 33:22 43:25 50:1 66:7,16 69:9 83:8 107:14	Metro 59:12
Manual 74:15	Mcmellen 26:22 29:17 30:12 123:11	mechanic 57:16	Meyer 33:1,7 127:21,23,25
March 113:16	Mcmellen30 121:14 124:17	meet 69:20	microphone 41:18
mark 29:20 30:14 97:4 123:12 124:24	meaningful 59:19	meetings 39:21	mics 20:1
Marke 31:8,9,11 65:24 106:20, 22 107:8,10, 11 125:7,9, 11,13,15,17	means 43:4 56:7,21 83:23 86:11	megawatts 36:8	middle 49:23 55:25 67:2
marked 68:1 91:14	meant 62:17	Members 21:11,14 61:16	Midwest 21:6 32:22 46:10,24
market 77:17	meantime 56:5	memory 94:6 97:12,14	migration 75:20
marketplace 74:8	measuring 75:5 84:1	mentioned 48:15 51:11, 20 73:5 76:18 86:3 100:10	million 37:25 85:10, 16
Masks 20:9	MECG 21:8,9 33:24, 25 43:6 44:2 46:20,25	mercy 60:3	Mills 51:2
Mastrogiannis 29:14 30:11 123:7,9 124:13,15	matters 47:3,23 48:3, 17,24 49:9, 15,19,22 50:6 51:16 54:3,15 65:11,15,18, 23,25 66:2,4, 6 68:17 69:3 70:22 71:2,11 72:1,4,9,22 73:2,7 77:5 102:7,13 104:17 109:19	merger 61:24 62:3	mind 35:11 108:17
match 42:9,15		Mers 21:3	minimize 38:6
materially 62:8		meters 37:10 44:8 99:12,13,14	minus 65:5,6 70:20
		method 40:19 48:18 71:12	minutes 98:10 109:1
		methodologies 48:25 74:17 80:9	Missouri 19:11 21:4

22:4 37:2 38:12 43:14 47:2 58:2 129:5 Mister 91:8 106:17 mitigate 54:20 modify 54:16 moment 46:15 61:12 momentarily 20:13 Monday 104:23 months 49:18,19,20, 24,25 71:2 72:13,19,21 Mooney 24:7,9 117:10,12,14, 16,18,20 morning 19:2,20 21:7 22:1,6 25:14 35:18 40:23 46:23 61:18 68:20,21 98:21 104:16, 23 109:24 motion 22:4,5,6,7 motions 22:9,19 move 38:24 63:14, 16 104:15	113:12,13,16 moved 113:1 moving 22:8 37:19 73:13 103:20 MPP 74:8 muddy 62:25 multitude 64:15 Murray 32:1,2,4 126:13,15,17, 19,21,23 mute 19:25 20:4,5 35:6 114:11 muted 114:11 <hr/> N <hr/> name's 19:13 44:19 NARUC 74:15 Nate 25:18,19,20 120:21,22,24 Nathan 22:14 44:19 nation 57:13 national 58:5,13,14, 17,24 59:1,3	NCP 49:17 72:16, 18,20,22 necessarily 42:24 89:14 necessity 36:12 needed 54:10 77:20 97:23 Nelson 59:17 Neosho 37:2 neutral 50:10 54:10, 25 79:16 Newkirk 30:13 124:18 Nicole 21:2 Niemeier 30:14 124:20, 22 nod 106:25 107:3 nods 114:15 noise 20:2 non- coincidental 70:1,3 76:21 non-lighting 50:14 non-objections 39:9	non-time-of-use 40:5 North 37:2 note 33:1 noted 36:3 59:18 60:15,24 112:2 notice 38:15 Noticeably 59:6 number 19:11 34:4,6 52:12,24 55:15 57:7 73:13 75:4 80:20,21 83:3 88:12 105:3 113:25 numbers 39:13 79:11 82:8 83:21 91:2,12 94:5 Numerous 39:17 <hr/> O <hr/> object 26:5 79:18 86:21 94:13 96:3 107:21 110:2 objection 23:8,10,11, 12,14 33:21 63:19 65:13,
--	--	---	--

16,20,21 81:19 87:12 91:8 93:14,16 94:23 96:18 104:25 105:9, 11 108:1 109:19 objections 23:4,17 30:19,20 32:16,17 34:14 63:21 66:3,12,15 obvious 47:10 occurred 52:9 76:2,4 109:24 occurs 52:9 76:2 offer 33:19 offering 34:23 37:20 Office 19:5 21:4 22:11,12,15 23:6 31:6 43:1 44:20 45:4 101:5 125:5 oil 57:15 Oligschlaeger 29:20 30:15 124:24 Oligschlaeger30 123:12 on-the-record	62:23 63:25 113:21 on-the-records 114:7 ongoing 20:7 60:5 online 37:1 OPC 32:20 58:19 64:21 65:12, 15,22,24 66:11,14,17 106:17 107:4 OPC's 32:16,18 48:10 66:5 91:8 open 39:22 opening 35:12,15,16 41:16 44:17 46:21 61:12, 15,19,20 63:2 64:4 69:6 116:2,3,4 operating 53:5 opinion 44:5 87:1 opportunity 55:10 73:19 97:7 109:6 oppose 43:2,10 71:9 104:17 opposed 43:17 64:19	65:18 99:24 opposing 104:19 options 40:4,13 order 35:15 42:23 43:8 50:7 54:8 64:14, 18,24 65:5,9, 13 66:5,12, 16,21 73:20 108:2 112:9, 21 113:10 114:19 ordering 112:11 114:17 original 62:5 72:18 82:3 84:21 100:5 originally 48:25 49:17, 19 54:3,12, 19,20 70:21 71:1 80:24 81:23 83:7 84:18 102:8 104:17 outcome 50:4 129:15 overly 52:22 overrule 87:12 overruled 91:9 96:1 overwhelming 41:5	Ozark 22:6 64:7 <hr/> P <hr/> p.m. 115:20 pandemic 20:7 60:6 paper 23:20 parlors 50:16 part 101:11,14 partial 38:9 39:6 40:14 62:17 participating 20:3,4 61:8 participation 115:15 parties 20:15 22:21 35:4,13 37:23 38:8 39:8 49:1 55:2 64:19 65:5,6, 18 77:21 95:14 104:16 105:21 106:4 107:16 109:5 114:8 129:11, 14 partner 67:20 parts 57:12 party
--	--	---	--

47:24 66:4 76:24 106:6, 21 108:12 pay 37:25 38:4 42:10,17,18 51:9 56:12, 19,25 57:14, 16,17 paying 43:23 47:7 50:12,13,22 51:3,7 57:10, 20 92:1,12,22 103:16 peak 49:6,18,21 52:15,21 69:25 70:1,5, 11,13,17,19 71:6,17,21 76:11,17 77:1,6 peaking 76:20 peaks 49:18,20,24 52:22 72:13 penciled 66:18 pending 22:9,19 79:3 93:8 95:7 people 104:25 percent 43:21,23 45:16 46:13 49:21 50:8, 11,17,23	51:4,8 52:19, 20 54:4,9,10, 11,15,18,19 55:4,5,18 58:2,7,9,12, 14,16,23,25 59:2 70:12 79:10,17 80:14 81:1,24 82:1,5 83:1, 4,14 84:19,24 85:14 86:1,20 87:7,17,19 88:3,6,8,23 89:2 94:21 97:23 99:5,8 102:9,10,11 104:1 111:15, 23,25 112:1 percentage 42:21 43:3,5 70:16,17 77:7,9 83:22 98:24 99:1,2 perfect 50:3 perform 94:1 Permitting 40:24 pertains 47:6 Peter 28:2 122:8 petition 38:12 phenomenon 76:7 phone 20:4 61:8	pick 98:14 piece 70:2 76:20 pieces 26:7 33:19 34:23 pilot 39:23 pipelines 50:22 pizza 50:16 place 47:11 85:20 86:6 placing 78:23 plan 36:2,21 62:7, 9 69:19 planning 110:4 114:17 plant 36:25 38:17 74:17 plants 69:20 play 88:13 105:6 playbook 60:20 pleas 48:10 point 37:1 49:14 63:6 64:11 66:1 79:13	81:8 84:11 86:5,13 87:5 94:6 99:3 101:9 105:25 108:22 109:18 113:18,20 114:20 pointed 52:1,16 78:4 points 52:8,17 53:2, 12,13 55:4 60:4 policy 36:4,10 population 99:24,25 portfolio 40:6 portion 49:3 70:18 position 45:5 60:25 63:4 75:17 81:6,9,11,18 83:19 84:13 85:19,23 86:24 87:4 90:10 101:11 102:8,13,14, 15,18,22 110:1,7,24 111:4,6,10 positions 109:25 Post 21:4 post-retirement 62:1
--	--	--	---

Poston 29:23 123:14, 16	presented 68:24 110:16	41:25	51:21 100:7
power 47:4,5 50:19 51:1 56:2 92:8,12	presenting 109:17	production 48:19 52:19 69:19 73:25 74:17 76:16, 25 77:16	public 21:3 22:11, 13,15,16 23:7 24:4,5,8,10, 12,14,20,22 25:4,7 26:10, 22 27:4,17 28:13 29:10, 12,24 30:2,9, 10,13 31:7,9, 11,12,14,17, 24 32:1,2,3, 5,7,9,11,12 33:5 34:4,6, 10 36:4,9,18 43:1 44:17,21 45:4 46:7 55:13 59:23, 25 60:2,4,9, 20,25 101:5 111:20 115:6 117:7,11,18, 22 118:4,8,21 119:15,24 121:16,25 122:14 123:3, 7,14,18 124:9,13,20 125:5,7,11, 15,19 126:3, 9,13,17,21 127:3,9,13, 17,23 128:12, 16
practical 55:18	preserve 48:4	program 39:20,23	
pre-filed 22:25 34:24 37:6 68:5 101:17	presiding 19:14	programs 39:24	
precise 100:16,19,24	previous 55:21	project 36:13,18	
predicated 101:22	previously 88:1 94:21	projects 37:1	
prefer 114:8	prices 42:1,14,23	promotes 36:18	
preference 114:5	primarily 77:20	proportion 45:8	
prefile 67:24	principle 83:20 94:8 104:5	proposal 36:17 111:21	
prejudiced 104:22 105:2	principles 40:21 54:24 83:7,9,16 84:4 85:25 94:2 95:16 98:2	propose 76:24	
preliminary 22:8,18	prior 93:15	proposed 36:7 44:2 77:4 78:22 80:15	
prepare 67:24	problem 42:20 52:4 55:14 56:9 58:15 59:2 99:7 113:24	proposing 80:14	
prepared 48:17	proceeding 19:4 36:7 39:4 115:16	proud 36:20	
present 19:15 43:12 113:25	process	provide 36:16 41:1 59:6 75:13 81:7 90:8 99:14,17 113:24	
presentation 35:9 46:11,12 62:24 63:25 113:21		provided 19:10 48:22	purchased 36:21
			pure 94:6
			purport 43:19

<p>purportedly 43:23</p> <p>purpose 62:3</p> <p>Pursuant 38:18</p> <p>pursuing 39:3</p> <p>put 22:25 50:9 63:5 70:10 87:20 101:17</p> <p>putting 35:8</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qualified 36:15 38:13</p> <p>question 40:15 43:19 59:25 70:11 86:23 87:9,11 90:2 93:19 95:14,17 96:1,10 103:24 107:9</p> <p>questioned 51:18 59:7</p> <p>questions 35:25 41:12, 13 44:15,16 46:8,9 59:5 61:7,9,10 62:12,13,14, 24 63:11 66:20 68:7 98:6 101:3,7 102:1,2,4,25 103:1,13,14</p>	<p>106:9,11,12, 22,23 107:3, 7,11 108:12, 16,17 113:22 114:6 115:7, 12 116:9</p> <p>Quintero 25:4 119:15, 17</p> <p>quote 52:8,11 53:14 54:23,24 57:1,7 60:16, 19 78:14 90:6</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>raised 48:1</p> <p>raises 52:5</p> <p>range 83:5</p> <p>rankings 59:19</p> <p>rate 31:10,23 37:18 38:3,6, 11 39:1,3,13, 17 40:12,20 41:25 43:10 44:11,24 45:8,20 46:4 47:7 50:8,14 51:5 52:7,8 53:25 54:6, 20,23 55:17 56:3,6 57:24 58:1,2,3,4,5, 12,14,16,23,</p>	<p>25 59:1 75:20 76:1,6 78:19 80:14 81:1 82:4,9,13 83:13 84:7,19 85:10 90:16, 17 91:4 92:1, 4,5,15 101:14 104:5,7 111:21</p> <p>rates 19:10 35:22 37:23 38:19, 21 39:25 40:3,5,6,7,8, 9,25 42:7,13, 24,25 43:4,8, 20 44:3,4 45:2,7,20 47:8,9 48:14 50:17,23,25 51:3,7 54:9, 18 56:12,19, 21,25 57:2, 12,22 59:13 84:8 87:19 92:13,22 101:10</p> <p>reach 38:8</p> <p>read 73:16,19,22</p> <p>ready 64:10</p> <p>real 75:13</p> <p>real-time 37:11</p> <p>reason 46:3 66:19</p>	<p>103:5 113:15</p> <p>reasonable 40:24 41:10 48:22 54:11 62:11 85:14</p> <p>reasons 76:15</p> <p>rebuttal 24:3,8,12,15, 19,25 25:2,6, 11,15,17,19, 22,24,25 27:20,23 28:1,4,7,10, 14,16,19,22, 25 29:3,6,9, 13,16,19,23 30:1,4 31:10, 24 32:3,6,10 33:10,14 49:4 67:25 71:5 72:19 83:6 117:5,16 118:2,12,19 119:7,12,20 120:9,13,18, 22 121:3,7,10 122:5,6,8,9, 11,12,14,16, 18,19,21,22, 24 123:3,5,7, 9,11,12,14, 16,18,20,22 125:11,13 126:3,5,7,17, 19 127:3,5, 12,14 128:4</p> <p>REC'D 117:1 118:1 119:1 120:1 121:1 122:2</p>
---	---	---	---

123:1 124:1	88:23 90:6	54:23 89:3	relation
125:1 126:1	93:7,22	105:3 129:9	111:17 112:1
127:1 128:1	94:11,18	Reed	relative
recall	95:1,15 96:14	25:10 120:7,	82:15 84:3,8
74:19 83:11	98:1 101:19	10	85:11,15,21
89:22 93:3	111:24	Reed26	86:4,8 88:17
104:1	recommendations	120:9	89:7 90:17
receive	93:1,2	refer	129:12
55:3 79:16	recommending	23:22	relevance
89:20 94:12	54:12	reference	79:19 80:4
received	recommends	76:1	94:14
20:11 26:17	40:18	referring	relevant
30:24 32:21	reconsidered	90:23	47:2 74:5
34:1,18 36:11	104:18	reflect	80:10 97:13
103:14	record	38:20 39:1	reliability
receiving	19:2 20:15	reflected	41:2 59:5
84:19	26:6,14	38:21 39:14	60:1
recent	30:20,22	reflects	reliable
54:5	32:17,19	69:19	44:12 100:14
recently	33:24 34:17	refresh	relied
45:24	37:7 46:15,	97:12,14	48:12,21
recess	16,18 47:16	regard	59:15,16
98:9,12	61:11,13,15	62:20 111:8	relies
109:11	62:25 98:11,	114:9	76:11
recognize	13 106:13	Region	reluctant
41:4	108:23,25	35:19,22	112:21
recognized	109:2,4,10,13	regional	rely
41:2	110:20 112:14	58:3	77:1,5
recognizes	115:18	regions	relying
55:8	recover	59:21	35:4 55:16
recognizing	40:25	regulatory	90:21
82:14	recovery	19:13 35:22	remainder
recollection	39:3	reject	109:7
82:2	recross	48:2	remaining
recommend	104:11	related	41:9,24 57:5
98:24 99:1	redirect	38:20 76:20	70:17 107:22
101:16 111:15	103:6,10	77:8,9 78:5	111:9
recommendation	116:9	129:10	remains
	reduced		40:15 99:18

remind 19:25 61:7	20:10	104:1,6 111:15,22,25	restate 87:16
removed 39:1	requirement 31:13 37:22 39:16 40:16	residential 82:16	results 40:19 53:13, 16,18 87:22 99:19
Renew 22:4 64:7	42:2 55:1 78:15 82:23 89:3	residents 76:24	retention 57:3
renewable 36:5	requirements 69:21 76:17, 18 100:9	resolution 39:11 41:11 49:6 50:1	retired 21:11,14 36:25 61:16
repeat 93:18	research 75:4	resolve 39:6 62:18 110:12	retirees 21:25 22:2 34:21,23 61:23,25 62:7 64:4 65:1
repeatedly 88:21	reset 38:23	resolved 39:15,18 49:7,11,14 50:2 72:9 73:1 109:8	retirement 38:16
replicating 78:1	residential 39:25 43:20 44:3 45:2,5 47:9,11 48:4, 11 50:6,11, 13,24 51:5,9, 12 54:2,4,9, 18 55:5,6,12 56:5,21 57:8, 10,13,18 58:8,23 60:3, 8,11,18 61:4 78:22,24 79:16 80:14 81:2 82:4,10 83:15 84:18 85:6,13,15,24 86:11,19 87:19 88:2 89:2,12,20 90:2,9,13 91:4,18,25 92:1 94:11 95:3,17 96:14 97:21,23 98:25 99:8 102:19,23	responding 90:1	return 56:3,6 90:16, 17 91:3,4,17 92:2,3,4,5,16 109:9
report 26:23 27:18 57:24 121:16, 18,24 122:3		response 40:10,12 79:21 103:23	revenue 31:13 37:22 39:16 40:16 42:1 48:8 50:10 54:10, 25 55:1 78:15,23 79:16 80:9 82:22 83:1,8 86:11 87:17 89:3 93:2,21 94:3 100:9 101:16
reporter 23:21 31:1 111:18 112:8, 12,15 129:2		responses 59:11	revenues 53:1,3,5,7 77:12,14,17, 20,24 78:2,5,
reports 39:21		responsibilities 45:1 46:4	
representation 79:12		responsibility 42:4,21,22 43:2,7,17 44:1,6,10 45:12 78:23 99:16	
representative 115:1		responsive 113:16	
represents 46:25 47:3 61:23		rest 63:9,20,23 106:12 107:5 108:18	
request 19:7 39:1 59:11 63:22 87:8			
requested 36:12			
required			

8 79:10 80:17 82:20 84:3,17 reverse 81:3,13,15,16 reverted 72:20 reviewed 78:25 revise 100:11 revisions 100:1 Rick 59:17 Ridge 37:2 Riley 32:5,6,7 126:25 127:3, 5,7 road 35:3 Robin 29:4 122:24 Robinett 32:8,10,11 127:8,10,12, 14,16,18 Roling 30:2 123:18, 20 room 19:4 20:9 Rooney 24:11,13 117:22,24 118:2,4,6 ROR	90:18 roughly 98:10 routinely 59:10 rule 88:16 run 30:17 58:6 125:4 Rupp 60:15,24 <hr/> s <hr/> Saeid 28:14 122:14, 16 sample 99:24 Sanderson 24:24,25 119:7 Sanderson26 119:6,9 Sarah 29:7 30:9 65:14 124:7 Sarver 30:5,16 Sarver30 123:22 Saturday 104:16,22 save 35:2 savings 36:2,21	schedule 108:3 109:8 schedules 26:24 27:9,12 30:5 121:20, 21 123:23 scheduling 108:23 Schwartz 24:23 119:4 Scott 28:17 122:18 Scottmadden 67:20 section 73:22 74:2 securitization 38:13,24 45:19 securitize 39:2 seek 59:20 seeking 79:9 81:23 sees 59:2 self-serving 48:10 sell 77:16 send 96:7,22 97:9 sense 53:3,7 Seoung 30:16 125:3	separate 62:25 70:13 SERP 21:25 22:2 34:20,22 64:4 65:1 serve 37:9 42:12 51:22 served 47:4 service 19:10,11 21:3 36:15,16 37:19 41:1,3 42:15,16,17, 19 47:5,12 51:7 57:4,12 58:7 71:17 75:6 80:3,8 services 35:19 serving 42:8 43:21 set 19:6 31:3 61:12 62:19 99:15 112:7 114:20 sets 46:11 setting 84:17 88:13, 16 settled 37:23 82:23, 25 83:13 settlement 54:13 55:1
--	--	---	--

81:5 84:24 85:17 86:1 87:16 99:6 shade 91:16 Shaen 24:10,11,13 117:22,24 118:2,4,6 shareholder 39:24 shift 54:15,25 102:9,10 shifting 45:1 shifts 42:4,21 43:2 44:1,6 45:11 99:16 101:16 short 110:8 shortly 45:19 show 43:19 51:13 54:1 59:11 79:22 80:13, 16 92:21 showed 52:4 79:15 90:16 97:23 shows 50:5 58:1 81:13 side 89:23 side-by-side 69:12	sideline 51:15 signed 38:10 39:7 significance 58:8 significant 38:10 39:4 54:2 significantly 47:8 99:15 Silvey 19:20,21 similar 53:18 62:8 93:24 similarly 64:21 simply 47:9 48:1 50:24 51:5,8, 15 55:17 77:25 82:14 95:14 single 41:23 49:5 71:2,6 109:17 sir 68:20 81:24 situation 20:8 42:14 58:11,20 59:5 situations 64:17 slides 71:9 slightly 54:16	Slow 26:25 27:1 small 40:1 50:20 73:22 smaller 57:6 smart 37:10 sobering 58:20 socially 20:9 sort 61:25 sorted 42:5 sought 54:21 sources 36:6 speak 20:6 speaking 20:1 special 89:16,24 90:7 specific 84:13 102:18, 19,22 115:7 specifically 47:22 49:17 54:17 57:1 60:4 spell 67:15 spelled 64:13	split 69:22 spoke 75:25 Spouses 21:11,14 61:16 SPP 53:1,3,5,7 77:12,13,20 staff 21:1,3,5 23:8 26:19,22,23 27:18 30:20, 21,23 41:17 43:1,10,15,17 44:5,9,14,23 47:25 51:14, 15,16,18,24 52:5,12,24 53:9 55:13 59:5,6,23,24 64:21 65:12, 25 66:5,11, 14,18 73:13 74:19 75:12 76:10 77:11 98:16 103:24 105:19,24 121:13,16,18, 20,21,24 122:3 Staff's 26:24 27:2,8, 11 30:17 39:13,14 65:14,21 75:7,19 98:8, 15 125:4 stages
---	---	--	---

95:11	statutory 104:21	strongly 43:17	submitted 35:15 43:13 111:7
stakeholder 39:21	stay 62:8	studies 43:15,18,19 44:7 47:21,22 48:4,7,16,18 50:2 51:13, 16,25 52:6 53:15,17,23 54:1 55:14 60:1 69:13 72:1 73:7,11 75:8,16 91:25 92:5	submitting 26:5
stakeholders 36:24 38:5	stemming 38:19		subsidies 56:24
stand 23:1 25:14 32:14	steps 55:11 61:4		subsidize 47:9
start 86:18 87:16 107:22	Steve 33:17 59:17 128:9		subsidized 50:14,25 51:5
started 36:2 81:4	stip- 62:3		subsidy 47:11 48:5,11 51:12 54:2,5 55:7,12 56:21 57:10 58:9 60:11,18 61:5 78:22 90:13 91:25
starting 39:13	stipulated 38:2 40:16	study 40:20 43:11, 12,13 47:25 48:21 51:14 52:2,25 53:11,13,19 59:24 68:24 69:3,9,10 70:22 71:12 72:2,4 73:14, 21 74:13 75:18 76:10 77:11 78:14 79:15 83:25 87:22 97:23 100:2,5,14, 15,21,22	substantially 68:8
state 36:4,10 57:13 67:14 74:11 78:13 129:5	stipulation 39:12,15,18 41:10 61:21 62:2,4,5 63:6,8,12,15, 25 104:16,19 105:9,11,12 109:20 110:7 111:11,12,22 113:23		suggest 53:19 114:14 115:6
stated 57:1 86:12 101:20 103:23	stipulations 38:9,18 39:6, 8,10 40:14 62:17 111:7		suggested 54:17
statement 44:17 46:21 47:20 61:12, 15,19,21 63:2 64:4 69:6 110:6,7,9 116:2,3,4	stood 51:15	subject 79:1 83:23 87:23 94:2 95:19 96:3,4, 16,19 97:6 102:21	suggests 52:6,13
statements 35:12,15 41:16 111:4,6	stop 66:20		suits 114:13
states 74:12	Store 50:15		summarize 75:12
statistical 43:11	Storm 38:14,20,23, 25 101:10,23	subjects 115:11	summer 49:24
statute 38:13		submit 97:3	supply 36:5
			support 36:5 43:3

52:2 75:8 103:25 104:6 supported 87:21 99:9 supporting 75:16 83:16, 20 supports 40:7 103:20 surrebuttal 24:5,9,13,16, 18,21 25:1,3, 7,9,11,16,18, 20,22 26:1 30:6,7,8,9, 11,12,13,14, 15,16,17 31:11,25 32:4,8,11 33:6,15 34:7, 10 39:14 53:12 67:25 78:3,13 90:19 91:1,13 100:2,8,14,22 117:6,8,18,20 118:4,6,13, 16,21,23 119:9,13,22 120:4,10,15, 19,24 121:4, 12 123:25 124:3,4,6,7, 9,11,13,15, 17,18,20,22, 24 125:3,4, 15,17 126:9, 11,21,23 127:7,16,18, 23,25 128:6, 15,17	surrounding 60:5 sustain 81:19 93:14 94:22 sustainable 41:7 SVP 92:19 Swarengen 20:19 switching 52:7,8 75:20 76:2,4,6 sworn 67:5,10 129:7 system 37:8 70:7,15 71:3,6,18,21 81:2 82:6,11 90:8,18 94:12 95:2,3,18 96:15 <hr/> T <hr/> table 58:22 92:7 taking 25:13 84:13 talk 63:6,8,24 talked 83:8 94:16 talking 87:5 94:24 TAMCOS 51:2	target 80:16 82:20 84:17,21 85:2 86:11 targets 94:3 tariffs 19:9 39:19 47:5 Tarter 25:8,9 119:23 120:2,4 Taylor 112:6 129:4, 18 Teague 33:16 128:7 technical 46:19 technology 37:20 ten 113:6 114:14, 16 tender 26:21 68:14 terms 83:22 84:6,15 85:2 89:6 101:19 102:18 terribly 57:22 territories 80:3 Terry 21:12 test 52:10 76:3	93:6 testified 67:11 86:16 testifying 67:21 testimony 19:19 22:25 23:4,18 24:2, 3,5,7,8,10, 11,12,13,15, 16,17,18,19, 20,21,23,24, 25 25:1,2,3, 5,6,7,8,9,10, 11,12,15,16, 17,18,19,20, 22,23,24,25 26:1,5,7,21 27:15,21,24 28:2,5,8,11, 14,17,20,23, 25 29:3,6,9, 13,16,19,23 30:1,4 32:25 33:6,7,15,16, 17 34:5,7,23 35:8 37:6 49:22 53:2,12 54:17 58:19 59:15 67:2,25 68:5 71:5 72:20 78:4, 18,25 79:6 83:6,18 84:14 86:12 87:6 88:1,21 89:19 90:20 91:1,14 95:13 96:4,7, 13,24 97:3,8, 17 98:15 101:17,20,21,
---	--	---	--

22 102:8,17 103:19,25 104:4,5 106:1,12 107:5 108:18 110:21 111:13,14 117:3,5,6,8, 10,12,14,16, 18,20,22,24 118:2,4,6,8, 10,12,13,15, 16,18,19,21, 23,25 119:2, 4,6,7,9,10, 12,13,15,17, 19,20,22,23 120:2,4,6,7, 9,10,12,13, 15,16,18,19, 21,22,24 121:3,4,6,7, 9,10,12,14,23 122:5,6,8,9, 11,12,14,16, 18,19,21,22, 24 123:3,5,7, 9,11,12,14, 16,18,20,22, 25 124:3,4,6, 7,9,11,13,15, 17,18,20,22, 24 125:3,7,9, 11,13,15,17, 19,21,23,25 126:3,5,7,9, 11,13,15,17, 19,21,23,25 127:3,5,7,8, 10,12,14,16, 18,21,23,25 128:3,4,6,7,	9,11,13,15,17 129:6,7 thereto 129:14 thing 38:1 41:6 54:7,14 63:18 80:16 108:25 things 80:2 87:3 thinking 113:20 Thompson 21:2 23:8 26:20 27:3,6, 8,11,14,17, 20,23 28:1,4, 7,10,13,16, 19,22,25 29:3,6,9,12, 16,19,22 30:1,4,25 31:5 41:17, 19,21 66:13 79:18,25 80:1 81:10 86:21 87:13 93:10, 17 94:13 95:23 96:18 98:17,19 101:2 103:3 105:20,24 106:4,14,23 107:18 116:3, 8 Thompson's 103:23 Thorpe 129:4,18	thought 83:5 thrown 52:3 throws 60:3 thumb 88:16 Thursday 113:23 114:17 115:2 Tillman 25:5,6 119:19,20,22 Tim 24:2,3,4 35:23 40:22 65:10 67:4 111:12 117:3, 5,6,8 time 19:3,6 20:5, 14 22:23 26:21 35:2 40:8 44:16 46:9 58:17 60:17,19,24 61:1,10 62:15 63:15,18 66:23 71:17, 21 85:10 89:23 96:7 101:11 105:25 110:16 111:5 113:18,20 114:8 time-of-use 39:25 40:2,3, 6	timeline 104:21 times 86:17 Timothy 25:14 67:9,16 116:6 120:12, 13,15 Tisha 24:24,25 119:6,7,9 today 19:14 35:21 40:15 41:23 42:4 47:7,19 62:20 63:3,10 67:21 68:8 79:3 85:23 86:16 88:21 105:4 109:18 115:15 today's 19:2 64:9 Todd 24:6,7,9 25:8 117:10,12,14, 16,18,20 119:23 120:2, 4 told 59:14 107:16 tomorrow 62:23 63:10 tomorrow's 63:16 top 50:9 topic 112:4
---	--	---	--

total 26:7	turn 37:12	undisputed 22:22	23
TOU 40:9	typewriting 129:9	undo 55:20	usage 37:11,13 52:20,23 53:4,6,8 74:11 77:6
track 94:22	typical 57:24	unemployment 60:12,23	utilities 20:16 35:16 59:10,21,22 76:8
tracking 38:22	typically 114:6	unfounded 48:1 52:17	utility 42:5 74:12,15
Tracy 129:4,18	Tysons 51:2	unique 60:8 76:7	utility's 57:6
traditional 39:3	<hr/> U <hr/>	unit 90:16 91:4 92:4,15	utilize 48:18
transcript 112:11,22 113:6	Uh-oh 47:13	Unlike 59:24	utilized 48:24 49:15 59:16 70:8 73:25
transcripts 112:7	ultimately 37:13	unmute 61:9	<hr/> V <hr/>
transformation 41:6	umpteen 86:17	unreliable 43:18 51:25 52:6 53:11,20 60:11 74:21	valid 51:23 75:23
transition 62:7	unanimous 39:11	unstable 52:7	values 59:18
translates 85:17 86:10	unavoidable 48:2,3	untrustworthy 44:7	variant 49:16 72:17
transmission 47:5 51:7	uncertainty 60:5	update 100:7,9	version 24:4,6 31:9, 11,12,24 32:1,2,3,5,7, 9 33:6 49:17 72:23
transportation 39:20	uncompetitive 57:22	upstairs 60:13	versions 24:9,21 26:9 31:13,16 32:9,10,12 33:3
treated 39:10	understand 38:2 40:12 80:20 82:8 113:7	urge 43:6 61:3 62:10	
trilogy 36:1,23	understanding 68:22 69:4 70:25 72:11 73:24 77:15 79:8 81:22 87:6 99:4 101:13 105:20 111:17,20	urges 44:9	
true 68:10 70:23 72:24 92:19, 23 98:3 103:21		Uri 38:14,21,24, 25 82:3,7 87:7 101:10,	
trusted 43:16			

versus 78:24 89:8	Webex 19:5 20:3 35:24 40:23 46:14 113:24 114:1 115:1	115:5,13 116:3,8	65:3,17 66:1, 9 68:18,19 79:20,22 80:6,12,23 81:15,20 86:25 87:14 90:23 91:20 93:18,20 94:15,24 95:8,13 96:6, 11,21,25 97:4,15 98:5 100:20 104:14 105:7,15,23 106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7
vertically 74:12	Wednesday 48:20	Wilson 24:2,3,4 35:23 117:3, 5,6,8	100:20 104:14 105:7,15,23 106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7
vice 35:23	week 51:20 53:25 60:15 73:20	wind 36:8,13,18, 22,25 37:3 78:5 100:10, 17	106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7
virtually 67:10	weeks 112:9	wing 56:10	106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7
visual 91:3	weight 97:14	wins 114:16	106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7
<hr/> <p style="text-align: center;">W</p> <hr/>	West 59:12	winter 38:14 49:25	106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7
wait 22:23	Westfall 24:17,18 118:15,16	wishes 26:4	106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7
waive 105:21 107:17 108:8	Weston 121:4	witness's 67:2	106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7
waived 106:4	widespread 74:11	witnesses 23:1,5 64:10, 21 108:21 113:25 115:8 129:7	106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7
waiving 106:7	William 34:5,7 128:11,13,15, 17	Won 30:16	106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7
wake 58:17	Williams 22:10,14,17 23:6 31:8,16, 20,22 32:15 44:18,19 47:14 90:21 96:2 101:6,8 102:1 103:2 106:8,19 107:6 108:7 110:18 113:4 114:2,13	Won30 125:3	106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7
Wal-marts 50:21		Woodsmall 21:7,8 22:1, 2,3 23:12,13, 15 32:24 33:11,14 34:21,22 46:22,23 47:18 56:14, 16 64:3,6,12	106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7
walk 69:15 96:8			106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7
wanted 63:8 64:5 66:23 106:2 110:20,24 111:9 112:3			106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7
waste 55:10			106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7
Watson 25:21 121:3			106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7
ways 37:20			106:24 107:12,15,24 108:6,10,14, 19 109:18,22 110:11,22 112:19 113:5 116:4,7

worse

58:11

worst

51:6

written

114:19

Y

year

52:9,10 69:24

76:2,3,19

years

38:4 75:4

Z

Zachary

25:4 119:15,

17