

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

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TRANSCRIPT OF PROCEEDINGS

Evidentiary Hearing

June 16, 2015

Jefferson City, Missouri

Volume 11

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In The Matter Of Kansas City )  
Power & Light Company's Request ) File No. ER-2014-0370  
for Authority To Implement a )  
General Rate Increase for )  
Electric Service )

MICHAEL BUSHMANN, Presiding  
SENIOR REGULATORY LAW JUDGE

ROBERT S. KENNEY, Chairman,  
STEPHEN M. STOLL,  
WILLIAM P. KENNEY,  
DANIEL Y. HALL,  
SCOTT T. RUPP,  
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FOR: Staff of the Missouri Public Service Commission

1 JUDGE BUSHMANN: Good morning. Welcome  
2 to day two of Kansas City Power & Light rate case.

3 Before we start with our mini openings  
4 for the issues today, which were scheduled to be class  
5 cost-of-service, rate design and miscellaneous tariff  
6 issues, as far as just a few preliminary matters, I  
7 had heard some rumblings yesterday that there might be  
8 talks about today's issues as far as a settlement. Is  
9 there anything that I need to know about before we get  
10 started?

11 MS. MAYFIELD: Good morning, your Honor.  
12 Cydney Mayfield for Staff. There is a Non-unanimous  
13 Stipulation and Agreement on certain issues covering  
14 class cost-of-service and rate design that are -- or  
15 is in the process of being filed and shall be filed  
16 later today. And at that time, that would become the  
17 joint position of the parties that have been signed  
18 onto it.

19 But this morning we do plan to proceed  
20 forward and present evidence on the issue of class  
21 cost-of-service and rate design.

22 JUDGE BUSHMANN: Okay. There was -- MIEC  
23 yesterday had mentioned that Greg Meyer -- that there  
24 was an agreement not to object to his testimony and to  
25 waive cross on Mr. Meyer. Is that -- is that still

1 the position we are in?

2 MR. DOWNEY: I believe so, Judge. I  
3 don't intend to present any evidence, because the  
4 issues that the MIEC had are all covered by this  
5 stipulation. And the issue that Greg Meyer addressed  
6 was decoupling. And as you can tell from the  
7 statement of issues, we really don't have a decoupling  
8 issue in this case, at least as far as the statement  
9 of issues is concerned. And so it was kind of  
10 pointless for him to appear. And I think everybody is  
11 still on board; if somebody isn't, I'd like to know  
12 now.

13 JUDGE BUSHMANN: What was his testimony  
14 exhibit?

15 MR. DOWNEY: It is Exhibit Number 559.

16 JUDGE BUSHMANN: Do any parties object to  
17 the receipt of Exhibit 559 into the record?

18 Hearing none, that will be received into  
19 the record.

20 (MIEC Exhibit 559 was received into  
21 evidence.)

22 JUDGE BUSHMANN: Are there any parties  
23 that decline to waive cross of Mr. Meyer? I don't see  
24 anybody that wants to cross Mr. Meyer, so Mr. Meyer  
25 will then be excused from appearing today.

1 MR. DOWNEY: Thank you, Judge.

2 JUDGE BUSHMANN: Okay. That's all the  
3 preliminary matters we need to take care of right this  
4 minute.

5 MR. HACK: Judge, I hate to be a pest,  
6 but I wanted to talk about Forrest Archibald, Bob Bell  
7 and Paul Ling, who are up for the La Cygne project  
8 tomorrow.

9 JUDGE BUSHMANN: For tomorrow, yes.

10 MR. HACK: Yes. And I have not heard --  
11 I keep hearing kind of dribs and drabs of waiver of  
12 cross, no objection, but I just want to, I guess,  
13 press the issue a little bit, if I may.

14 JUDGE BUSHMANN: All right. Well, for  
15 Mr. Bell, Mr. Ling and Mr. Archibald, are there any  
16 parties that would object to the receipt of that  
17 evidence or would want to cross? I don't see  
18 anybody --

19 MS. MAYFIELD: Your Honor, the proper  
20 Staff attorney for those matters isn't down here at  
21 this time. So we will get him down here, but -- to  
22 make sure that that is okay.

23 MR. HACK: In response to that, Cydney,  
24 Ms. Mayfield, I would say that I did talk to  
25 Mr. Williams yesterday and Staff has no cross of those

1 witnesses.

2 JUDGE BUSHMANN: Okay. So at least at  
3 this point it appears -- and I've checked with the  
4 Commissioners. I think they're -- don't have any  
5 particular questions for those witnesses, not enough  
6 to drag them in here just for that. So it looks like  
7 if we can confirm on Staff then --

8 MS. MAYFIELD: Yes. As soon as  
9 Mr. Williams gets down here, we'll confirm it.

10 JUDGE BUSHMANN: We'll take care of that  
11 maybe at the next break.

12 MR. HACK: We appreciate your indulgence.

13 JUDGE BUSHMANN: Why don't we have the  
14 openings for today's topic. And the first one up  
15 would be Kansas City Power & Light.

16 MR. HACK: Good morning. May it please  
17 the Commission. My name is Rob Hack and I'm here on  
18 behalf of KCP&L today to briefly discuss class  
19 cost-of-service and rate design.

20 Regarding class revenue responsibility,  
21 the Company's view is that the various class  
22 cost-of-service studies each offer a perspective that  
23 should not be ignored. And on balance, the totality  
24 of those studies support the Company's position, which  
25 is an equal percentage increase to all classes for the



1 overall rate increase in this case.

2           Regarding the residential customer  
3 charge, the filed testimony shows that the current \$9  
4 a month customer charge for KCP&L falls about \$7.50 a  
5 month short of the \$16.49 customer-related costs  
6 calculated by Staff for the residential class. The  
7 Company's calculation shows that the current \$9 per  
8 month customer charge also falls short of calculated  
9 customer-related costs.

10           In the Company's case, our calculated  
11 customer-related costs are about \$25 per month. The  
12 big difference -- or a big difference is that we have  
13 assigned solar rebate costs and MEEIA expenditures,  
14 M-E-E-I-A, to customer-related costs and believe that  
15 those really ought to be recovered on a fixed cost  
16 basis.

17           The important point to keep in mind,  
18 however, is that Staff's calculated customer charge is  
19 well below the current \$9 per month level. Even so,  
20 other parties and we anticipate that the Non-unanimous  
21 Settlement will recommend no increase to rec-- the  
22 current \$9 a month customer charge.

23           Why does that matter? Loading the per  
24 kWh rate, the energy charge, with fixed  
25 customer-related costs means that when per kWh

1 sales -- when kWh sales fall short of the level  
2 assumed in the rate case, that customers will underpay  
3 their fixed cost-of-service. Similarly, when kWh  
4 sales for the residential class exceed the level used  
5 to set rates, customers will overpay fixed cost of  
6 service.

7 KCP&L urges the Commission to allow  
8 customers to receive more accurate price signals from  
9 the rates that they pay, both customer charges and  
10 energy charges. And to do that, move the residential  
11 customer charge closer to the customer-related costs  
12 as calculated by the Staff and the Company.

13 We realize that there is reluctance to  
14 change the residential customer charge, but we would  
15 urge you to look at the numerous residential electric  
16 cooperative customer charges that are contained in Tim  
17 Rush's Surrebuttal Testimony. None of them are lower  
18 than 12.50 a month. One is as high as \$31 a month.

19 As I expect you know, rural electric  
20 co-ops are customer owned. Customers have a say in  
21 how the op-- the cooperative is governed, and we think  
22 that is very relevant to your decision here today.

23 Similarly in Mr. Rush's Surrebuttal  
24 Testimony, there's a listing of customer charges  
25 assessed by other regulated utilities across the

1 country. And what that shows is that \$9 is really on  
2 the low side for -- for residential customer charges.

3 I'd also point out that our customers are  
4 familiar with many services that are largely priced on  
5 a fixed price basis; whether it's natural gas  
6 distribution service, cable, cell service, internet  
7 access or others. So it's not a brand-new phenomenon  
8 to have a higher-priced, you know, fixed rate for  
9 network service.

10 In sum, KCP&L urges the Commission to  
11 reject what we expect will be the Non-unanimous  
12 Settlement proposal on the residential customer  
13 charge, which would keep the \$9 a month charge, and  
14 move KCP&L's customer charge closer to the actual  
15 customer-related costs as calculated by both Staff  
16 and the Company.

17 There is also another issue that we  
18 expect we will take with the Non-unanimous Settlement  
19 Agreement. And it concerns the rate design proposed  
20 by MIEC for the large power and large general service  
21 groups.

22 Our expectation is if that rate design is  
23 proposed and adopted, that there will be customers who  
24 will benefit economically from switching rates,  
25 switching rate classes and that those benefits to the

1 customers will result in revenue losses to the company  
2 that are not currently reflected in the going-forward,  
3 expected, normalized revenues to result from this  
4 case.

5           Therefore, you know, we believe that  
6 those rate switching revenue adjustments need to be  
7 made if that kind of rate design proposal is adopted  
8 for the large power and large general service group.  
9 And that is all I have.

10           JUDGE BUSHMANN: Thanks, Mr. Hack.

11           MR. HACK: Thank you.

12           JUDGE BUSHMANN: Opening by Staff.

13           MS. MAYFIELD: Your Honor, I'm going to  
14 hand yourself and Commissioner Hall a form I plan to  
15 use during my opening. This is not for evidence, but  
16 it's for example purposes only. We'll wait to make  
17 sure all the parties have a copy of it. While Sarah's  
18 handing this out, I'm going to go ahead and begin.

19           If it may please the Commission. As  
20 you've heard earlier this morning, several parties to  
21 this action do plan to file a Non-unanimous  
22 Stipulation and Agreement. Our hope is that it will  
23 be filed some time later this afternoon and will  
24 become the joint position of several of the parties in  
25 this case, excluding the Company, KCP&L.

1 Staff believes that the Non-unanimous  
2 Stipulation and Agreement that will be filed is a fair  
3 and equitable resolution of all -- for all classes and  
4 for all customers in this rate proceeding. In  
5 developing its class cost-of-service and rate design  
6 proposal, Staff prioritizes certain aspects which this  
7 Commission has determined to be important factors to  
8 consider.

9 Staff believes that a class  
10 cost-of-service study is not a precise and exact  
11 science and should be used as a guide in designing  
12 rates, along with other considerations. Other  
13 consideration that the parties and the Commission have  
14 taken into consideration are bill impacts, rate  
15 riders, economic development within the utility  
16 service area, policy consideration, subsidies, meeting  
17 of incremental costs, and promotional practices.

18 Encompassed in Staff's recommendation  
19 were four priorities that it took into consideration  
20 when examining the Non-unanimous Stip and Agreement.  
21 The priority one, Staff performed three class  
22 cost-of-service studies. Staff recommended a class  
23 cost-of-service study that is based on a detail-based  
24 intermediate and peak study. And that is the basis  
25 for Staff's recommended cost causation results.

1 Staff also studied allocation of  
2 production and other related costs using a  
3 non-detailed BIP study similar to that used by Staff  
4 in KCP&L's last general rate case. And an average in  
5 excess, four non-coincidental peak study to assess the  
6 reasonableness of other class cost-of-service studies  
7 performed by other parties in this matter.

8 The Non-unanimous Stipulation and  
9 Agreement does not recommend that the Commission use  
10 any particular methodology, but instead, it relies  
11 upon one or more of the submitted class  
12 cost-of-service studies as achieving a reasonable  
13 allocation of production capacity costs and allowing  
14 net cost-of-service among the customer classes.

15 Priority number two, based on the class  
16 cost-of-service study results, Staff is not  
17 recommending any revenue neutral adjustments to any  
18 class as each class would be close to Staff's  
19 cost-of-service study results within a realm of  
20 reasonableness range. Therefore, Staff recommends  
21 that each class increase by the system average  
22 increase.

23 Priority number three, and probably the  
24 most controversial portion at least pending before the  
25 Commission now, was the residential customer charge.

1 This is by far and away the biggest impact item in the  
2 class cost-of-service and rate design issue.

3 In the handout that I just circulated to  
4 the Commission and to the other parties at the  
5 beginning of my opening, you will see that KCP&L's  
6 requested increase of \$25 to the fixed customer charge  
7 for residential customer results in an overall  
8 increase of 177 percent to that particular charge.

9 If you will recall from Ameren Missouri's  
10 most recent general rate case, Ameren came in and  
11 proposed to increase its fixed charge from \$8 to  
12 \$8.77, or 9.62 percent. In that case, this Commission  
13 found that there was a strong public policy  
14 consideration factor in not increasing that customer  
15 charge in that case.

16 So if 9.62 percent was against public  
17 policy, 177 percent increase should shock the  
18 conscience and certainly would be against public  
19 policy and, likewise, rejected by this Commission.

20 In this case, KCP&L's residential  
21 customer charge is currently \$9. The Non-unanimous  
22 Stipulation and Agreement supports the customer charge  
23 remaining at \$9 and unchanged when factoring in other  
24 considerations relating to the priority in the  
25 Non-unanimous Stip and Agreement.

1           The last priority, priority number four,  
2 has multiple parts. Currently KCP&L has 68 rate  
3 schedules, many with frozen or grandfathered rates.  
4 The large number of rate schedules has caused concerns  
5 for both KCP&L, Staff and other parties. In addition  
6 to the large number of rate schedules, Staff believes  
7 there could also be discrimination concerns among  
8 similarly situated ratepayers. The Commission has  
9 recognized some of these concerns in prior decisions.

10           The Non-unanimous Stipulation and  
11 Agreement continues to remedy some of those concerns  
12 and moves towards remedying these concerns with  
13 potential elimination of rate schedules in future  
14 cases. For example, the residential class has  
15 multiple rate schedules with different rate structures  
16 and different rate levels. The general service group  
17 has grandfathered rates that are different rates based  
18 on when the building was built.

19           The Commission has recognized these  
20 differences in three of the last four rate cases and  
21 has moved toward balancing the rate levels. The  
22 Non-unanimous Stipulation and Agreement makes further  
23 movement in the direction of balancing the rates and  
24 eliminating rate discrimination.

25           For this section of the case, our Staff



1 witnesses are Sarah Kliethermes, Robin Kliethermes and  
2 Mike Scheperle and they will be able to address any of  
3 the specific questions or technical questions you may  
4 have of them. Thank you.

5 COMMISSIONER HALL: I do have one  
6 question. And maybe this needs to go to one of your  
7 witnesses, but you referenced the Commission's  
8 decision in the Ameren case on customer charge. And  
9 there seems to be at least one significant difference  
10 to me. And that is, in the Ameren case, Staff  
11 cost-of-service indicated that the \$8 charge was  
12 appropriate. Here it appears to me that Staff's  
13 Cost-of-service Report shows that the proper charge is  
14 16.59. And isn't that a discrepancy that has some  
15 significance?

16 MS. MAYFIELD: I believe that Mike  
17 Scheperle will be more able to answer that particular  
18 question. I do acknowledge the class cost-of-service  
19 study did show that there should be an increase as you  
20 have referenced it. But again, I believe Staff's  
21 position on the customer service charge reflects the  
22 Commission's outcome in the Ameren case and that that  
23 was taken into consideration.

24 But again, I believe that Mike Scheperle  
25 would be the proper witness or Sarah Kliethermes to

1 directly answer that question.

2 COMMISSIONER HALL: Okay. Thank you.

3 Oh, actually -- and one other question. The  
4 Non-unanimous Stip that you intend to file later  
5 today --

6 MS. MAYFIELD: Yes.

7 COMMISSIONER HALL: -- are all the  
8 parties on board, other than the Company?

9 MS. MAYFIELD: Yes. At this point all of  
10 the Intervenors have either directly signed on or have  
11 stated directly that they will not oppose this  
12 particular stipulation.

13 COMMISSIONER HALL: Okay. And this  
14 question is possibly better directed to the Company,  
15 and if so, you know, defer appropriately, but is  
16 the -- is the only sticking point the customer charge?

17 MS. MAYFIELD: No. That's not the only  
18 sticking point at this point. I mean, I don't want to  
19 speak for Mr. Rush --

20 COMMISSIONER HALL: That's the major one?

21 MS. MAYFIELD: -- but that -- that is one  
22 of the major sticking points, yes, that's correct.

23 COMMISSIONER HALL: Okay. Thank you.

24 JUDGE BUSHMANN: Thank you, Ms. Mayfield.

25 MS. PAYNE: Your Honor, at this time

1 Staff will also present on the Economic Relief Pilot  
2 Program issue, which is to be handled today.

3 JUDGE BUSHMANN: Go ahead.

4 MS. PAYNE: The Economic Relief Pilot  
5 Program, or ERPP, was created by Stipulation and  
6 Agreement in KCPL's 2009 rate case implemented  
7 September of that year. The program offers a fixed  
8 credit to customers at 185 percent of the federal  
9 poverty level.

10 Funds for the program come half from the  
11 ratepayers and half from the stakeholders, for a total  
12 of \$630,000 in the program. The Company has requested  
13 to double the funding for that program by collecting  
14 twice the present amount from ratepayers and  
15 stakeholders.

16 All ratepayers contribute to the cost of  
17 this program, including the very low-income customers  
18 who qualify for it, because there is no opt-out  
19 provision. While an increase in funding will result  
20 in increased benefits to low-income ratepayers, it  
21 will also result in increased cost to those  
22 ratepayers.

23 Staff investigated the program and has  
24 learned that the Company already has a surplus of  
25 unused funds in the program in the amount of \$51,230.

1 Staff recommends that the program funding remain at  
2 the present \$630,000 due to the burdens of increased  
3 funding and the surplus of funds already in the  
4 program.

5 The Company has also proposed to increase  
6 customer participation in ERPP from 1,000 to 1,500.  
7 Staff agrees that increased participation is important  
8 to this program and recommends that the Commission  
9 adopt this proposal.

10 Finally, in 2009, the federal poverty  
11 level rate increased, following the implementation of  
12 this program. And Staff further recommends that the  
13 Commission order that the eligibility requirement  
14 reflect that and be changed to 200 percent of the  
15 federal poverty level.

16 And Staff witnesses Kory Boustead and  
17 Matthew Young will present on this issue later. Thank  
18 you.

19 COMMISSIONER HALL: I have one question.  
20 Are you aware of any other utility in the state of  
21 Missouri that has a similar program?

22 MS. PAYNE: I am unaware of an identical  
23 program to this. There are other low-income funding  
24 programs, and I know that Staff witness Kory Boustead  
25 can present more on this.

1 COMMISSIONER HALL: Thank you.

2 MS. PAYNE: Thank you.

3 JUDGE BUSHMANN: Anything further from  
4 Staff?

5 MS. MAYFIELD: No, your Honor.

6 JUDGE BUSHMANN: Public Counsel,  
7 Mr. Poston.

8 MR. POSTON: Good morning. Public  
9 Counsel supports the stipulation to be filed. It  
10 resolves class cost-of-service, as you heard, and rate  
11 design among all parties, with the exception of the  
12 company.

13 And to first address Commissioner Hall's  
14 question about if -- what's the difference between the  
15 Ameren case and the KCPL case and the cost difference.  
16 And I think, you know, cost is just one consideration  
17 when designing rates. And our witness, Dr. Dismukes,  
18 can go into further detail on what other  
19 considerations need to be made.

20 And I could also point the Commission to  
21 Tim Rush's testimony, page 60 of his Direct Testimony,  
22 where he highlights a list of what he calls critical  
23 criteria -- I think that's the term he used -- that  
24 need to be considered when designing rates. And cost  
25 is just one. And there's a list of other things that

1 need to be considered and so we ask you to keep that  
2 in mind. There's a lot more to consider.

3 So the \$9 customer charge is in line or  
4 even higher than most of the other electric utilities  
5 in the region. Plus, this rate -- it's 50 percent  
6 higher than what it was just eight years ago when this  
7 series of rate cases started hitting the company. I  
8 think then the customer charge was something like  
9 \$6.11. So they're already almost 50 percent more than  
10 where they were just eight years ago.

11 The evidence will show in this case that  
12 the fixed cost argument that they're making is  
13 misleading. And KCPL's attempting to move costs into  
14 that charge that have never been considered  
15 appropriate for a customer charge. And so each of the  
16 reasons cited in Mr. Rush's testimony to support this  
17 proposal is refuted -- clearly refuted by the  
18 testimony evidence that we will present from Dr. Marke  
19 and Dr. Dismukes.

20 And with respect to all the reasons I  
21 discussed yesterday about the 51 -- or the 57 percent  
22 increase the customers have seen and why that -- that  
23 should give the Commission pause to increase this rate  
24 even -- even higher and -- we ask that you consider  
25 that, consider the state of the Kansas City economy

1 and implications that increasing the customer charge  
2 has on a customer's ability to control their electric  
3 bill, as the Commission found in the Ameren case.

4 All of these things lead to a conclusion  
5 that the Company's proposal is not in the public  
6 interest. Thank you.

7 CHAIR R. KENNEY: Mr. Poston.

8 MR. POSTON: Yes, sir.

9 CHAIR R. KENNEY: One question for you.  
10 As just a matter of general policy, does the Office of  
11 Public Counsel have an opinion about combining a  
12 higher customer charge with some type of dynamic  
13 pricing scheme or time-of-use rates?

14 MR. POSTON: I have not discussed that  
15 with Mr. Allison or anyone within our office, so I  
16 would not have an answer for that at this moment.

17 CHAIR KENNEY: Okay. Thank you.

18 COMMISSIONER HALL: Does the Office of  
19 Public Counsel believe that the customer charge serves  
20 any public policy purpose?

21 MR. POSTON: Public policy purpose.

22 COMMISSIONER HALL: If you could wave a  
23 magic wand, would it be zero?

24 MR. POSTON: No. I don't think it would  
25 be zero. I think it serves to cover the majority of

1 the fixed co-- or the customer costs, the costs that  
2 have been labeled by the analysts as a  
3 customer-incurred cost. So I think it recovers most  
4 of those.

5 COMMISSIONER HALL: So there -- so there  
6 is some value in having a cost to be borne by  
7 customers regardless of usage? There's value in that?

8 MR. POSTON: Yeah. I think our testimony  
9 would attest to that.

10 COMMISSIONER HALL: Because the customer  
11 receives a value for having access to electricity even  
12 if he, she or it doesn't use it?

13 MR. POSTON: I would agree.

14 COMMISSIONER HALL: And so the difference  
15 between your office and the Company is not  
16 philosophically on -- about the importance of a  
17 customer charge. It's at what level to set it?

18 MR. POSTON: Right. What level and, like  
19 I said, the whole host of other questions and issues  
20 and policy implications that are -- that are brought  
21 into a customer charge discussion. I mean, like I  
22 said, I mentioned Mr. Rush's testimony. He lists a  
23 series of things that need to be considered.

24 COMMISSIONER HALL: Okay. Thank you.

25 JUDGE BUSHMANN: Thank you.



1 Missouri Division of Energy, Mr. Antal.

2 MR. ANTAL: Good morning. May it please  
3 the Commission. The Missouri Division of Energy has  
4 filed testimony on four issues under the topic heading  
5 of rate design. Those include the residential  
6 customer charge, time-of-use rates, linkage of the  
7 Company's Economic Development Rider and Urban Core  
8 Development Rider to its -- to MEEIA participation,  
9 and the fourth issue is stand-by service tariff  
10 review.

11 To the issue of the residential customer  
12 charge, no party in this case is proposing to raise --  
13 well, I take that back. Nobody's supporting the  
14 Company's position to raise the customer charge to  
15 \$25, which is approximately a 177 percent increase.

16 Many of the -- OPC has already touched on  
17 this and many of the other parties will also discuss  
18 this issue so I'll just briefly mention the primary  
19 reasons why the Division of Energy is opposed to  
20 raising the residential customer charge.

21 The Company's witness, Mr. Rush, has  
22 indicated in his own testimony that under the  
23 Company's proposal, customers with low usage will --  
24 will see an increase higher than the average customer.  
25 Division of Energy is opposed to this because, one,

1 this will discourage customers to engage in energy  
2 efficiency measures. It will also result in customers  
3 who use little electricity to receive a higher than  
4 average increase. Again, this frustrates the policy  
5 goal of energy efficiency and conservation.

6 Additionally, as outlined in the  
7 testimony of DE witness Mr. Hyman, most low in--  
8 low-income customers fall under -- or are also  
9 low-usage customers.

10 So that being stated, we would  
11 respectfully ask the Commission to grant no increase  
12 to the residential customer charge. However, as a  
13 caveat, if the Commission were to -- or felt the need  
14 to increase the residential customer charge at all,  
15 the Division of Energy would ask that it increase at  
16 the same percentage as the residential energy charge.  
17 And again, Mr. Hyman will be DE's witness on customer  
18 charge.

19 The next issue, which Mr. Hyman will also  
20 be appearing for, is time-of-use rates. The Company  
21 has proposed to freeze all of its -- well, at least  
22 four of its existing time-of-use rates, without  
23 proposing any new tariffs that would change the  
24 time-of-use rates or proposing any timeline for  
25 developing new time-of-use rates.

1           Again, the Division of Energy is opposed  
2 to the freezing of these rates because they provide  
3 customers the opportunity to receive energy efficiency  
4 gains by taking -- participating in these special  
5 rates that differ during the time of day. So the  
6 Division of Energy would ask that the Commission  
7 require KCPL to maintain -- keep these rates available  
8 and require them to file new time-of-use rates in  
9 their next general rate case.

10           Division of Energy's next issue is in  
11 regards to linking the Company's Economic Development  
12 Rider and Urban Core Development Rider to its -- to  
13 MEEIA participation.

14           Now, this is a very similar proposal as  
15 to what Division of Energy has proposed in the recent  
16 Ameren Missouri case. It does differ in that, as  
17 outlined on page 5 of Division of Energy witness Jane  
18 Lohraff's Surrebuttal Testimony, we are not asking the  
19 Commission to require existing opt out or customers  
20 who would, you know, opt out later from MEEIA to par--  
21 to participate in MEEIA if they applied for either the  
22 Economic Development Rider or Urban Core Development  
23 Rider.

24           The Division of Energy has made this  
25 change in their proposal due to the considerations of

1 other parties in these proceedings. We do not believe  
2 that our proposal is directly affect-- you know, will  
3 directly impact opt-out customers. They're not the  
4 main targets of this proposal. And while there may be  
5 some overlap, I would think that this is a policy that  
6 should go into effect to align the State policy goals  
7 of promoting energy efficiency while also promoting  
8 economic development and job growth. And again,  
9 Division of Energy's witness Jane Lohraff will be  
10 testifying on that issue.

11 Division of Energy's final rate design  
12 issue is in regards to the stand-by service tariff  
13 review. KCPL's current stand-by service tariffs have  
14 not been changed or modified in approximately  
15 18 years.

16 And the Division of Energy thinks it's  
17 due time for these rates to be reviewed so that  
18 customers who want to take advantage of predomi nately  
19 distributed generation, primarily combined heat and  
20 power, can do so in a cost effective way and in a way  
21 that, you know, shows that this Commission and this  
22 state fully supports the policy goals of promoting  
23 energy efficiency and giving customers more choice in  
24 how they get -- how they get their energy.

25 Additionally, as a result of recent

1 proceedings with Ameren Missouri and Empire District  
2 in their rate cases, both of these companies have  
3 already agreed to review their stand-by rates. We  
4 believe concurrent review of all of the -- or as -- as  
5 many of the electric utilities in the state's stand-by  
6 tariff reviews will result in a better end product.  
7 And that's the end of my prepared remarks, if there  
8 are any questions.

9 COMMISSIONER HALL: No. No questions.  
10 Thank you.

11 JUDGE BUSHMANN: Thank you.  
12 Department of Energy?

13 MR. TSHIKORORO: Good morning. May it  
14 please the Commission. The Department of Energy,  
15 through witness Michael Schmidt, presented pre-filed  
16 testimony on the issue of class cost-of-service and  
17 the appropriate percentage rate increase that should  
18 be attributed to the various rate classes.

19 As mentioned this morning by the other  
20 parties, there is going to be a stipulation filed on  
21 these issues later today. The US Department of Energy  
22 will be a signatory on that stipulation, and we would  
23 just state that we think the stipulation provides a  
24 fair and reasonable resolution of the issues that we  
25 covered in our pre-filed testimony. Thank you.

1 JUDGE BUSHMANN: Thank you.

2 MIEC.

3 MR. DOWNEY: Good morning. May it please  
4 the Commission. The MIEC filed pre-filed testimony of  
5 Maurice Brubaker and Greg Meyer on the issues that  
6 we're discussing today. The most significant of that  
7 testimony was Mr. Brubaker's on class cost-of-service.

8 We had an issue similar to the issue we  
9 had in the Ameren rate case, which is BIP method  
10 versus average in excess. However, because there will  
11 be a joint stipulation filed later today that  
12 addresses the allocation of the rate increase, and it  
13 will be equal percentage across classes, kind of moots  
14 out the question of class cost-of-service studies. So  
15 that -- that issue was addressed by Mr. Brubaker.  
16 It's -- will be moot.

17 I will say that the one party that will  
18 not be joining the stipulation, Kansas City Power &  
19 Light, actually proposed across the board equal  
20 percentage increases, so I don't see any issue at all  
21 there.

22 Mr. Brubaker also proposed an intra-class  
23 adjustment for the LGS and LP classes. Mr. Hack  
24 addressed that this morning. I don't think Kansas  
25 City Power & Light objects to that. I mean, there's

1 good grounds set forth in Mr. Brubaker's testimony for  
2 doing it. Kansas City Power & Light has identified  
3 some other issue related to that, which it will  
4 presumably address today.

5 Mr. Brubaker also addressed this linkage  
6 issue; linkage of Economic Development Rider usage to  
7 MEEIA participation. And I believe I just heard the  
8 Division of Energy say that their proposal will not  
9 apply to opt-out customers. And we were primarily  
10 concerned about opt-out customers, but we may need a  
11 little more clarity today on the Division of Energy's  
12 position.

13 Mr. Meyer addressed one issue and that  
14 was decoupling. At the time he filed his testimony,  
15 we believed that the Sierra Club was proposing  
16 decoupling in this case. We later learned that  
17 there's a separate docket set up to address that. I  
18 don't believe that's an issue in the case and that's  
19 why Mr. Meyer will not be here today, although we've  
20 offered and his testimony has been received. I have  
21 nothing further.

22 JUDGE BUSHMANN: Thank you.

23 MR. DOWNEY: Thank you.

24 JUDGE BUSHMANN: MEEG, Mr. Woodsmall.

25 MR. WOODSMALL: Good morning, your Honor.

1 As stated previously, there's planning to be a  
2 Non-unanimous Stipulation to be filed. MCEG took a  
3 position on two class cost-of-service rate design  
4 issues.

5 The revenue allocation, as Mr. Downey  
6 talked about, we indicated that we believed the A and  
7 E method was the appropriate method. But as  
8 Mr. Downey said, the equal percent seems to provide a  
9 fair and reasonable resolution of that issue, so we  
10 would urge you to just approve that stipulation in  
11 that regard.

12 The other issue is the LGS, LP rate  
13 design that Mr. Brubaker proposed. There was no  
14 Rebuttal Testimony filed against that by KCP&L. So at  
15 this point I'm still not completely clear the nature  
16 of any objection they may have to that, but I believe  
17 it's a fair and -- fair and reasonable resolution of  
18 that issue and I'd urge you to approve the  
19 stipulation. Thank you.

20 JUDGE BUSHMANN: Thank you.

21 I do not believe there are counsel  
22 present from the IBEW unions, Brightergy, MGE, City of  
23 Kansas City or Ameren Missouri. If so, please wave  
24 your hand.

25 The next I have is Consumers Council.



1 MR. COFFMAN: Good morning. John Coffman  
2 for the Consumers Council of Missouri. I won't say  
3 much, other than we do support the stipulation -- the  
4 Non-unanimous Stipulation that will be filed. It's  
5 based on, I think, careful analysis and negotiation  
6 amongst the parties that would have to pay the rates  
7 that are being recommended -- or the rate design.

8 The issue that my client cares about the  
9 most is the residential customer charge and keeping  
10 that from increasing. We would beseech you to hold  
11 the line on that. It has already been increased, as  
12 mentioned, pretty significantly over the last few  
13 years. We think at \$9 it is at a level that is above  
14 average for regulated utilities in the midwest and we  
15 feel that it is sufficient to cover customer-specific  
16 costs.

17 We get into a lot of, I think, crazy  
18 discussion where folks are kind of talking past each  
19 other when we start talking about fixed cost. Just  
20 because a cost is a fixed cost doesn't mean that it's  
21 related just to that specific customer. A cost may be  
22 fixed but still be based on the number of customers  
23 and the level of usage.

24 And so just please be mindful that to the  
25 extent that you would increase the customer charge,

1 you would be transferring wealth within the  
2 residential class, and you would be doing so to the  
3 detriment of customers that are low users. These, you  
4 know, could include people who live alone in an  
5 apartment. You know that demographically EI data  
6 shows that it is -- the bulk of low-income customers  
7 are on the low-use end. We know that a majority of  
8 seniors over 65 and a good -- large number of  
9 vulnerable customers are there.

10 We know that customers don't like it. I  
11 mean the -- we know that customers like to have more  
12 control over their energy bills. Now, they may have  
13 other bills that they are familiar with, but I don't  
14 know if they would necessarily -- if it would win a  
15 popularity contest to say pay for your cable bill,  
16 television bill, for instance, as a flat fee.  
17 Consumers, for the large part, like having the ability  
18 to control their energy bill.

19 And the parties here representing the  
20 residential class would like to keep the customer  
21 charge -- I think there's no disagreement amongst  
22 those who would be representing those that we would  
23 leave it at \$9.

24 On the other end, the policy argument  
25 from the utility, seems to be more that they would

1 I like to be protected from uncertainty about the level  
2 of revenue. And to -- if we do design rates  
3 correctly, they will -- they will receive their  
4 targeted amount. From my perspective, the utility is  
5 here to manage uncertainty and we shouldn't be about  
6 the business of protecting the utility from  
7 uncertainty. We should be about the business of  
8 protecting consumers.

9 And as has been mentioned, any increase  
10 in the customer charge I believe runs contrary to the  
11 goals of conservation and energy efficiency that we  
12 spend so much time talking about otherwise. So yes,  
13 there should be a customer charge. We think \$9 is  
14 sufficient to cover that fixed amount and would just  
15 ask that you -- urge you to keep it where it's at.

16 JUDGE BUSHMANN: Thank you.

17 And finally Sierra Club. And since this  
18 is your first appearance, could you make your  
19 appearance on the record, please.

20 MR. BECTOR: Sure. Good morning. May it  
21 please the Commission. My name is Sunil Bector and I  
22 represent Sierra Club.

23 Sierra Club urges the Commission to  
24 reject Kansas City Power & Light's proposed increase  
25 in the residential customer charge for three primary

1 reasons. First, increase in the customer charge from  
2 \$9 to \$25 will dramatically reduce the incentive for  
3 customers to consume energy efficiently. This is an  
4 important public policy consideration for the state of  
5 Missouri through MEEIA. Higher customer charges give  
6 customers less control over their bills, which reduces  
7 a customer's ability to lower bills by reducing energy  
8 consumption.

9                 Second, the Company's proposal to  
10 increase the customer charge to \$25 does not comport  
11 with the widely accepted rate design principles of  
12 maintaining customer equity and promoting rate  
13 stability.

14                 Third, energy efficiency is a low-cost  
15 way for Missouri utilities in the state of Missouri to  
16 comply with the forthcoming Clean Power Plan.  
17 Increasing the customer charge will reduce a  
18 customer's incentive to consume energy more  
19 efficiently, which will require utilities to rely on  
20 more expensive options to comply with the Clean Power  
21 Plan.

22                 We are here today because the Company is  
23 searching for a way to align its rates with its costs.  
24 The Company's proposal to nearly triple the  
25 residential customer charge is not the best way to do

1 that. That's why today you've heard from and you will  
2 continue to hear from nearly every other stakeholder  
3 in this room from Staff to consumer advocates to the  
4 Division of Energy to industrial ratepayers and now  
5 environmentalists, all asking you to reject the  
6 Company's customer charge proposal.

7 If the Commission is inclined to agree  
8 with the Company that something needs to be done to  
9 address revenue volatility and sufficiency, then  
10 revenue decoupling is a much better way to address the  
11 Company's concerns. Decoupling has the added benefit  
12 of better aligning the Company's financial incentives  
13 with the goals of promoting energy efficiency under  
14 MEEIA.

15 When properly designed to protect  
16 customers, revenue decoupling is better for the  
17 Company, it's better for bill payers and it's better  
18 for the environment. We ask the Commission to  
19 investigate full revenue decoupling for electric  
20 utilities in the PSC's newly opened docket  
21 AW-2015-0282 or a similar separate proceeding.

22 That concludes my opening statement and I  
23 strongly encourage you to ask Sierra Club's witness,  
24 Tim Woolf, any questions that you may have.

25 COMMISSIONER HALL: I do have a couple

1 questions. And again, maybe these should be directed  
2 towards your witness. But I'm confused as to your  
3 position in support of decoupling and your opposition  
4 to an increase in the customer charge. Because it  
5 seems to me that an increase in the customer charge is  
6 one aspect or one type of decoupling. Do you -- do  
7 you agree or disagree with that?

8 MR. BECTOR: I do not agree with that.

9 COMMISSIONER HALL: Why is that?

10 MR. BECTOR: So under traditional  
11 regulation, utilities make more money when they sell  
12 more energy. And revenue decoupling is an adjustable  
13 price mechanism that breaks the chain between energy  
14 sales and revenue collected.

15 COMMISSIONER HALL: Well, isn't that  
16 exactly what increasing the customer charges does?

17 MR. BECTOR: An increase to -- revenue  
18 decoupling aligns the utility's financial incentives  
19 with energy efficiency; whereas, an increase in the  
20 customer charge does the exact opposite.

21 COMMISSIONER HALL: I'm not sure I  
22 understand that, but I'll -- I'll inquire further of  
23 your witness.

24 MR. BECTOR: Okay. Thank you. Any  
25 further questions?

1 JUDGE BUSHMANN: No. Thank you.

2 All right. I think that completes the  
3 opening statements. And the first witness is for  
4 KCP&L.

5 MR. HACK: We'd call Tim Rush.

6 (Witness sworn.)

7 JUDGE BUSHMANN: You may be seated.

8 TIM RUSH, testifies as follows;

9 DIRECT EXAMINATION BY MR. HACK:

10 Q. State your name for the record, please.

11 A. Tim Rush.

12 Q. And where do you work, Mr. Rush?

13 A. Kansas City Power & Light Company.

14 Q. Mr. Rush, did you prepare or cause to be  
15 prepared Direct, Rebuttal and Surrebuttal Testimony in  
16 this proceeding that have been marked respectively as  
17 Exhibits 134, 135 and 136?

18 A. I did.

19 Q. And are those documents in both highly  
20 confidential and nonproprietary versions?

21 A. I believe so, yes.

22 Q. Do you have any changes or corrections to  
23 those testimonies as you sit here today?

24 A. I do not.

25 Q. If I were to ask you the questions that

1 are posed in those testimonies, would your answers  
2 today be substantially the same?

3 A. Yes, they would.

4 Q. And are those answers true and correct,  
5 to the best of your knowledge and belief?

6 A. Yes, they are.

7 MR. HACK: With that, Mr. Rush is going  
8 to be up several more times later so I will refrain  
9 from offering the exhibits, but I would tender  
10 Mr. Rush for cross.

11 JUDGE BUSHMANN: Very good. First cross  
12 would be Missouri Division of Energy.

13 CROSS-EXAMINATION BY MR. ANTAL:

14 Q. Good morning, Mr. Rush.

15 A. Good morning.

16 Q. A few questions for you.

17 A. Okay.

18 Q. You state in your Rebuttal Testimony that  
19 DE's proposal to link KCPL's EDR rates with MEEIA  
20 participation would potentially violate MEEIA; is that  
21 correct?

22 A. Yes.

23 Q. Okay. Have you reviewed the Surrebuttal  
24 Testimony of Division of Energy witness Jane Lohraff?

25 A. I have.



1           **Q.     Okay. Do you have a copy of that with**  
2 **you today?**

3           A.     No, I do not.

4           **Q.     Okay. Mr. Rush, would you identify the**  
5 **document that I just gave you?**

6           A.     It is the Surrebuttal Testimony of Jane  
7 Lohraff.

8           **Q.     Okay.**

9           A.     Identified as Exhibit 355.

10          **Q.     Okay. Could you please turn to page 5.**

11          A.     Yes.

12          **Q.     Okay. Starting on line 16, Ms. Lohraff**  
13 **states, The MEEIA rule states that customers with**  
14 **individual accounts with a demand of 5,000 kilowatts**  
15 **or greater may opt out of demand-side programs; in**  
16 **parenthesis the rule citation. She goes on to say, If**  
17 **those customers meet the EDR/UCD eligibility criteria,**  
18 **they may receive EDR/UCD lower rate benefits without**  
19 **paying the MEEIA charge.**

20                   **Did I read that correctly?**

21          A.     You did.

22          **Q.     Okay. She goes on in that same answer to**  
23 **say, Customers with a coincident demand greater than**  
24 **2,500 kilowatts are eligible for opt out upon**  
25 **demonstration that they are implementing all energy**

1 efficiency measures; again in parenthesis there's the  
2 rule citation. And then she goes on to say, If those  
3 customers meet the EDR/UCD eligibility criteria, they  
4 may receive EDR/UCD lower rate benefits without paying  
5 the MEEIA charge.

6 Did I read that statement correctly?

7 A. You did.

8 Q. Okay. Based off the section of  
9 Ms. Lohraff's Surrebuttal that I just read, would you  
10 agree that Division of Energy's proposal exempts out  
11 opt-out customers from participating in MEEIA as a  
12 condition of receiving an EDR or UCD rates?

13 A. I'm not sure that's what she initially  
14 said. She wanted the customers that -- in order to  
15 qualify for an EDR or a UCD, that they had to  
16 basically implement MEEIA programs.

17 So I mean, this is just a factual thing  
18 from our current tariffs. What our tariff says is  
19 customers can participate in the Economic Development  
20 Rider without being a participant in MEEIA. That's --  
21 that's -- that's what it is today. I don't know if  
22 that's what's -- the Department of Energy's position  
23 was initially. So I mean, this is just a factual  
24 issue.

25 Q. Were you in the room when I gave my

1 **opening statement on --**

2 A. I was.

3 **Q. -- rate design?**

4 A. Yeah.

5 **Q. Did you remember me indicating that**  
6 **Division of Energy had changed their proposal?**

7 A. Yeah. Yes, I heard that. Uh-huh.

8 **Q. Okay. Thank you very much. No further**  
9 **questions.**

10 JUDGE BUSHMANN: Consumers Council?

11 MR. COFFMAN: Should I go up there?

12 JUDGE BUSHMANN: You can use the mic at  
13 your table, if you'd prefer. Just make sure you're  
14 speaking directly into --

15 CROSS-EXAMINATION BY MR. COFFMAN:

16 **Q. I just have a couple of questions. Good**  
17 **morning, Mr. Rush.**

18 A. Good morning.

19 **Q. When KCPL filed its case, it didn't**  
20 **highlight the residential customer charge issue or --**  
21 **or the percentage increase in that particular**  
22 **component, did it?**

23 A. I'm not sure. I mean, it was -- it was  
24 presented. It was part of our testimony. It was not  
25 a major driving factor of our case at that point. Our

1 case was based on a number of other issues too that  
2 were considered and addressed.

3 **Q. And you do -- would you agree that the**  
4 **proposal to go from \$9 to \$25 would be a 177 percent**  
5 **increase in that rate component to residential**  
6 **customers?**

7 A. Yes, I do.

8 **Q. And that's approximately \$192 a year that**  
9 **customers would not be able to avoid?**

10 A. I mean, the overall bill increase, the  
11 overall rate increase for the class was an equal total  
12 increase that was distributed. So if it was a  
13 15 percent increase, the entire class received that  
14 15 percent increase. It was set out so other  
15 components would be decreased. So when you say --

16 **Q. Correspondingly?**

17 A. -- they wouldn't avoid it, I mean,  
18 they're going to pay a lower energy charge. Our whole  
19 basis and premise of that is basically about  
20 90 percent of our costs are fixed and about 10 percent  
21 are variable.

22 And what we're trying to do is get closer  
23 to that realm. I mean we're moving from -- from --  
24 basically it's the opposite. Currently with --  
25 10 percent of the customer revenues is the customer

1 charge and 90 percent is the energy rate. We're  
2 trying to move it to -- I believe it's 20 percent  
3 would be in the customer charge and 80 percent would  
4 be in the energy. So we're just simply moving a very,  
5 very small distance. It does look like a large  
6 increase to that component. I absolutely agree with  
7 that.

8 **Q. Would you agree with me that the higher**  
9 **the customer charge, the less control a customer has**  
10 **over their monthly bill?**

11 A. I would not agree with that, no.

12 **Q. How can a customer control the size of**  
13 **the customer charge?**

14 A. I think a customer that -- for example,  
15 that uses 1,000 kilowatt hours and it -- I have  
16 descriptions of that -- may see a stable energy rate  
17 regardless. And so the energy component I realize  
18 would be decreased lesser -- a lesser amount by a  
19 higher customer charge in the rate design component.  
20 But when you say they can't control their bill, I  
21 don't -- I don't agree with that.

22 **Q. But they can't control the customer**  
23 **charge portion of their bill. Correct?**

24 A. That's correct. But that's also the  
25 fixed cost to the custo-- to the utility that we're

1 paying for, the -- making available that service, the  
2 electricity, it costs us a fixed amount of money.

3 **Q. Do you -- would you agree with me that in**  
4 **shifting costs from the volumetric portion of the rate**  
5 **design to the customer charge have an impact on the**  
6 **majority of low-income customers?**

7 A. No, I do not. I actually presented  
8 evidence by looking at customers and I provided a  
9 distribution of customers. And -- and low-income  
10 customers that we've been able to identify in our own  
11 actual data are very characteristic or similar to our  
12 overall customer base.

13 So I don't agree with a lot of the  
14 premise that some people have -- I'd say we actually  
15 provided evidence that would demonstrate something  
16 different.

17 **Q. So you don't believe that a majority of**  
18 **low-income customers use less than the system average**  
19 **in your --**

20 A. The record-- the data that I have would  
21 not say that at all.

22 **Q. Is it your belief that a majority of**  
23 **low-income customers use more than system average?**

24 A. I would say they're very similar.

25 **Q. Is KCPL linking this residential customer**

1 **charge issue with the Economic Recovery Pilot Program**  
2 **proposal?**

3 A. I'm sorry. I didn't understand.

4 **Q. For KCPL, is there any linkage between**  
5 **this issue and the Economic Recovery Pilot Program?**

6 A. The ERPP?

7 **Q. Yes.**

8 A. That was the intent of it is we wanted to  
9 expand the ERPP, because we were going to increase the  
10 service charge to the \$25 and we wanted to essentially  
11 double the program.

12 **Q. What is -- what is the linkage that KCPL**  
13 **is making between these two issues?**

14 A. Well, the ERPP is not designed only for  
15 low-income customers. It's dealt with hardship kind  
16 of customers and it's set at a poverty level issue.  
17 The idea was, is to make sure that we made available  
18 to that and actually increased the dollar amount per  
19 application to address issues like this customer  
20 charge, the service charge increase. So there is a  
21 linkage, yes.

22 **Q. I'm still not understanding what the**  
23 **linkage is. What is the policy justification or**  
24 **reason, in your mind, about why these two issues are**  
25 **somehow linked?**

1           A.     Because there are customers that are low  
2 income that will see this service charge increase that  
3 are lower-use customers. And we wanted to be able to  
4 address that and the-- and dealing with the hardships.

5           **Q.     Is it a recognition that raising the**  
6 **customer charge will be a hardship on many low-income**  
7 **customers?**

8           A.     Somewhat, yes.

9           **Q.     That's all I have for now. Thank you.**

10           JUDGE BUSHMANN: US Department of Energy?

11           MR. TSHI KORORO: No questions, your

12 Honor.

13           JUDGE BUSHMANN: Sierra Club?

14 CROSS-EXAMINATION BY MR. BECTOR:

15           **Q.     Good morning, Mr. Rush.**

16           A.     Good morning.

17           **Q.     In your Direct Testimony you suggest that**  
18 **flat or declining sales is one of the factors that has**  
19 **led the Company's -- led to the Company's fixed**  
20 **customer charge proposal; is that correct?**

21           A.     That's partly, yes.

22           **Q.     Do you think revenue decoupling could**  
23 **help address this concern?**

24           A.     I do.

25           **Q.     And do you think it's worth investigating**



1 **revenue decoupling in a separate docket?**

2 A. I do.

3 **Q. Thank you. No further questions.**

4 JUDGE BUSHMANN: MIEC?

5 MR. DOWNEY: No questions.

6 JUDGE BUSHMANN: MECG?

7 MR. WOODSMALL: No questions. Thank you.

8 JUDGE BUSHMANN: Public Counsel?

9 MR. POSTON: Thank you.

10 CROSS-EXAMINATION BY MR. POSTON:

11 **Q. Good morning, Mr. Rush.**

12 A. Good morning.

13 **Q. Would you please turn to page 60 of your**  
14 **Direct Testimony?**

15 A. I'm there.

16 **Q. And would you agree that here you**  
17 **identify what you refer to as a set of established**  
18 **critical considerations when designing rates?**

19 A. Yes.

20 **Q. And one such critical criteria is impact**  
21 **on energy efficiency; is that correct?**

22 A. It's a consideration, yes.

23 **Q. Would you agree that increasing the**  
24 **customer charge reduces the customer's ability to**  
25 **realize savings from energy efficiency?**

1           A.     It's one very small component, but yes.  
2     There are other -- many other components. I mean, is  
3     the -- you know, in -- in our MEEIA program we often  
4     give rebates to encourage or entice customers to do  
5     things and that may be adjusted to address that.

6                     But I mean, you know, what -- what I  
7     worry about is giving an artificially high price the  
8     savings that's not really there, that has to be made  
9     up somewhere else. That's why we have this issue  
10    about the MEEIA program today and the lost margins  
11    that exist when you do that because you're not  
12    recovering your fixed costs.

13           **Q.     So wouldn't the opposite be true; that a**  
14    **lower customer charge, I guess it increases a**  
15    **customer's ability to realize savings from energy**  
16    **efficiency?**

17           A.     Say that again. I'm sorry.

18           **Q.     A lower customer charge would increase a**  
19    **customer's ability to see savings from energy**  
20    **efficiency?**

21           A.     Initially, but we would have to go recoup  
22    that money somewhere from the utility. I mean it's  
23    like -- it -- it would not make sense.

24           **Q.     But from the customer's perspective,**  
25    **they're able to see better gain --**

1 A. From the customer's perspective, yes.

2 Q. -- they're with a lower customer charge?

3 A. Yes.

4 Q. Another criteria you identify is minimize  
5 customer dissatisfaction on page 60; is that correct?

6 A. Yes.

7 Q. And you cite to Bonbright's book, The  
8 Principles of Utility --

9 A. I do.

10 Q. -- Rates?

11 And you cite some pages that you took  
12 those criteria from?

13 A. Uh-huh.

14 Q. And would you agree that on those same  
15 pages that you reference, that Bonbright also refers  
16 to public acceptability as a criteria to consider when  
17 designing rates?

18 A. Yes.

19 Q. And do you believe that minimizing  
20 customer dissatisfaction, as you phrase it, is the  
21 same as public acceptability?

22 A. It may be somewhat, yes, linked, yes. I  
23 think, you know, when you talk about minimizing  
24 customer dissatisfaction and then you talk about  
25 public acceptability though, if you look at the

1 totality of where -- of our area, for example, I gave  
2 demonstrations of customer charges in the co-ops that  
3 are all much higher than \$9. And -- and I think  
4 that's clear indication of public acceptance of a  
5 higher service charge than \$9.

6 **Q. Isn't a co-op different than an**  
7 **investor-owned utility?**

8 A. It is, because it sets its own prices.  
9 So those folks that have developed those prices sat  
10 there and said yes, this is something we think is the  
11 right way to charge what we -- the service that we  
12 use. So it's very much different.

13 **Q. And if a co-op over-earns, doesn't that**  
14 **additional revenue go back to customers?**

15 A. And -- and likewise, if it under-earns,  
16 it goes and charges. So it is a very decoupled kind  
17 of entity, if you want to look at it that way. Where  
18 it's -- it's essentially saying what's the right way  
19 to charge myself and if I'm under-earning, I'll  
20 charge -- you know, I'll charge a higher price and if  
21 I'm over-earning, I'll return it back. So it's very  
22 clear that its -- its thought process is -- is about  
23 itself. How would -- how would I run a business?

24 **Q. You agree there's significant differences**  
25 **between a co-op and investor-owned utility; is that**

1 correct?

2 A. I think it's in just what I described.  
3 I'm not sure there's much other differences.

4 Q. Going back to where you talked about the  
5 minimizing customer dissatisfaction, isn't it possible  
6 you could minimize customer dissatisfaction about a  
7 rate without the rate being acceptable to the public?

8 A. Say that again. I'm sorry.

9 Q. Couldn't you minimize customer  
10 dissatisfaction without the rate being acceptable to  
11 the public? Just because you've reduced their level  
12 of satisfaction doesn't mean they've accepted the  
13 rate; isn't that correct?

14 A. That's true.

15 Q. Do you believe your proposed rate design  
16 would be acceptable to low-usage customers?

17 A. I think it would be understandable to  
18 them, so I think -- I think the increase that we're  
19 talking about -- I mean, it's not been fun to go  
20 through six years or seven years worth of rate  
21 increases, but it's part of the cost of business  
22 that's been dictated by many mandates and other things  
23 that the Company's had to do to address a number of  
24 things that are really not in our control. And so  
25 rate increases are not an exciting thing to deal with.

1                   And, you know, once customers get beyond  
2 that point, I think that they would be very accepting  
3 of -- to understand that's what the cost of business  
4 is.

5                   **Q.       Once they get beyond what point?**

6                   A.       Once they get beyond the point of  
7 accepting -- or seeing that their service charge is  
8 now \$25 and the willingness to understand that on a  
9 consistent basis, that's what it's going to be, that  
10 they would become accepting of that's the fact of what  
11 it costs for that business.

12                  **Q.       Because they would have no other option;  
13 is that correct? That's essentially what you're  
14 saying. They would accept it because there's nothing  
15 else they can do?**

16                  A.       It's kind of like if I want cell phone  
17 service, I have to realize that I'm going to have to  
18 pay \$45 a month or whatever that rate is and it's not  
19 going to change if I want that service. If I want  
20 electricity at this place, this is what it's going to  
21 cost. If I want gas service instead of -- you know, I  
22 know that I'm going to have to pay \$30 a month as my  
23 service charge. That's just part of the fact of my  
24 business -- of me -- you know, of whatever I'm doing,  
25 whether it's my home or whether it's a business.

1           **Q.     You talked about it being understandable**  
2 **to the customers. Isn't it true that the customer**  
3 **notice sent out by KCPL did not mention anything about**  
4 **KCPL's proposed customer charge impact?**

5           A.     That is not true. We did put -- publish  
6 what the average increase would be.

7           **Q.     I'm saying you did not tell the customers**  
8 **that the customer charge was going up from \$9 to \$25;**  
9 **is that correct?**

10          A.     No. Just like we didn't say that certain  
11 rates were actually going to go down in the  
12 wintertime, that's correct.

13          **Q.     So you're saying the customer charge --**  
14 **or the customer notice did tell them about the \$9 to**  
15 **\$25 increase?**

16          A.     No. It said that -- it said the average  
17 increase. We did publish that. I mean, in fact, we  
18 have a PSC authorized approved or -- I guess it was  
19 Staff agreement of the notice of the hearings, for  
20 example.

21          **Q.     I'm asking you specifically: Did it tell**  
22 **the customer their customer, the monthly charge they**  
23 **all know they pay every month of \$9, was going to go**  
24 **up to \$25? Did it tell them?**

25          A.     I don't know that. It was -- I know that

1 we went through the Staff and I know we had it  
2 approved, the notifications that went out. I know it  
3 went through the Office of Public Counsel and your  
4 office. And we published what our proposal was and  
5 that went to all of our customers. And customers came  
6 and participated in public hearings.

7 **Q. And that customer notice was filed in the**  
8 **case and so it can speak for itself; isn't that right?**

9 A. That's right.

10 **Q. And despite -- well, we can disagree**  
11 **whether it's in there or not, but customers did**  
12 **know -- some customers did know about it and spoke to**  
13 **it -- spoke about the customer charge in the public**  
14 **hearings; isn't that correct?**

15 A. I wasn't present at the public hearings  
16 so I don't know. But if they did, it's probably  
17 because we did publish it in the notification that the  
18 OPC and Staff and other parties agreed to. I don't  
19 know. I don't have that information. But if they did  
20 speak to it, I suspect they saw it somewhere.

21 **Q. So you did not attend any of the public**  
22 **hearings?**

23 A. I did not. There were a number of  
24 Company representatives that attended those.

25 **Q. Have you read any of the comments filed**



1 **in EFIS?**

2 A. I have.

3 **Q. So you can't then state -- I guess if you**  
4 **weren't at the public hearings, you can't state**  
5 **whether the overwhelming response to that customer**  
6 **increase was negative?**

7 A. We had both service issues that were  
8 addressed, and we've attempted to address those in the  
9 Surrebuttal Testimony of Darri n Ives. We had  
10 customers that did talk about the overall increase,  
11 but I do not know if they talked specifically about  
12 the service charge.

13 **Q. So are you aware --**

14 A. I don't remember reading any comments  
15 about that.

16 **Q. Are you aware of any comments where a**  
17 **customer spoke in support of the \$25 customer charge?**

18 A. I don't know either way.

19 **Q. Going back to page 60 of your Direct**  
20 **Testimony, another critical criteria you identify in**  
21 **setting rates is the practice of gradualism; is that**  
22 **correct?**

23 A. That's correct.

24 **Q. Would you agree that an acceptable**  
25 **definition of gradualism would be a policy of gradual**

1 **reform rather than sudden change?**

2 A. Yes.

3 **Q. Is a 177 percent increase in a rate a**  
4 **gradual increase?**

5 A. It's according to how you look at the  
6 totality of the rate design itself. Because if you  
7 look at the comparisons I presented back in my Direct  
8 Testimony, you'll see that there's -- the only person  
9 that gets 160-- 177 percent increase is the customer  
10 that uses nothing, zero. So they are absolutely not  
11 using any kilowatt hours whatsoever.

12 Immediately when you get to a customer --  
13 a typical customer, they would see the average  
14 increase. There's a gradual incr-- you know,  
15 obviously there's a higher increase for customers  
16 using much less than the average, but it's not  
17 horrific at that time.

18 **Q. What would you consider to be gradual**  
19 **increase? If 177 -- I mean, do you agree that someone**  
20 **who doesn't use any gas and they get the 177 percent**  
21 **increase, that that would not be gradual as to that**  
22 **customer?**

23 A. That's true. I would agree.

24 **Q. So what level would you consider it to be**  
25 **a gradual increase? What percentage?**

1           A.     I would not -- I may -- I probably would  
2 not put it in the context of a percentage for  
3 residential customers. I would probably put it into  
4 the context of a dollar per month increase. And  
5 probably to the extent of something in the order of if  
6 a customer had to pay, you know -- I would be making  
7 up a number. I really haven't given that process a  
8 thought at this stage.

9                     But, you know, if a customer were having  
10 to pay 20 or 30 dollars a month more for the same  
11 service and their bill were \$20 initially, I'd  
12 probably have a concern, you know, if they were having  
13 a 100 percent rate increase. I don't have an -- an  
14 answer for that, I guess.

15           **Q.     I'd like to change gears for a second.**  
16 **Could you please turn to page 65 of your Direct**  
17 **Testimony?**

18           A.     Okay.

19           **Q.     And lines 9 to 10 you state that, The**  
20 **Company proposes setting the customer charge to \$25**  
21 **per month; a level that basically recovers customer**  
22 **and local distribution costs for this class of**  
23 **customers; is that right?**

24           A.     That's correct.

25           **Q.     And would you please describe local**

1 **distribution costs and what assets are included in**  
2 **this category of costs?**

3 A. The local distribution costs essentially  
4 cover the transformation to a customer and the power  
5 lines, the -- the secondary lines that are serving the  
6 customer.

7 **Q. The transformation to the customer. Is**  
8 **that what you --**

9 A. The trans-- customer's transformer.  
10 Typical a transformer that's out there that's directly  
11 linked to the customer.

12 **Q. And that's everything that you consider**  
13 **to be --**

14 A. I believe that's how we've identified it,  
15 yes.

16 **Q. -- local distribution cost?**

17 **And did the Company include these local**  
18 **distribution costs in its customer charge proposal in**  
19 **the last rate case?**

20 A. No, it did not.

21 **Q. Am I correct that the Company believes**  
22 **there are several factors, including increased energy**  
23 **efficiency measures and distributed generation, as**  
24 **reasons for including these local distribution costs**  
25 **in the customer charges in this case?**

1 A. You're saying are there other reasons?

2 Q. **I'm saying are those some of the reasons**  
3 **that you cited?**

4 A. They are some of the reasons, yes.

5 Q. **Am I correct that the Company's not**  
6 **presented to the Commission the lost sales or lost**  
7 **revenue associated with these factors?**

8 A. There -- I mean all of the -- when we  
9 annualize the customers and weather normalize --

10 Q. **I'm asking if you've presented that to**  
11 **the Commission in this case; lost sales or lost**  
12 **revenues associated with increased energy efficiency**  
13 **and distributed generation?**

14 A. Indirectly we have, yes.

15 Q. **Indirectly.**

16 A. When you weather normalize and annualize  
17 your customer sales and reflect that in your filing,  
18 yes, you account for it. I also made a --

19 Q. **But you haven't specifically identified**  
20 **that?**

21 A. I made a very spe-- there was a specific  
22 adjustment made for energy efficiency in -- identified  
23 in the weather normalization process. But when you  
24 talk about the other distributive generation, I'm not  
25 sure I would -- that's accounted for in the overall

1 customer use per customer.

2 **Q. And you acknowledge in your Direct**  
3 **Testimony that a residential customer charge would**  
4 **cause low-use customers to see an increase that is**  
5 **higher than the average increase; is that correct?**

6 A. That's correct, uh-huh. I mean, you keep  
7 saying that, but --

8 **Q. I don't have a question right now.**  
9 **I just have one more question for you.**  
10 **If KCPL were to get its requested increase, does the**  
11 **company have a plan in place for educating customers**  
12 **on the charge?**

13 A. We would do it through notification, yes.  
14 I mean we al -- we always do.

15 **Q. So is there a plan in place? I would**  
16 **imagine there would be a --**

17 A. We would -- we will have a communication  
18 plan based on whatever the order is of the Commission  
19 to basically communicate to customers the results of  
20 the case.

21 **Q. Would you think that there would be a lot**  
22 **of dissatisfaction -- customers calling in**  
23 **dissatisfied once they would see their bill go from**  
24 **\$9 to \$25 on that charge?**

25 A. Most customers will not see that piece.

1 They will see their bill. And the customers that see  
2 a bill increase will -- will recognize that and that  
3 will be part of the notification we provide to  
4 customers.

5 **Q. For a low-use customer, that -- that**  
6 **change would be more significant to that customer?**

7 A. There is some. And I mean, if you look  
8 at the comparisons that we've done as far as the --  
9 you know, what a customer would see if we -- they  
10 received a \$25 service charge, we showed that.

11 **Q. Would you agree with me that KCPL Solar**  
12 **has made a profit off of distributed generation?**

13 A. Are you talking about the unregulated  
14 entity?

15 **Q. Yes.**

16 A. Has made a profit off of what?

17 **Q. Distributed generation.**

18 A. I -- I don't know.

19 **Q. You don't know if that company has**  
20 **profited off of the solar installations in KCPL**  
21 **territory?**

22 A. No, I do not.

23 **Q. Thank you. That's all I have.**

24 JUDGE BUSHMANN: Cross-examination by  
25 Staff?

1 MS. MAYFIELD: Thank you, your Honor.

2 CROSS-EXAMINATION BY MS. MAYFIELD:

3 Q. KCPL's recommendation to increase its  
4 residential customer charge from \$9 to \$25 for a  
5 general use customer, does that still remain your  
6 position today?

7 A. It is.

8 Q. If the Commission were to reject your \$25  
9 request for setting the customer charge, is your  
10 position to increase the residential general use  
11 energy charges on an equal percent within that class?

12 A. I'm sorry. Are you saying if the  
13 Commission rejects the \$25 charge, would we recommend  
14 an equal percent increase of all rate components? Is  
15 that what you're saying?

16 Q. Focusing just on the residential general  
17 use.

18 A. I think there needs to be some  
19 recognition that there needs to be a higher cost  
20 assigned to the service charge than the equal  
21 percentage increase. What that is, I think the  
22 Commission needs to -- if -- so they would make that  
23 decision.

24 Q. So regardless of the customer charge,  
25 then would you do an equal percentage over the other



1 **customer blocks then?**

2 A. Yes. I mean we -- our proposal is not  
3 that way. Our proposal is a \$25 charge. And there  
4 are specific rate adjustments in our recommendation  
5 that the parties have -- you know, that we filed in  
6 our case. That's our proposal today as it stands. If  
7 the Commission rejects that, obviously they will come  
8 up with their own decision on how that will be  
9 addressed.

10 **Q. Would you agree that some of your**  
11 **accounts show very little usage in multiple months of**  
12 **the year, but still remain active customer of Kansas**  
13 **City Power & Light?**

14 A. We -- we do have customers that have  
15 small usage. They're typically -- and if you're  
16 talking really small usage, they're probably a  
17 empty -- vacant house that somebody is, you know,  
18 storing things in or something or just wants their  
19 lights on. Often, we have a lot of rental changes  
20 where you have a house that is rented and becomes  
21 empty and it's empty for some period of time until  
22 it's filled and they would have small usage.

23 **Q. But there are still some quantum of**  
24 **customers that have very little usage in the multiple**  
25 **months, and that may vary?**

1           A.     They're typically not -- essentially  
2 they're not a family living at a residence. I'll say  
3 that.

4           **Q.     Now, you haven't filed an analysis of the**  
5 **number of accounts that will close at the \$25 customer**  
6 **service charge, have you?**

7           A.     Will close?

8           **Q.     Yeah. Or cease to take service if the**  
9 **customer charge were to raise to \$25.**

10          A.     No, I have not done that.

11          **Q.     Did you do an analysis of that at all?**

12          A.     We -- we did not do any analysis to  
13 determine what the -- I guess customers would shut off  
14 service if they had to pay the \$25.

15          **Q.     If you didn't do an analysis of this, how**  
16 **much installed infrastructure would go unused by**  
17 **raising this customer charge? Do you know?**

18          A.     No. I wouldn't have any idea.

19          **Q.     But there may be some installed**  
20 **infrastructure that just sits out there because**  
21 **customers cease to take the service at this \$25**  
22 **customer charge?**

23          A.     Well, there are -- there's a lot of  
24 vacant houses today that don't have electric service.  
25 I mean, I'm not following what you're saying, but

1 there -- stand ready to do it. We don't go and tear  
2 down infrastructure if a house becomes vacant.

3 **Q. Or ceases to take service?**

4 A. I -- I'm meaning the same thing.

5 **Q. Thank you. No further questions.**

6 JUDGE BUSHMANN: Questions from  
7 Commissioners. Mr. Chairman?

8 QUESTIONS BY CHAIR R. KENNEY:

9 **Q. Good morning, Mr. Rush. Can you hear me**  
10 **okay?**

11 A. I sure can. Yes.

12 **Q. Just a couple of questions. Your**  
13 **testimony -- your Direct Testimony indicates that if**  
14 **you were to completely align fixed costs with the**  
15 **fixed charge, that the customer charge would be in the**  
16 **range of 75 to 100 dollars; is that right?**

17 A. That is correct.

18 **Q. And the energy charge would be like**  
19 **2 cents a kilowatt hour?**

20 A. Right. Yes.

21 **Q. What exactly, from KCP&L's perspective,**  
22 **comprises all of its fixed costs, in summary?**

23 A. What I -- what I'm talking about there is  
24 our variable cost is essentially fuel; the fuel cost  
25 component and the ability to get fuel. That would

1 include the transmission costs. So essentially that's  
2 around 2 cents a kilowatt hour is what our overall  
3 costs are on a variable basis.

4 So I kind of went back to Economics 101.  
5 Our fixed costs are the production plant that sits out  
6 there, as well as the hard wires of transmission  
7 distribution, our facilities and the fixed costs  
8 associated with managing those; labor, et cetera. So  
9 that -- that's how I came up with that.

10 **Q. So it's everything else other than fuel**  
11 **and transmission?**

12 A. Essentially that's correct, yes.

13 **Q. Is that the same way that the other**  
14 **parties would define it?**

15 A. I would think so.

16 **Q. The --**

17 A. I mean, that's how -- if you look at the  
18 testimony of Maurice Brubaker, in his analysis of the  
19 large power rate and the large general service rate,  
20 part of his argument is that his variable cost is -- I  
21 think he had 1.7 cents a kilowatt hour and so his tail  
22 block should not be adjusted or left alone because all  
23 of the rest of that is fixed cost and should come up  
24 in the front end for recovery. I mean I don't want to  
25 put words in his mouth, but I mean that's the analogy

1 I would take from that.

2 **Q. Would it ever be practicable to move**  
3 **completely to -- I think you refer to it as a straight**  
4 **fixed variable rate design. Would it ever be**  
5 **practical or --**

6 A. I don't see that right now. I mean in my  
7 lifetime, I don't see that, but -- but that's truly  
8 what you're talking about --

9 **Q. Is it desirable?**

10 A. Is it desirable?

11 **Q. Sorry. You go -- go ahead. Yeah, go**  
12 **ahead and finish your answer. I'm sorry. There's a**  
13 **delay here. Sorry.**

14 A. I just get a little concerned that that's  
15 not where our -- our industry is, but -- I mean that's  
16 what the industrial rates are headed towards. That's  
17 very much what they're headed towards is a high-demand  
18 charge or a customer charge, those kind of components  
19 to recover the fixed costs associated with it and a  
20 very low variable cost, which is the energy cost.

21 So in certain rates, that -- that's  
22 probably where things are headed, but for -- you know,  
23 we have lots of different policies in the state and --  
24 and -- that would direct us in different directions  
25 from that process for residential customers.

1           **Q.     And for the average commercial or**  
2 **industrial consumer who's presumably creating a**  
3 **product, they have the ability to adjust the price of**  
4 **their product. So the rationale for commercial and**  
5 **industrial consumers is probably different than it is**  
6 **for residential consumers. Right?**

7           A.     I would agree with that. Yes.

8           **Q.     So just turning to -- just turning to a**  
9 **residential consumer, would it be desirable to have**  
10 **such an enormous fixed charge for residential**  
11 **consumers?**

12          A.     Right now I don't think it's practical.  
13 But essentially, in the gas industry, that's where a  
14 lot of the gas industry is today; where they have, you  
15 know, the fixed costs -- the service charge covers all  
16 of the fixed costs and the variable cost is the cost  
17 of gas. And that's essentially what, you know,  
18 Missouri did some -- some time ago with Missouri Gas  
19 Energy, for example.

20                   But I don't see that as a practical  
21 matter today in the electric industry, particularly  
22 for residential customers.

23           **Q.     And -- okay.**

24          A.     I -- I would add one other thing. If --  
25 and this is maybe --

1           **Q.     Go ahead.**

2           A.     -- a side point, but if we actually did  
3 price on a fixed and variable basis like we just  
4 described, most every customer would be putting in,  
5 for example, electric heat because it would be much  
6 cheaper than it is today. You know, they would want  
7 to use that electricity.

8                     And maybe that's a more efficient way,  
9 but that's not necessarily the policies of the State.  
10 Because at 2 cents a kilowatt hour, you're paying a  
11 high fixed cost, electric heat is. The heat pumps and  
12 all those technologies become a lot less costly than  
13 natural gas.

14           **Q.     I'm sure your colleagues in the gas**  
15 **industry don't like to hear you say that.**

16           A.     They probably support a higher energy  
17 charge.

18           **Q.     Okay. That's actually all I have.**  
19 **Thanks, Mr. Rush.**

20           A.     Thank you.

21                     JUDGE BUSHMANN: Mr. Kenney?

22 QUESTIONS BY COMMISSIONER KENNEY:

23           **Q.     Hello, Mr. Rush. How are you?**

24           A.     I'm doing great. Thank you.

25           **Q.     Great. I was able to attend all but one**

1 of those local public hearings.

2 A. Right.

3 Q. And customer charge was probably the top  
4 on the list of those that I heard present their --

5 A. Okay.

6 Q. -- their comments. So obviously I  
7 imagine you did -- KCP&L must have done something  
8 proper of getting it out --

9 A. That's what I thought.

10 Q. -- because people were aware of it.

11 A. Good.

12 Q. Did you follow the Ameren rate case?

13 A. I did. I mean in a general sense.

14 Q. You know, I will quote the Office of  
15 Public Counsel that Ameren was seeking a de minimis  
16 customer charge increase, to go from like \$8 to 8.59.  
17 And I supported a customer charge increase.

18 A. Right.

19 Q. And are you aware that this Commission  
20 rejected any increase for a customer charge?

21 A. I am, yes.

22 Q. Okay. Thank you.

23 JUDGE BUSHMANN: Commissioner Hall?

24 QUESTIONS BY COMMISSIONER HALL:

25 Q. Good morning, Mr. Rush.



1 A. Good morning.

2 Q. I'd like to start off with some questions  
3 about the Economic Relief Pilot Program. Let me start  
4 with it's seven years old?

5 A. That's correct.

6 Q. And we're still calling it a pilot  
7 program?

8 A. Yes.

9 Q. Okay. Well, I find that odd, but could  
10 you explain to me how it works?

11 A. Essentially customers that have a  
12 hardship in paying their bill can go to an agency -- I  
13 believe it is the Salvation Army -- and if they meet  
14 certain qualifications, income levels and can  
15 demonstrate hardships, they can receive funding. And  
16 I believe -- believe the -- it's to a certain level per  
17 month that they have to become current over a period  
18 of time. So it's essentially a manner of trying to  
19 get them over a hardship area.

20 Q. So it covers the entirety of their  
21 bill --

22 A. No.

23 Q. -- or some portion?

24 A. It's a mixed amount of their bill. I  
25 think it's \$75 today. I don't remember the exact

1 amount.

2 Q. Okay. Well, actually I guess it's 50 --

3 A. Fifty.

4 Q. -- and you're proposing to increase that  
5 to 65 or 75, I can't remember.

6 A. Right. I don't -- I'm sorry. I don't  
7 have that right in front of me, but yes.

8 Q. Okay. And is there a duration?

9 A. It's up to a year.

10 Q. It's up -- so they can get 12 months?

11 A. If -- under certain criteria, yes.

12 Q. Okay. Well, and my understanding is that  
13 the program is split evenly between -- in terms of  
14 paying for it between shareholders and ratepayers?

15 A. That's correct.

16 Q. Well, I, for one, would like to  
17 congratulate the company for the -- for instituting  
18 the program, for maintaining it and for advocating its  
19 expansion. It seems to me like an excellent program.  
20 And it's particularly noteworthy that the Company's  
21 willing to foot half the bill for it.

22 A. Thank you very much. It is something  
23 very important to us and it does provide a service. I  
24 mean oftentimes when we have complaints with  
25 customers, even at the Commission Staff level, they'll

1 help us facilitate a customer to get that assistance  
2 through the ERPP program that we have.

3 **Q. And it's my understanding also that there**  
4 **was some confusion as to the amount of unused funds --**

5 A. There was.

6 **Q. -- early on. I think Staff believed that**  
7 **it was close to 50 percent unused?**

8 A. Right.

9 **Q. And, in fact, it's under 50,000?**

10 A. That's correct.

11 **Q. So Staff is proposing that you expand the**  
12 **program from 1,000 to 1,500, but not increase the**  
13 **fundin g?**

14 A. Right. Which would mean --

15 **Q. Is that possible?**

16 A. Well, you would have to limit the amount  
17 of people, participants. So no, you could not fully  
18 subscribe it. Everything was based on being fully  
19 subscribed to the program before and we are very close  
20 to being fully subscribed all the time. So you'd have  
21 to cut back, you know, the 400 or 500 folks.

22 **Q. Okay. Well, you had some questions**  
23 **earlier about the linkage between this program and**  
24 **your request for an increased customer charge both**  
25 **from a policy basis --**

1           A.     Right.

2           **Q.     Well, I guess the questions were on a**  
3 **policy basis. My questions are more from a financial**  
4 **basis. If the Commission were to maintain the current**  
5 **customer charge, what would the Company's position be**  
6 **on the expansion of this program?**

7           A.     There's -- there's been a lot of debate,  
8 discussing with parties through the case of not  
9 wanting us to participate in -- I mean almost all the  
10 parties have said we don't want you to take the extra  
11 funding. And we -- we are -- we were essentially in  
12 agreement that if they didn't want us to do it, I  
13 guess we won't do it.

14                     But I mean, our -- our desire is to  
15 implement the program and expand it. Our desire --  
16 because we are asking for a 15 percent increase and  
17 it's a very substantial rate increase that we're  
18 talking about, in our -- in our mind. And so that's  
19 part of why we were doing it also. Not just the  
20 service charge. So I think that we would definitely  
21 be willing to continue the program.

22           **Q.     What about expanding the program?**

23           A.     We would definitely -- we definitely want  
24 to continue the program. We would be willing to  
25 expand the program --

1           **Q.     Okay.**

2           A.     -- even if the service charge were not  
3     increased.

4           **Q.     Okay. Well, and my next question was**  
5 **going to be what if the customer charge is only**  
6 **expanded to, say, perhaps 16.49?**

7           A.     The same. We would want it.

8           **Q.     Okay.**

9           A.     I mean, we recognize through all -- and  
10    we presented in our opening that this increase, with  
11    all the true-ups and all of the information, is still  
12    going to be a fairly substantial -- is going to be a  
13    substantial rate increase.

14          **Q.     What has -- let me switch gears. My**  
15 **understanding is that consumption has been down or is**  
16 **going down?**

17          A.     Relatively flat to going down a little  
18    bit, yes.

19          **Q.     Over what time period?**

20          A.     Probably over the last -- I would say  
21    seven years, eight years.

22          **Q.     And your forecast is that that will**  
23 **continue or decline?**

24          A.     Our forecast is essentially a stable or a  
25    flat energy consumption. It's going to be a little

1 bit of a decline, but currently what our thought is,  
2 there's going to be an economy recovery that's  
3 continuing on. We've talked about that in our ROE  
4 discussions. There will be a slight uptick of  
5 increase, but extremely modest over -- I mean we're  
6 talking hundred -- or tenths of a percent I believe is  
7 the forecast that's out there.

8 And -- but -- but, you know, we're  
9 encouraging energy efficiency, we've got an awful lot  
10 of things going on to help manage energy consumption  
11 through our MEEIA programs and others that are going  
12 on today. And so we see basically a flat to somewhat  
13 decline in energy over the ne-- over the long term.

14 **Q. And what do you attribute that stable to**  
15 **declining consumption rate?**

16 A. Well, I personally -- if you're asking  
17 just my personal opinion is --

18 **Q. No, I'm asking the Company's position.**

19 A. The Company's position. The Company's  
20 position is that the economy -- customers are becoming  
21 more energy conscious. That's -- that's probably one  
22 of the biggest issues that are -- that's going on  
23 today and we are an advocate of that.

24 And we basically see a lot of things  
25 going in an awful lot more efficient, so new

1 residences are different than they were previously.  
2 The big homes that were built five or ten years ago  
3 are not being built at the same pace that they were,  
4 and so that's part of what's driving it.

5 **Q. My understanding is that one significant**  
6 **reason, if not the significant reason, why the Company**  
7 **is pushing for an increase in the customer charge is**  
8 **in order to not -- not under-collect, not -- not**  
9 **under-recover.**

10 A. That's -- that's a factual statement,  
11 yes, that's correct.

12 **Q. And would that -- would that -- would**  
13 **you -- if we were -- if the company was enjoying**  
14 **consumption increases going into the future, then you**  
15 **would not -- it would not be necessary for you to push**  
16 **for a customer charge?**

17 A. That is absolutely correct.

18 **Q. So one alternative would be some type of**  
19 **historic test year on consumption in order to avoid an**  
20 **increased customer charge?**

21 A. A historic?

22 **Q. I'm sorry. Future?**

23 A. Absolutely, yes. I mean looking at some  
24 of the cost increases down the road and consumption  
25 down the road, absolutely. Looking at the forward

1 approach definitely addresses a lot of our concerns.

2 **Q. Putting aside the Company's interest in**  
3 **not under-recovering -- and I don't intend to minimize**  
4 **the significance of that -- but what are the other**  
5 **policy rationales for increase in the customer charge?**

6 A. One of them to be -- is dealing with --  
7 and if you go back to that page 60 of my testimony, is  
8 cost causation, for example. What is really the cost  
9 driver factors of that? Right now basically our  
10 variable cost -- as I said, we're 10 percent and  
11 our -- our fixed costs are 90, but we're recovering  
12 the actual opposite of that.

13 **Q. So I understand -- I understand that**  
14 **discrepancy, but why do we care about that?**

15 A. Because it's -- on an economic basis, you  
16 want to provide cost-based rates, which would provide  
17 customers the true cost signal of what their services  
18 cost. I mean, for example, if you're a very large  
19 customer and you're paying -- you know, you're  
20 essentially -- potentially subsidizing the smaller use  
21 customers or the medium size use customers. And the  
22 opposite's going true. If you're a very small user,  
23 you're not paying your full cost-of-service.

24 **Q. Do you view increasing the customer cost**  
25 **as one type of decoupling?**



1           A.     It -- if it were much higher than the  
2 actual costs were, yes. But if it's just the cost of  
3 the service, probably not. It's probably just being  
4 cost oriented.

5           **Q.     Well, from my perspective, any time you**  
6 **try to charge the customer on a basis other than**  
7 **volumetric, you are moving towards a decoupled bill.**  
8 **Do you agree?**

9           A.     I don't necessarily agree with that.

10          **Q.     Why is that?**

11          A.     Because I think decoupling is when you're  
12 starting to look at what are your cost drivers and  
13 based on what your drivers are, you're allowed to  
14 recover that difference. So you're separating the  
15 rate design, the rate components from what you need to  
16 earn for an earnings basis. And so you kind of are  
17 looking at two different avenues.

18                 For example, you know, you might have the  
19 rates in place for a year. At the end of the year,  
20 you look and say, did you over-earn or under-earn and  
21 you're going to true-up to some level. And that is a  
22 decoupled, where you've said basically looking at  
23 cost-of-service is something I'll do after the fact  
24 and true myself up so that we're basically balanced as  
25 far as our earnings go.

1           **Q.     Let me -- do you have Robin Kliethermes'**  
2 **Surrebuttal Testimony?**

3           A.     I do not have it. I can --

4           MR. HACK: Hang on.

5           THE WITNESS: Oh, thank you very much.

6           COMMISSIONER KENNEY: Give it back.

7           THE WITNESS: I'll give it back. I have  
8 it now.

9           COMMISSIONER HALL: Thank you,  
10 Commissioner Kenney.

11 BY COMMISSIONER HALL:

12           **Q.     Page 4.**

13           A.     I'm there.

14           **Q.     You see where on lines 4 through 13 she**  
15 **outlines the following costs that Staff took into**  
16 **account in calculating the residential customer**  
17 **charge?**

18           A.     That's correct.

19           **Q.     Did you or anyone else in the Company do**  
20 **a customer charge calculation?**

21           A.     We did.

22           **Q.     Did you take these -- I know that**  
23 **you're -- you're advocating expanding the cost --**

24           A.     We expanded it, yes.

25           **Q.     -- that should go into the customer**

1 **charge, but did you do a calculation as to these?**

2 A. We did.

3 **Q. Okay. And my understanding is that**  
4 **Staff's cost was 16.49 based on these particular**  
5 **costs.**

6 A. That's right.

7 **Q. And was that also your calculation?**

8 A. Ours was very close to that. I don't  
9 remember the exact price, but it was extremely close  
10 to that 16.49, yes.

11 **Q. Okay. And has that been historically the**  
12 **costs included in a customer charge for KCP&L?**

13 A. Well, it's been part of our  
14 cost-of-service. It's never been what the price of  
15 the charge was.

16 **Q. Right. Okay. And --**

17 A. And one of the things, just so you know,  
18 we've had an awful lot of fixed cost expenses because  
19 of the solar rebates that have been given to customers  
20 that go into what they call -- I think the account's  
21 928, and the MEEIA -- what they call the opt-out --  
22 the pre-MEEIA costs. And that is also reflected in  
23 this \$16.

24 So there's been some significant  
25 increases in the recent years because of energy

1 efficiency programs and the mandated solar rebates  
2 that have caused this \$16 to be what it is. It used  
3 to not be that high.

4 **Q. Okay. Turning to a somewhat different**  
5 **issue, my understanding is that the Company does not**  
6 **believe that there is a direct relationship between**  
7 **being a low -- low energy user and being low income.**

8 A. That's correct.

9 **Q. And is the basis for that belief the**  
10 **LIEAP?**

11 A. It is. We did an evaluation of LIEAP  
12 customers, took their usage profile and compared it to  
13 our average profile of all of our customers.

14 **Q. Did you read Dr. Marke's evaluation of**  
15 **that analysis in his Rebuttal Testimony?**

16 A. I have read it, yes.

17 **Q. And he essentially says that that**  
18 **conclusion stands for -- on page 13 -- for the**  
19 **entirely unremarkable proposition that the LIEAP**  
20 **program is doing what it's intended to do, which is**  
21 **heat and cool homes, thereby increasing energy**  
22 **consumption.**

23 **How do you respond to that?**

24 A. I -- I disagree with that, but --

25 **Q. I would expect that, but why?**

1           A.     Because I think LIEAP is a program  
2 designed to help facilitate customers who, you know,  
3 are having financial problems and I don't think that  
4 says, oh, I can use all I want. I don't think that's  
5 necessarily designed to say, oh, I'm going to use  
6 everything free because it's restricted. They still  
7 have to meet certain criteria to be able to receive  
8 that funding.

9           **Q.     But don't you think that the existence of**  
10 **that financial support would motivate a consumer to**  
11 **use more electricity than they otherwise would?**

12          A.     It -- it might.

13          **Q.     And then how do you respond to the**  
14 **California study in his testimony that -- I believe**  
15 **it's a California --**

16          A.     It was California.

17          **Q.     -- study. Pardon me?**

18          A.     It was -- it's California.

19          **Q.     Well, that doesn't help me. And just so**  
20 **you know --**

21          A.     I tried to take some specific data from  
22 Missouri that I had in the service territory, very  
23 specific to our territory and look at that analysis.  
24 I did not go out and look at something in a different  
25 state or a different evaluation.

1           **Q.     Well, for what it's worth, I mean I -- it**  
2 **seems to me just intuitive that there would be at**  
3 **least some correlation between low energy -- between**  
4 **being low income and being a low energy user.**

5           A.     I would --

6           **Q.     But --**

7           A.     I'm sorry.

8           **Q.     Go ahead.**

9           A.     I would -- there is a possibility of  
10 that. But I also know that oftentimes low-income  
11 customers don't have brand-new energy efficiency air  
12 conditioners or refrigerators or whatever. And to sit  
13 there and say, oh, they all have lower-use appliances  
14 or whatever, I don't know if that's true.

15                   I don't know if their home style is such  
16 that they're out working all the time and,  
17 therefore -- I kind of envision it a little  
18 differently; that they often -- you know, they may be  
19 home more and, therefore, have a lot more consumption  
20 just because of being home. But I mean we all have  
21 different --

22           **Q.     Right. Well, let me ask you this -- and**  
23 **this is a little outside of your -- of your testimony,**  
24 **but let's -- let's say that there was a correlation**  
25 **between low-income households and low energy use.**

1 A. Uh-huh.

2 Q. And -- and let's say that we were going  
3 to increase the customer charge for all the reasons  
4 that you set forth in your testimony. Couldn't --  
5 wouldn't one way of protecting low-income consumers be  
6 some kind of inclining block rate -- rate design?

7 A. The problem with an inclining block is  
8 it's not cost oriented at all.

9 Q. Putting that aside, wouldn't that, in  
10 fact, be one way of protecting low-income consumers  
11 from the increased costs of a customer charge -- of an  
12 increased customer charge?

13 A. Well, it would be that way for everybody.  
14 And so low income if -- if -- you'd first have to  
15 define if they're actually low-income customers or  
16 low-use customers, which I don't agree with. And then  
17 you'd have to say that's the only population you're  
18 dealing with because there are a lot of not low-income  
19 customers who have low energy consumption.

20 Q. In fact, don't you -- doesn't KCP&L have  
21 some kind of declining block rates?

22 A. Our -- our rates are declining block,  
23 yes. For the wintertime and not for the summertime.

24 Q. And was there any thought given to moving  
25 towards inclining block rates?

1           A.     Actually we were -- actually we were  
2 moving towards the opposite of that and -- and moving  
3 towards more of recovering the fixed costs where the  
4 fixed costs belong, which is in the first up front  
5 area. So it was actually the opposite of that.

6           **Q.     So the answer is no?**

7           A.     That's correct.

8           **Q.     All right. I have no further questions.**

9           **Thank you.**

10                   JUDGE BUSHMANN:   Commissioner Rupp?

11                   QUESTIONS BY COMMISSIONER RUPP:

12           **Q.     Good morning, sir. How are you?**

13           A.     I'm doing fine. Thank you.

14           **Q.     Wonderful. You were having a**  
15 **conversation with the Office of Public Counsel and you**  
16 **were discussing the customer charge and they asked if**  
17 **you had attended any of the public hearings.**

18           A.     That's correct.

19           **Q.     And what was your response?**

20           A.     I had not.

21           **Q.     So you would not have information on any**  
22 **updates from several of the customers that came**  
23 **forward with very strong and extremely legitimate**  
24 **customer service complaints?**

25           A.     I'm semi-aware of those. And we actually



1 addressed them in the Surrebuttal Testimony of Darrin  
2 Ives, who attended all of the meetings. And he is  
3 prepared to be able to address those issues --

4 **Q. Okay.**

5 A. -- when he's on the stand.

6 **Q. So when he's on the stand.**

7 A. Yes.

8 **Q. So I can save all my questions for**  
9 **Mr. Ives?**

10 A. If you want to ask me questions about it,  
11 I'll tell you what I know, but he is the one that  
12 knows in great detail.

13 **Q. I'll not waste your time. I'll just go**  
14 **to the expert and hear how all of them have been**  
15 **satisfactorily resolved in a timely manner.**

16 A. I think -- I think they have all been  
17 satisfied.

18 **Q. Very good. Thank you.**

19 JUDGE BUSHMANN: Recross based on  
20 Commissioner questions. Missouri Division of Energy?

21 MR. ANTAL: No questions.

22 JUDGE BUSHMANN: Consumers Council?

23 MR. COFFMAN: No questions.

24 JUDGE BUSHMANN: US Department of Energy?

25 MR. TSHIKORORO: No questions.

1 JUDGE BUSHMANN: Sierra Club?

2 MR. BECTOR: No questions.

3 JUDGE BUSHMANN: MIEC?

4 MR. DOWNEY: No questions.

5 JUDGE BUSHMANN: MECG?

6 MR. WOODSMALL: No questions.

7 JUDGE BUSHMANN: Public Counsel?

8 MR. POSTON: Just a few. Thank you.

9 RECROSS-EXAMINATION BY MR. POSTON:

10 **Q. I should probably let this issue die, but**  
11 **I will bring this back up. Isn't it true that the**  
12 **customers that attended the local public hearings were**  
13 **given handouts that explained the proposed increase to**  
14 **the customer charge?**

15 A. There were two things provided to  
16 customers. There was a bill insert of the  
17 notification about the hearings of which information  
18 was provided then. Then there was a handout at the  
19 hearing that was prepared -- I think there were  
20 multiple handouts, in fact. And we had customer  
21 service representatives there and -- and folks from  
22 the company that could address any concerns that they  
23 had.

24 **Q. So customers that didn't attend the**  
25 **public hearings wouldn't have received those handouts;**

1 **is that correct?**

2 A. They would not have received the second  
3 thing I described, the handouts, but they -- all  
4 customers would have received the notifications.

5 **Q. Okay. And would you agree that**  
6 **Dr. Dismukes, OPC's witness, disagrees with your**  
7 **characterization of how costs are caused for the**  
8 **residential class?**

9 A. He does, yes. In a general sense, yes.

10 **Q. And he also disagrees with the Staff's**  
11 **testimony that \$16 is actually the customer-specific**  
12 **costs. Would you agree with that?**

13 A. I'd rather you ask -- I don't know that  
14 specific.

15 **Q. Okay. Would he be a good witness to ask**  
16 **to understand his position?**

17 A. Or -- or Staff, yeah. Yes.

18 **Q. And would you agree that LIEAP is a**  
19 **subsidy to those customers that receive it?**

20 A. I would.

21 **Q. Thank you. That's all I have.**

22 JUDGE BUSHMANN: Recross by Staff?

23 RE-CROSS-EXAMINATION BY MS. MAYFIELD:

24 **Q. Yeah, quick clarifying question. I**  
25 **believe I heard you in discussing the straight fixed**

1 variable cost with Chairman Kenney, I believe that you  
2 neglected to mention that the cost of gas transmission  
3 and production are not part of the customer charge.

4 **Would you agree with that?**

5 A. Gas -- are you talking about for the  
6 electric?

7 Q. Well, you were having a discussion with  
8 Chairman Kenney when we first started talking about  
9 the fixed versus variable costs --

10 A. I did.

11 Q. -- and what went into that. And I  
12 believe that you failed to point out that the cost of  
13 the gas transmission and the production are not  
14 included in the customer charge.

15 A. For the gas companies?

16 Q. Correct.

17 A. I said they were -- that was part of the  
18 cost of gas. I should have said that was part of  
19 the -- transmission and production of natural gas is  
20 part of the cost of gas that is charged through  
21 that -- that piece.

22 Q. Through the commodity charge. Correct?

23 A. Yes.

24 Q. Thank you. No further questions.

25 JUDGE BUSHMANN: Redirect by KCPL?

1 MR. HACK: Just a few.

2 REDIRECT EXAMINATION BY MR. HACK:

3 Q. Staff counsel was asking you about the  
4 possibility of retaining the \$9 customer charge and  
5 spreading the rest of the increase across the balance  
6 of the residential rate elements --

7 A. That's right.

8 Q. -- do you recall that?

9 Do you have an opinion -- and we've  
10 talked a lot about low-usage customers today. Does  
11 the company have higher-than-average-use customers?

12 A. Yes, it does.

13 Q. And what is the impact of that sort of  
14 rate design decision in this case on the  
15 higher-than-average-use customers?

16 A. They would pay an average higher than  
17 average increase.

18 Q. And do those customers pay higher bills  
19 already today?

20 A. That's correct.

21 Q. Would the percentage increase for those  
22 customers be greater than the percentage increase of  
23 the average customer or the lower-than-average-use  
24 customer?

25 A. On their bill -- on the totality of their

1 bill, yes, it would.

2 **Q. Do you think higher-than-average-use**  
3 **customers understand this relationship between the per**  
4 **kWh charge and the customer charge?**

5 A. I -- I don't know. They -- I really  
6 don't know. I -- you know, when -- we're all taking  
7 about this customer charge and 177 percent. Customers  
8 know that they pay a fixed charge and they pay a  
9 variable charge. And -- and I don't think they  
10 would -- I don't think they sit there and focus on  
11 \$9 or \$25. I think they know their bill is X dollars.

12 **Q. Does the evidence you've put in your**  
13 **Direct Testimony show that we have low-income**  
14 **customers who are higher than average use?**

15 A. Absolutely, yes. And in fact, it was  
16 very consistent with our overall customers' average  
17 use. I mean it -- the pattern followed right on top  
18 of each other.

19 **Q. Regarding the questions from Commissioner**  
20 **Hall about LIEAP customers perhaps using more than**  
21 **they otherwise would, is it -- is it --**

22 JUDGE BUSHMANN: Mr. Hack, is your  
23 microphone on? I'm having trouble hearing.

24 MR. HACK: I apologize. It is now.

25 JUDGE BUSHMANN: Thank you.

1 BY MR. HACK:

2 **Q. What is the purpose of LIEAP program in**  
3 **your view, Mr. Rush?**

4 A. The LIEAP program is a national program  
5 and Missouri gets certain fundings for it and they  
6 get -- they split it up between the different areas of  
7 propane and electricity, et cetera. It's a  
8 subsidi zation for those customers financially at  
9 hardship that meet certain poverty levels. And it's  
10 basically called the low-income weatherization  
11 program.

12 **Q. It's designed to keep them on the system?**

13 A. That's right.

14 **Q. And if a customer is on the system, will**  
15 **they use more than if they're not on the system?**

16 A. Yes, they would. Yes.

17 **Q. Are you familiar with the Company's solar**  
18 **rebate program and MEEIA programs?**

19 A. I am.

20 **Q. Can you offer any thoughts as to the take**  
21 **rates of those programs for low-income customers?**

22 A. Well, essentially the low-income  
23 customers are not participants in the solar rebate  
24 program. And really that's a -- you know, we're  
25 coming to the end of that as far as the rebates go.

1           With regard to the MEEIA program, we do  
2 have some programs designed for low income, whether  
3 it's weatherization or other programs designed for low  
4 income. We have an energy efficiency program for low  
5 income that we try -- that we work through. So there  
6 are participants in that; trying to help encourage  
7 them to use less.

8           **Q. For --**

9           A. There are lost -- you know, every time  
10 you have those customers take -- participating in  
11 those, you do lose sales. And -- and in the solar  
12 basis, you could lose as much as a customer using zero  
13 consumption on an annual basis.

14           **Q. For the low-income MEEIA programs, are**  
15 **those focused on homeowners?**

16           A. We do have programs definitely fo--  
17 focused on homeowners. We do have some that are  
18 educational that are -- that do attempt to address  
19 non-homeowners.

20           **Q. Do non-homeowners apply for appliance**  
21 **rebates?**

22           A. No.

23           **Q. That's all I have.**

24           A. Okay.

25           JUDGE BUSHMANN: Thank you, Mr. Rush.



1 You may step down.

2 COMMISSIONER KENNEY: Thank you, sir.

3 JUDGE BUSHMANN: Why don't we take a  
4 break. We'll be in recess until 10:45.

5 (MIEC Exhibits 553, 554, 555, 556,  
6 557-HC, 557-NP, 558 and 559 were marked for  
7 identification.)

8 (Sierra Club Exhibits 400 and 401 were  
9 marked for identification.)

10 (A recess was taken.)

11 JUDGE BUSHMANN: Let's go back on the  
12 record. Just as a preliminary matter, I did confirm  
13 during the break with Staff counsel that there are no  
14 questions from Staff on the three Kansas City Power &  
15 Light witnesses for tomorrow, Bell, Ling and  
16 Archibald. It's my understanding that no one has any  
17 objections to the introduction of their testimony into  
18 the record and everybody's waiving cross on those  
19 three witnesses. Anybody want to disagree with that  
20 understanding?

21 I don't hear any, so why don't we just go  
22 ahead and take care of that right now so they know  
23 they don't have to appear. Mr. Hack, what were the  
24 exhibits for those witnesses?

25 MR. HACK: They are -- oh, the exhibits.

1 JUDGE BUSHMANN: Their testimony.

2 MR. HACK: My apologies. It is Bob  
3 Bell -- I'll start with Forrest Archibald, 100-HC and  
4 100-NP, which is Rebuttal Testimony; Robert Bell,  
5 Direct, 102-HC and 102-NP; and Paul Ling, L-i-n-g,  
6 Direct and Rebuttal, Exhibits 127 and 128.

7 JUDGE BUSHMANN: Would you like to offer  
8 those at this time?

9 MR. HACK: Yes. KCP&L would offer the  
10 exhibits I just -- the numbers I read off.

11 JUDGE BUSHMANN: Any objections?

12 Hearing none, Exhibits 100-HC and NP,  
13 102-HC and NP, 127 and 128 are received into the  
14 record.

15 (KCPL Exhibits 100-HC, 100-NP, 102-HC,  
16 102-NP, 127 and 128 were received into evidence.)

17 JUDGE BUSHMANN: And those witnesses will  
18 not have to appear tomorrow.

19 MR. HACK: Thank you.

20 JUDGE BUSHMANN: Also, back on today's  
21 business, I've been informed that Mr. Woolf has some  
22 travel requirements. And my understanding is no one  
23 objects to taking him out of order so he can make his  
24 airplane so we're going to go ahead and proceed with  
25 that at this time.

1 Mr. Woolf, would you raise your right  
2 hand.

3 (Witness sworn.)

4 JUDGE BUSHMANN: You may proceed.

5 TIM WOOLF, testifies as follows:

6 DIRECT EXAMINATION BY MR. BECTOR:

7 Q. Good morning.

8 A. Good morning.

9 Q. **Would you please state your name and**  
10 **spell it for the court reporter?**

11 A. My name is Tim Woolf. That's T-i-m  
12 W-o-o-l-f.

13 Q. **And, Mr. Woolf, by whom are you employed**  
14 **and what is your business address?**

15 A. I'm employed by Synapse Energy Economics  
16 at 485 Massachusetts Avenue in Cambridge,  
17 Massachusetts.

18 Q. **And are you the same Tim Woolf that**  
19 **prepared and caused to be filed Direct and Surrebuttal**  
20 **Testimony in this case?**

21 A. Yes, I am.

22 Q. **Did you have any additions or corrections**  
23 **to make in either your Direct or Surrebuttal**  
24 **Testimony?**

25 A. I have one correction. It's more in the

1 order of a typo. On page 31, line 2, there are two  
2 words --

3 **Q. Is this Direct or Surrebuttal?**

4 A. I'm sorry. This is my Direct Testimony,  
5 page 32, line 2.

6 **Q. Page 31?**

7 A. Sorry. Page 31, line 2. There are two  
8 words there "10 percent" and they should be removed,  
9 just completely deleted out. So that the phrase would  
10 read, And would be completely dwarfed by the reduction  
11 in the customer's electric bill.

12 That "10 percent" came from an earlier  
13 draft where I had a quantitative example and that no  
14 longer is relevant.

15 **Q. Thank you. Did you have any other**  
16 **additions or corrections to make?**

17 A. No, I do not.

18 **Q. Mr. Woolf, if I were to ask you the**  
19 **questions contained in those testimonies today,**  
20 **notwithstanding the correction you just made, would**  
21 **your answers be the same?**

22 A. Yes, they would.

23 **Q. And is the information contained in those**  
24 **answers true and correct, to the best of your**  
25 **knowledge?**

1           A.     Yes, they are.

2           MR. BECTOR: Your Honor, I offer Exhibi ts  
3 400 and 401 into the record.

4           JUDGE BUSHMANN: Any obje ctions?

5           Hearing none those will be received into  
6 the record.

7           (Sierra Club Exhibi ts 400 and 401 were  
8 received into evide nce.)

9           MR. BECTOR: Your Honor, I tender  
10 Mr. Wool f for cross-exami nati on.

11           JUDGE BUSHMANN: First cross would be  
12 Publ ic Counsel .

13           MR. POSTON: Thank you.

14 CROSS-EXAMI NATI ON BY MR. POSTON:

15           **Q.     Good morni ng.**

16           A.     Good morni ng.

17           **Q.     I have just a few. Were you in the room**  
18 **when Mr. Rush spoke this morning -- when he testified**  
19 **this morning?**

20           A.     Yes, I was.

21           **Q.     Okay. And did you hear him testify**  
22 **about -- in relation to the customer charge issue,**  
23 **cost causation, fixed costs, price signals, those kind**  
24 **of issues?**

25           A.     Yes, I di d.

1           **Q.     And are there differences in price**  
2 **signals between short run and long run?**

3           A.     Yes.   That's an important point that I  
4 haven't heard raised here yet, which is in terms of  
5 sending price signals to customers, fixed costs can be  
6 defined in different ways.   And there's short-term  
7 fixed costs and long-term fixed costs.

8                     And what's relevant to the customer and  
9 the customer price signal is the long-term fixed  
10 costs.   The reason for that is if a customer chooses  
11 to adopt an energy efficiency measure, say it's a  
12 refrigeration or air conditioning or new motor, that  
13 can have savings that will last 10, 20 years.   And so  
14 those savings can actually avoid costs for that period  
15 of time.   They can avoid generation costs,  
16 transmission costs, distribution costs.

17                     So what's at issue when you're talking  
18 about price signals is what are the avoidable costs in  
19 the future.   And it's quite clear that in terms of  
20 promoting energy efficiency, you want to give  
21 customers the signal that will encourage them to avoid  
22 long-term costs.

23                     So from that perspective, it's much --  
24 the issue of fixed versus variable takes on a  
25 different light.   Because if you think of fixed costs

1 being long term, they are much, much smaller than just  
2 short term. So in that light, it's important to keep  
3 in mind the very rationale for the customer charge or  
4 the energy charge price signal, which is to get the  
5 customers to respond to that signal and adopt  
6 efficiency -- or at least consume energy as  
7 efficiently as possible.

8 **Q. Would a \$9 customer charge encourage**  
9 **that?**

10 A. A \$9 customer charge would be much  
11 more -- provide much more incentive for efficiency  
12 than a higher customer charge, yes.

13 **Q. Thank you. That's all.**

14 JUDGE BUSHMANN: Staff?

15 MS. PAYNE: No questions, your Honor.

16 JUDGE BUSHMANN: MIEC?

17 MR. DOWNEY: No questions.

18 JUDGE BUSHMANN: MECG?

19 MR. WOODSMALL: No questions, thank you.

20 JUDGE BUSHMANN: US Department of Energy?

21 MR. TSHI KORORO: No questions, your  
22 Honor.

23 JUDGE BUSHMANN: Missouri Division of  
24 Energy?

25 MR. ANTAL: No questions.

1 JUDGE BUSHMANN: Consumers Council?

2 MR. COFFMAN: No questions.

3 JUDGE BUSHMANN: Kansas City Power &  
4 Light?

5 MR. HACK: Just a few, your Honor.

6 CROSS-EXAMINATION BY MR. HACK:

7 Q. Good morning.

8 A. Good morning.

9 Q. **Just taking off on the conversation you**  
10 **just had with Office of Public Counsel, so there's**  
11 **long run avoidable costs. Talk to me a little bit**  
12 **about the magnitude of short run cost savings**  
13 **associated with -- with kWh load reductions by**  
14 **customers.**

15 A. So can you be more specific in what you  
16 mean? I'm not quite sure --

17 Q. **You just talked about long run and short**  
18 **run.**

19 A. Yes.

20 Q. **You talked about the long run.**

21 A. Yes.

22 Q. **Tell me about the short run.**

23 A. Well, it is possible for customers to  
24 reduce consumption and, therefore, costs in the short  
25 run, if that's what your question means.



1           **Q.     So the customer costs -- customer bill**  
2 **goes down.   Correct?**

3           A.     As a result of energy efficiency, yes.

4           **Q.     What about the Company's costs in the**  
5 **short run?**

6           A.     So one of the challenges with rate design  
7 is that there's two kinds of costs to consider.  
8 There's historic cost or short-term fixed cost that  
9 the Company incurs -- and rate design should be  
10 established so as to ensure the Company recovers an  
11 appropriate amount of costs and the opportunity to  
12 return -- to earn a fair return.

13                     But on the other hand, there's the  
14 avoidable cost in the future and in the long term,  
15 that's for the customer's price signal consideration.  
16 And the two have to be considered at once. That's the  
17 whole challenge here.

18                     And so what I'm saying is that the  
19 Company's case here has talked a lot about recovering  
20 the Company's existing fixed costs and short-term  
21 fixed costs, but there has not been much discussion,  
22 if any, on the long term avoidable costs that are an  
23 important part of the pricing of the customers.

24           **Q.     And decoupling, in your view, addresses**  
25 **both short run and long run?**

1           A.     I should say, first of all, that when I  
2 use the term "decoupling," I'm not referring to  
3 adjustments to fixed charges and I'm not referring to  
4 straight fixed variable kind of rate-making. I'm  
5 referring to what some people call revenue regulation  
6 to -- to distinguish it from those.

7                     And in that context, there is -- the  
8 customers have the same incentive to consume that they  
9 would without decoupling and they have the same  
10 incentive -- consume or conserve that they would  
11 have -- they would have a better incentive than they  
12 would compared to fixed charges being increased.

13           **Q.     But in the short run, the revenue losses**  
14 **that the Company experiences, which are based on**  
15 **embedded fixed costs among other things, would, under**  
16 **the decoupling template as you describe it, be**  
17 **recovered. The Company would be made whole for those?**

18           A.     That's correct.

19           **Q.     What states have you worked in that --**  
20 **where electric companies have that type of decoupling**  
21 **regime?**

22           A.     Well, I was a Commissioner in  
23 Massachusetts for four years. And during my tenure  
24 there, we had a generic investigation on decoupling  
25 and I was the lead Commissioner on that. And

1 throughout the generic investigation, the Commission  
2 decided to proceed and then we had all the companies  
3 come in in a staggered basis with rate cases so that  
4 we could take a look at the rates, take a look at the  
5 rate design and implement decoupling for all of them.  
6 And while I was on the Commission, I think three of  
7 the seven utilities came in for such a rate case.

8 I've also worked very recently in Maine  
9 for the Maine Office of Peoples' Advocate on a rate  
10 case regarding decoupling where, as I mention in my  
11 testimony, I recommended decoupling there. And the  
12 Company and the -- all the stakeholders settled with a  
13 decoupling mechanism.

14 I work in Hawaii, where there's also a  
15 decoupling mechanism there. And -- oh, I work in  
16 Rhode Island quite a bit and there's a decoupling  
17 mechanism there. There's several other states with  
18 decoupling. I don't work as directly in those states  
19 as I have in the ones that I've mentioned.

20 **Q. So Massachusetts, for example, would it**  
21 **be fair to say that decoupling was implemented in**  
22 **Massachusetts in large measure to remove the financial**  
23 **disincentive for utilities to promote energy**  
24 **efficiency aggressively?**

25 A. Yes, but it was more than that. In fact,

1 in the Commission's order opening the docket, we made  
2 it quite clear that it wasn't just energy efficiency.  
3 It was any customer action, any new technology that  
4 might serve to reduce consumption or reduce load. And  
5 so we referred to energy efficiency, demand response,  
6 distributed generation, Smart Grid technologies.

7 We referred to changes in the industry.  
8 For example, I think increased requirements for  
9 reducing CO2 emissions, which would lead to lower  
10 sales. All of those factors -- in fact, this is where  
11 I agree, to some extent, with Mr. Rush's testimony.  
12 The environment in the industry is changing. And  
13 that -- recognizing that, we opened the investigation  
14 to look at how decoupling could help respond to those  
15 changes.

16 **Q. And how long has the regime been in**  
17 **effect in Massachusetts, for example?**

18 A. So I don't have the exact dates, but on  
19 the order of 2010 I think we issued the order for --  
20 to establish decoupling. I know it was 2008 when we  
21 opened it. And then we had a couple rate cases  
22 shortly after that. And there have been -- rate cases  
23 have been coming in since. So it's been on the order  
24 of four years or so.

25 **Q. And what has the customer response been?**

1           A.     Well, I should say I left the Commission  
2 in 2011, so I haven't seen it since then. During the  
3 process while I was there and in the rate cases, there  
4 was very little, if any, customer response.

5                     The Office of Attorney General in -- in  
6 Massachusetts -- you know what? I'm going to stop  
7 there. I've forgotten exactly what their position was  
8 so I'm going to stop there.

9                     But there was -- in Massachusetts at the  
10 time, I would say there was a lot of support for  
11 decoupling even from the utilities because they read  
12 the writing on the wall and they -- they could see  
13 that sales were declining, that all these changes were  
14 happening to the industry. And they realized that it  
15 made sense from their perspective to have a different  
16 rate-making regime to address those.

17           **Q.     But it has not resulted in customer**  
18 **rebellion?**

19           A.     No. I haven't really seen anybody say,  
20 hey, wait a second, we should rethink this. That's  
21 not been -- and if there were to come up, I think I  
22 would have heard about it by now.

23           **Q.     Now, Massachusetts also makes**  
24 **considerable use of rate adjustment mechanisms, is**  
25 **that correct, aside from decoupling?**

1           A.     It does.

2           **Q.     What's your take on customers' response**  
3 **to those mechanisms?**

4           A.     Well, so that's a very general question.  
5 I'll just mention some of the adjustments, if that --  
6 if that helps. So in Massachusetts, first of all,  
7 it's restructured with wholesale competition. So the  
8 rates are unbundled and there is a commodity charge  
9 for the generation.

10                   And that piece is -- there's a default  
11 service for many customers where it's bid out and  
12 that's just a pass-through. And so that's -- that's  
13 kind of a piece that exists.

14                   And in addition, there's -- I know  
15 there's a charge for pensions and so forth. There's a  
16 tracker for the energy efficiency investments and so  
17 forth. There may be a couple others I'm forgetting,  
18 but the main thing is the fuel costs go through the  
19 generation component.

20                   And I will say that speaking for myself,  
21 I think there are times and there are conditions where  
22 a tracker might make sense. I don't think it's  
23 universally a great thing. I think it should be --  
24 they should be adopted with great caution to make sure  
25 that the risks are borne by the right party, whether

1 it's the utility or the consumers. So that's a  
2 general response to a general question.

3 **Q. Thank you. That's helpful.**

4 JUDGE BUSHMANN: Mr. Hack, could you use  
5 your microphone. Thank you.

6 MR. HACK: My apologies. I will catch  
7 on. I promise.

8 And I believe that's all the questions I  
9 have. Thank you.

10 JUDGE BUSHMANN: Questions from  
11 commissioners. Mr. Chairman?

12 QUESTIONS BY CHAIR R. KENNEY:

13 **Q. Yes. Mr. Woolf, thank you for being**  
14 **here. Welcome. I just have a couple of questions.**

15 **Is it safe to say that there are**  
16 **differing definitions of decoupling?**

17 A. Yes. And if I might add, even in the  
18 type of revenue decoupling revenue regulation that I'm  
19 referring to, there are many ways to design that as  
20 well. So it's not a universal single option. There  
21 are many ways to do it.

22 **Q. And just noted, attached to your**  
23 **testimony was the Revenue Regulation and Decoupling**  
24 **Guide from Regulatory Assistance Project?**

25 A. Yes.

1           **Q.     I'm assuming by virtue of the fact that**  
2 **you've attached it to your testimony, that you commend**  
3 **it to us for our review?**

4           A.     Yes.

5           **Q.     Did you have anything to do with the**  
6 **preparation of that document?**

7           A.     I did not. I work a lot with the  
8 Regulatory Assistant Project and we co-work on  
9 different projects. So I know them well and I know  
10 the office well, but I did not work on that particular  
11 document.

12           **Q.     Okay. I don't have any other questions.**  
13 **Thanks for being here.**

14           A.     Thank you.

15           JUDGE BUSHMANN: Commissioner Kenney?

16           COMMISSIONER KENNEY: No, I have no  
17 questions for Mr. Woolf. Thank you for your  
18 attendance.

19           JUDGE BUSHMANN: Commissioner Hall?

20           COMMISSIONER HALL: Yes.

21           QUESTIONS BY COMMISSIONER HALL:

22           **Q.     Good morning.**

23           A.     Good morning.

24           **Q.     Do you agree that decoupling is a tool**  
25 **intended to break the link between how much energy a**



1 **utility delivers and the revenue it collects?**

2 A. Yes. But given the --

3 **Q. Okay. And --**

4 A. Go ahead.

5 **Q. Is decoupling used primarily to eliminate**  
6 **incentives that utilities have to increase profits by**  
7 **increasing sales and the corresponding disincentives**  
8 **that they have to avoid reductions in sales?**

9 A. Yes, but there's more to it than that.

10 **Q. Okay. I'm sure there is. So let me ask**  
11 **you this: Why doesn't an increase in the customer**  
12 **charge do exactly that? I know that it may have other**  
13 **effects, but in terms of eliminating, reducing or**  
14 **mitigating the Company's incentive to increase sales,**  
15 **why does it not do that?**

16 A. So increasing fixed charges and going  
17 even to straight fixed variable where you match  
18 short-term fixed with -- with -- with actual fixed  
19 charges is just a fundamentally different mechanism  
20 than revenue decoupling. You might achieve a similar  
21 objective in terms of that one goal of decoupling.

22 **Q. Okay. Well --**

23 A. But it's a very different mechanism.

24 **Q. -- I understand that.**

25 A. Okay.

1           **Q.     But that -- that wasn't my question.**  
2 **Does that mechanism fulfill that goal?**

3           A.     Yes.

4           **Q.     Okay. Thank you. Actually, that's not**  
5 **fair. Explain the other -- the other reasons why --**  
6 **why they're different.**

7           A.     Thank you. I appreciate the opportunity  
8 to do that. The rev-- one of the things that dawned  
9 on me when I was working on this in Massachusetts as a  
10 Commissioner is that traditional rate-making, where  
11 you have a historic test year and you set rates until  
12 the next rate case, is actually a very simplistic,  
13 blunt way to align costs to revenues.

14                   Because it -- it -- and it historically  
15 has depended upon steady sales growth; 2, 3,  
16 4 percent. And in the absence of that, suddenly one  
17 has to ask the question, well, you know, how accurate  
18 is that? Does that sales growth really offset or  
19 really sort of help address growing costs between rate  
20 cases? And when you think of it, it doesn't do a very  
21 good job.

22                   With decoupling, I see it as just a more  
23 refined, more precise way to match revenues to cost.  
24 One of the big things that can change over time is the  
25 amount of sales for a variety of reasons; economies,

1 weather, efficiency and more. And if those things are  
2 swinging back and forth, then the customers' revenues  
3 are swinging back and forth maybe completely out of  
4 align with their costs.

5 If you can eliminate that volatility and  
6 allow them the revenues that were set in the rate  
7 case, then it's a much more refined precise way to  
8 align the cost and revenues.

9 **Q. Not allow, but -- but guarantee?**

10 A. What's guaranteed is the revenues that  
11 are set in the rate case.

12 **Q. Right. Okay.**

13 A. Yes. The profits are not guaranteed,  
14 just the revenues. If I might, there's another piece  
15 to the answer.

16 **Q. Okay.**

17 A. So they have very different implications.  
18 Under decoupling, consumers still have all the  
19 incentive to reduce demand and save on their bills.  
20 Under straight fixed variable, it's dramatically  
21 diminished. Under straight fixed variable, there's  
22 all kinds of ways in which I think that whole approach  
23 deviates from standard rate-making principles around  
24 customer equity and cost causation, marginal costs.

25 And I think that in some situations the

1 Company could get windfalls where if the utility -- if  
2 the customer does a lot of energy efficiency, suddenly  
3 the Company is recovering all these revenues when they  
4 didn't incur the costs. So there's some real risks to  
5 straight fixed variable that you don't have with  
6 decoupling.

7 **Q. Do you agree that an inclining block rate**  
8 **design would -- would promote conservation?**

9 A. If those are your two options, straight  
10 current rates with a flat variable charge or an  
11 inclining block rate, then yes, I would agree  
12 inclining block rates would promote conservation  
13 efficiency.

14 **Q. In the residential class?**

15 A. In the residential and in other classes  
16 as well.

17 **Q. Do you see that mechanism used in other**  
18 **jurisdictions --**

19 A. Yes.

20 **Q. -- for that purpose?**

21 A. Yes. We -- we have it in Massachusetts.  
22 I know it's used in California. It's used in a lot of  
23 jurisdictions.

24 **Q. Okay. Thank you.**

25 A. Thank you.

1 JUDGE BUSHMANN: Recross based on  
2 Commi ssi oner questi ons. Offi ce of Publ ic Counsel ?

3 MR. POSTON: No questi ons.

4 JUDGE BUSHMANN: Staff?

5 MS. PAYNE: No questi ons.

6 JUDGE BUSHMANN: MIEC?

7 MR. DOWNEY: No questi ons.

8 JUDGE BUSHMANN: MECG?

9 MR. WOODSMALL: No questi ons.

10 JUDGE BUSHMANN: US Department of Energy?

11 MR. TSHI KORORO: No questi ons.

12 JUDGE BUSHMANN: Mi ssouri Di vi si on of  
13 Energy?

14 MR. ANTAL: No questi ons.

15 JUDGE BUSHMANN: Consumers Council ?  
16 Kansas Ci ty Power & Light?

17 MR. HACK: No questi ons. Thank you.

18 JUDGE BUSHMANN: Redi rect by Si erra Cl ub?

19 REDI RECT EXAMI NATION BY MR. BECTOR:

20 **Q. Just one quick question, Mr. Woolf. What**  
21 **are some ways that decoupling can be designed to**  
22 **protect customers?**

23 A. So one of the key things is to make sure  
24 that the adjustments happen on a regular periodi c  
25 basis and that they're capped so that you don't see

1 large swings. Most states that I'm aware of have a  
2 cap on the decoupling of adjustment on the order of  
3 1 to 2 to 3 percent of revenues. So what that means  
4 is at any one point in time, you won't see rates going  
5 up by more than 1 or 2 percent, maybe 3 percent for  
6 the adjustment.

7 You can also put in provisions where  
8 there's a comparable increase in the efficiency  
9 programs. So that helps protect consumers as well,  
10 just to make sure that the Company's still pushing  
11 efficiency.

12 One of the big issues -- and I know it's  
13 a hot button issue, but it's an important issue, which  
14 is that as the volatility of revenues goes down, then  
15 the Company's risk goes down. And so one could choose  
16 to lower the return on equity as a result of the  
17 reduced risk to the Company and that results in a  
18 benefit to all consumers.

19 I may have listed one more in my  
20 testimony, but those are the ones that come to mind.

21 **Q. Thank you. No further questions.**

22 JUDGE BUSHMANN: Thank you, Mr. Woolf,  
23 for your testimony. You may be excused.

24 THE WITNESS: Thank you.

25 JUDGE BUSHMANN: Let's resume the regular

1 schedule now and take the first Staff witness.

2 (Witness sworn.)

3 JUDGE BUSHMANN: You may proceed.

4 MICHAEL S. SCHEPERLE, testifies as follows:

5 DIRECT EXAMINATION BY MS. MAYFIELD:

6 **Q. Could you please state your name for the**  
7 **record.**

8 A. Michael S. Scheperle.

9 **Q. And, Mr. Scheperle, where are you**  
10 **currently employed?**

11 A. I am employed by the Missouri Public  
12 Service Commission. And I am manager of the Economic  
13 Analysis Section.

14 **Q. And did you cause to be prepared or**  
15 **prepare in this case Direct Testimony, Rebuttal**  
16 **Testimony, Surrebuttal Testimony, and are you the**  
17 **sponsor of both the HC and non-HC Staff's Rate Design**  
18 **and Class Cost-of-service Report with an erratum dated**  
19 **April 21st, 2015?**

20 A. Yes.

21 **Q. Do you have any changes to any of those**  
22 **pre-filed documents?**

23 A. No.

24 **Q. If I were to ask you the questions**  
25 **contained in those documents today, would your answers**

1 **be the same?**

2 A. They would be the same.

3 **Q. And to your knowledge, are those answers**  
4 **true, accurate and correct?**

5 A. Yes.

6 MS. MAYFIELD: I would tender this  
7 witness for cross-examination and move to admit into  
8 evidence Exhibits 202, which is the Staff's Rate  
9 Design and Class Cost-of-service Report both highly  
10 confidential and non-confidential; as well as Staff  
11 Exhibit 237, which is the Direct Testimony of  
12 Mr. Scheperle; Staff Exhibit 238, which is the  
13 Rebuttal Testimony of Mr. Scheperle; and Staff  
14 Exhibit 239, which is the Surrebuttal Testimony of  
15 Mr. Scheperle.

16 JUDGE BUSHMANN: Well, as far as the  
17 Staff report, why don't we wait until the last witness  
18 before we offer that. And is Mr. Scheperle going to  
19 testify later?

20 THE WITNESS: I don't believe so.

21 JUDGE BUSHMANN: This is the last time  
22 you'll be on the stand. Okay. So that would be 237,  
23 238 and 239. Am I correct?

24 MS. MAYFIELD: That would contain the  
25 Direct, the Rebuttal and the Surrebuttal. The Staff



1 Class Cost-of-service Report, as you've referenced, is  
2 202.

3 JUDGE BUSHMANN: Okay. Well, let's hold  
4 off on 202. On the others, is there any objection to  
5 those exhibits?

6 Hearing none, Exhibits 237, 238 and 239  
7 are received into the record.

8 (Staff Exhibits 237, 238 and 239 were  
9 received into evidence.)

10 MS. MAYFIELD: Thank you, your Honor.  
11 And I would tender the witness for cross-examination.

12 JUDGE BUSHMANN: First cross is by Public  
13 Counsel.

14 MR. POSTON: No questions.

15 JUDGE BUSHMANN: MIEC?

16 MR. DOWNEY: No questions.

17 JUDGE BUSHMANN: MECG?

18 MR. WOODSMALL: No questions.

19 JUDGE BUSHMANN: US Department of Energy?

20 MR. TSHIKORORO: No questions.

21 JUDGE BUSHMANN: Sierra Club?

22 MR. BECTOR: No questions.

23 JUDGE BUSHMANN: Missouri Division of  
24 Energy?

25 MR. ANTAL: No questions.

1 JUDGE BUSHMANN: Consumers Council? Not  
2 here.

3 Kansas City Power & Light?

4 MR. HACK: Yes. Thank you.

5 CROSS-EXAMINATION BY MR. HACK:

6 Q. **Good morning, Mr. Scheperle.**

7 A. Good morning.

8 Q. **Just a couple questions.**

9 A. Okay.

10 Q. **Rebuttal Testimony of yours, page 14.**

11 A. You said Rebuttal. Right?

12 Q. **Rebuttal, yes, sir.**

13 A. Yes.

14 Q. **Lines 2 through 5. Are you there?**

15 A. Yes.

16 Q. **There you address the potential for rate  
17 switchers in connection with the large general  
18 service, large power rate design proposal of MIEC; is  
19 that correct?**

20 A. Yes. I think MIEC was involved with that  
21 too, yes.

22 Q. **Thank you. A, B, C, 1, 2, 3.**

23 **Do you know whether the Staff has  
24 conducted any analysis of impacts associated with the  
25 rate switching concern you've expressed here?**

1           A.     Yesterday we received some information on  
2 that and -- and -- from the Company on rate switchers  
3 and -- and we are in the process of analyzing that  
4 now.

5           **Q.     Is this an adjustment that you believe is**  
6 **fair to consider if the large general service, large**  
7 **power rate design proposal of MIEC and MIEG is to be**  
8 **adopted?**

9           A.     Yes.

10          **Q.     Would this quantification be available in**  
11 **the true-up process of this case?**

12          A.     It could be, or it could be a separate  
13 Stipulation and Agreement on an amount.

14          **Q.     Thank you, sir. Hang on one second.**  
15 **We're done. Thank you. Thank you, sir.**

16                 JUDGE BUSHMANN: Questions by  
17 Commi ssi oners. Mr. Chair man?

18                 CHAIR R. KENNEY: No. Thank you,  
19 Mr. Scheperl e. Thank you for bei ng here.

20                 THE WITNESS: Thank you.

21                 JUDGE BUSHMANN: Commi ssi oner Kenney?

22                 COMMI SSI ONER KENNEY: No. Thank you,  
23 Mr. Scheperl e.

24                 JUDGE BUSHMANN: Commi ssi oner Hall ?

25                 COMMI SSI ONER HALL: One l i ne of i nqui ry.

1 QUESTIONS BY COMMISSIONER HALL:

2 Q. Good morning.

3 A. Good morning.

4 Q. **Did Staff consider inclining block rates**  
5 **in this case?**

6 A. I would say no.

7 Q. **Why is that?**

8 A. As far as I know, there's only one  
9 company that has inclining block rates. And usually  
10 for a company to meet their -- or have the opportunity  
11 to meet their revenue requirement, electric heat is a  
12 big source of revenue. And declining block rates  
13 promotes electric heat. So it kind of keeps all the  
14 other customers -- all the other charges down.

15 Q. **Would you agree that that rate design**  
16 **does promote conservation?**

17 A. Inclining block rates?

18 Q. **Yes.**

19 A. Yes.

20 Q. **And would -- do you believe -- and you**  
21 **may not be the proper witness for this and you can**  
22 **certainly let me know if that's true. But do you**  
23 **believe that there is some correlation between**  
24 **low-energy users and low-income customers?**

25 A. There could be some correlation there. I

1 mean, I don't believe they would have as big of a  
2 house or have as many maybe appliances or technology.

3 **Q. So would you agree then that inclining**  
4 **block rates do provide some protection for low-income**  
5 **customers?**

6 A. It could, yes.

7 **Q. So is the reason why inclining block**  
8 **rates are not more commonplace is that they are not**  
9 **consistent with cost-of-service rate design?**

10 A. I don't know if I'd go that far. I think  
11 basically like -- like Kansas City Power & Light, they  
12 have competition from -- from the natural gas supplier  
13 in Kansas City, they have competition from Veolia.  
14 And selling electricity for heat I think keeps  
15 everybody's rates down. Now, is there a conflict with  
16 energy efficiency? There -- yes, there can be.

17 **Q. Thank you. I have no further questions.**

18 JUDGE BUSHMANN: Commissioner Rupp?

19 COMMISSIONER RUPP: No questions.

20 JUDGE BUSHMANN: Recross based on  
21 Commissioner questions. Public Counsel?

22 MR. POSTON: No questions, thank you.

23 JUDGE BUSHMANN: MIEC?

24 MR. DOWNEY: No questions.

25 JUDGE BUSHMANN: MECG?

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MR. WOODSMALL: No questions.

JUDGE BUSHMANN: Department of Energy?

MR. TSHI KORORO: No questions.

JUDGE BUSHMANN: Sierra Club?

MR. BECTOR: No questions.

JUDGE BUSHMANN: Division of Energy?

MR. ANTAL: No questions.

JUDGE BUSHMANN: Kansas City Power &  
Light?

MR. HACK: No questions.

JUDGE BUSHMANN: Redirect by Staff?

MS. MAYFIELD: No questions, your Honor.

JUDGE BUSHMANN: Thank you,  
Mr. Scheperle. That concludes your testimony.

THE WITNESS: Thank you.

JUDGE BUSHMANN: Would you like to call  
the next witness? That's Robin Kliethermes.

(Witness sworn.)

JUDGE BUSHMANN: You may sit down.

ROBIN KLIETHERMES, testifies as follows;

DIRECT EXAMINATION BY MS. MAYFIELD:

**Q. Would you please state your name?**

A. My name is Robin Kliethermes.

**Q. And, Robin, where are you currently  
employed and in what capacity?**

1 A. Currently employed by the Missouri Public  
2 Service Commission as a regulatory economist.

3 Q. And did you cause to be prepared Rebuttal  
4 and Surrebuttal Testimony in this matter?

5 A. Yes.

6 Q. And have you had a chance to review your  
7 Rebuttal and Surrebuttal to see if there are any  
8 necessary changes?

9 A. Yes.

10 Q. Do you have any changes to those  
11 testimonies?

12 A. No.

13 Q. If I were to ask you the questions  
14 contained within your Rebuttal and Surrebuttal, would  
15 your answers to those questions be the same?

16 A. Yes.

17 Q. And to the best of your knowledge, are  
18 those answers true, accurate and correct?

19 A. Yes.

20 MS. MAYFIELD: I would move for the  
21 admission of Staff Exhibit 217, which is  
22 Ms. Kliethermes' Rebuttal Testimony, and Staff Exhibit  
23 218, which is her Surrebuttal Testimony into the  
24 record, your Honor.

25 JUDGE BUSHMANN: Is she going to testify

1 again?

2 MS. MAYFIELD: No, she's not.

3 THE WITNESS: I'm on the schedule for  
4 Friday. I'm sorry.

5 MS. MAYFIELD: I apologize. I guess she  
6 will be back.

7 JUDGE BUSHMANN: Okay. Well, in that  
8 case, let's wait until the last time you're here  
9 before we offer those.

10 THE WITNESS: Okay.

11 MS. MAYFIELD: I would tender this  
12 witness for cross-examination, your Honor.

13 JUDGE BUSHMANN: First cross would be  
14 Public Counsel.

15 MR. POSTON: Thank you. Just a few.

16 CROSS-EXAMINATION BY MR. POSTON:

17 **Q. You state in your Surrebuttal Testimony,**  
18 **and perhaps it's in other testimonies, that line**  
19 **transformers should not be included -- those costs**  
20 **should not be included in the customer charge; is that**  
21 **correct?**

22 A. True. Yes.

23 **Q. And is one of the reasons because those**  
24 **transformers can vary in -- in I guess size? And what**  
25 **factors -- let me first let you answer that.**



1           A.     Yes.    So line transformers would -- you  
2 know, a different size transformer would be put on a  
3 customer if they have a larger load or -- so the size  
4 of the customer would depend on the size of the  
5 transformer.

6           **Q.     So would a larger transformer be more**  
7 **costly than a smaller transformer?**

8           A.     Yes.

9           **Q.     Thank you. That's all I have.**

10          JUDGE BUSHMANN:  MIEC?

11          MR. DOWNEY:  No cross.

12          JUDGE BUSHMANN:  MECG?

13          MR. WOODSMALL:  Nothing.  Thank you.

14          JUDGE BUSHMANN:  US Department of Energy?

15          MR. TSHIKORORO:  No questions, your

16 Honor.

17          JUDGE BUSHMANN:  Sierra Club?

18          MR. BECTOR:  No questions, your Honor.

19          JUDGE BUSHMANN:  Missouri Division of

20 Energy?

21          MR. ANTAL:  No questions.

22          JUDGE BUSHMANN:  Kansas City Power &

23 Light?

24          MR. HACK:  Yes, your Honor.  Thank you.

25 CROSS-EXAMINATION BY MR. HACK:

1 Q. Good morning.

2 A. Good morning.

3 Q. I've not seen it yet, but I understand  
4 the Non-unanimous Stipulation calls for continuation  
5 of KCP&L'S current \$9 a month customer charge. Is  
6 that your understanding?

7 A. Correct. Yes.

8 Q. And on page 2 of your Surrebuttal,  
9 line 17 through 18 you indicate -- and I'll let you  
10 get there.

11 A. Yeah. Line -- what line? Sorry.

12 Q. Page 2, line 17, 18.

13 A. Yes.

14 Q. You indicate that Staff's analysis  
15 indicates a cost-based customer charge in the amount  
16 of approximately \$16 a month. Correct?

17 A. Yes.

18 Q. Under the to-be-filed Non-unanimous  
19 Stipulation and Agreement, how would the difference  
20 between the customer charge of \$9 and the  
21 customer-related cost of \$16.49, as calculated by  
22 Staff, be recovered?

23 A. It would -- if it's not recovered through  
24 the customer charge, then it would be covered --  
25 recovered through the energy charges.

1           **Q.     And would lower-than-average-use**  
2 **customers, on a kWh basis, be supporting that gap**  
3 **between \$9 and \$16.49?**

4           A.     I mean it would depend on what the energy  
5 charges come out to be. I mean so if that's the  
6 charge per customer, then, you know, there would be --  
7 there would be a difference in there.

8           **Q.     So they would not be paying all of the**  
9 **costs -- all of the customer-related costs necessary**  
10 **to serve their facility, whatever it is?**

11          A.     True. Yes.

12          **Q.     And who would be paying the costs --**  
13 **those customer-related costs to serve the**  
14 **lower-than-average-use customers?**

15          A.     All -- all the other customers.

16          **Q.     And who would those be?**

17          A.     Customers using -- I mean it depends  
18 on -- on a -- customers use all different levels of  
19 kWh. So on an average -- you know, if you're calling  
20 1,000 kilowatt hours average, then you could say  
21 above-average customers.

22          **Q.     So it's the higher-than-average-use**  
23 **customers who would be, in essence, subsidizing the**  
24 **below-cost customer charge paid by the**  
25 **lower-than-average-use customers?**

1 A. Yeah.

2 Q. Do you believe that that kind of subsidy  
3 exists today under the -- under the customer charge  
4 and energy charge residential rates today?

5 A. Could you say that one more time?

6 Q. Do you believe that the subsidy we just  
7 talked about being provided from  
8 higher-than-average-use customers to  
9 lower-than-average-use residential customers exists  
10 under KCPL's current rates, current energy charges and  
11 current customer charge?

12 A. So that would be under current -- so it  
13 would be -- if we're looking at current costs or  
14 current charges, that would be based on costs from the  
15 last case. And I don't remember off the top of my  
16 head what Staff's calculated customer charge was in  
17 the last case or what our -- or what our  
18 recommendation was.

19 Because I think -- you know, there's been  
20 changes in cost since the last rate case. And so are  
21 they currently -- I mean there's probably a little bit  
22 of that occurring, but I can't say from the last case  
23 to this case. I don't remember off the top of my head  
24 what our recommendation was in the last case.

25 Q. But if there is some kind of such subsidy

1 **today, it will be increased under the non-unanimous**  
2 **stipulation you all have proposed?**

3 A. By not knowing what it is, I don't know.  
4 I would say there's some level, but I can't quantify.  
5 I don't know what the quantitative number is to -- to  
6 say on the stand.

7 **Q. But the only charges that will increase**  
8 **under the proposals for residential customers under**  
9 **the Non-unanimous Stip are the energy charges?**

10 A. For the residential class, yes. The  
11 only -- with the customer charging -- charge staying  
12 the same at \$9, it would be the energy charges that  
13 would change.

14 **Q. So if there is some level of subsidy**  
15 **today from the energy charge to the customer charge,**  
16 **that can only grow?**

17 A. Then it could increase, yes.

18 **Q. Turning to the large general service,**  
19 **large power rate switching issue that we discussed**  
20 **with Mr. Scheperle --**

21 A. Uh-huh.

22 **Q. -- have you been involved in that?**

23 A. Yes.

24 **Q. To your knowledge, is any revenue**  
25 **adjustment for that concern included as a part of the**

1 **Non-unanimous Stipulation and Agreement?**

2 A. Inclu-- I -- I do not believe there's  
3 anything in the Non-unanimous Stipulation included for  
4 potential rate switchers from the rate design.

5 **Q. And why is that?**

6 A. Well, from the analysis that I have seen  
7 so far, the -- from the outcome of this case based on  
8 our proposal and with MIEC's LGS, LPS rate design,  
9 there are only a few customers that it would be --  
10 after the rate design, it would be ben-- it would be  
11 more beneficial for them to switch to LGS. And that  
12 would be below 2 percent of their -- it would be like  
13 a below 2 percent change.

14 And so if you would say that they're  
15 going to switch if given a 2 percent difference, then  
16 the dollar value is very small.

17 **Q. How small is small?**

18 A. 2-, 200-, 250- -- 250,000. And that's  
19 calculated if -- if the rate increase would be  
20 15.8 percent. So if you drop it down to 10, then that  
21 goes down.

22 **Q. Does that include analysis of the LGS**  
23 **customer group as well?**

24 A. That's just looking at the large power  
25 group. We -- or from the analysis, I have no reason

1 to believe that there's going to be switchers from LGS  
2 to MGS.

3 **Q. Do you think that analysis should be**  
4 **finished?**

5 A. I think we can look at it, but if it  
6 takes into consideration that we have to look at every  
7 single customer in order to do this, I think there's  
8 5,000 customers in MGS and there's 1,000 customers in  
9 LGS. So I think we would have to be provided the  
10 amount of data and time to do that.

11 **Q. Thank you.**

12 JUDGE BUSHMANN: Further questions?

13 MR. HACK: Oh, no, sir. No, sir.

14 JUDGE BUSHMANN: Okay. Questions from  
15 Commissioners. Mr. Chairman?

16 CHAIR R. KENNEY: No questions. Thank  
17 you, Ms. Kliethermes.

18 THE WITNESS: Thank you.

19 JUDGE BUSHMANN: Commissioner Kenney?

20 QUESTIONS BY COMMISSIONER KENNEY:

21 **Q. Thank you, Ms. Kliethermes. Appreciate**  
22 **you being here.**

23 A. Thank you.

24 **Q. In your Rebuttal Testimony, your footnote**  
25 **on page 2, you mentioned that Staff was recommending**

1 **11.44 percent increase or approximately \$1 to the**  
2 **customer charge?**

3 A. Yes.

4 **Q. And Staff has now changed that position.**  
5 **Do you know why?**

6 A. Well, in order to -- the amount of  
7 parties that we had come together in order to come to  
8 this agreement, there was a lot of give and take. And  
9 one of the things to get all of the parties on board,  
10 it was -- it was -- it was not unreasonable for Staff  
11 to give on that customer charge issue in order to get  
12 all the other rate design and class cost-of-service  
13 issues resolved that we were able to get.

14 **Q. Even though your class cost-of-service**  
15 **study showed a \$16.49 customer charge --**

16 A. Yes.

17 **Q. -- would be appropriate?**

18 A. Yes.

19 **Q. But Staff does not want to do that**  
20 **because of rate shock?**

21 A. Right. Based on cost, it's 16.49. And  
22 again, a lot of class cost-of-service is built off of  
23 allocations so --

24 **Q. Okay. Well, let me get to my question.**

25 A. Okay.



1           **Q.     At a class cost -- at a customer charge**  
2 **of 16.49 --**

3           A.     Yes.

4           **Q.     -- the average -- do you know what the**  
5 **average -- average customer pays on KCP&L monthly?**

6           A.     I don't know. I -- I think it's 1,000  
7 kilowatt hours, and -- but I don't know what that bill  
8 would d down out to.

9           **Q.     And KCP&L did break down -- they have**  
10 **a -- well, anyway.**

11                   **Would the -- if you took the 16.49**  
12 **customer charge, and obviously you'd have a lower**  
13 **volumetric charge versus having a \$9 customer**  
14 **charge --**

15           A.     Correct.

16           **Q.     -- would that affect the average customer**  
17 **any differently if you just took the -- whether it was**  
18 **the Staff's recommendation of a \$67 million increase**  
19 **or Company's 122 million, either of those numbers,**  
20 **would it affect the average retail ratepayer**  
21 **differently at the bottom dollar? Would the**  
22 **percentage increase be the same -- 9.67 or something**  
23 **for Staff versus 15 something for Company?**

24           A.     That's a really good question.

25           **Q.     I thought so.**

1           A.     Yeah, it is a really good question. And  
2 it's a lot of details in there. And I think -- I  
3 think it would be similar. It would just depend on  
4 how -- I -- I think you're on the right track and I  
5 think that's a good question and I don't have -- I  
6 can --

7           **Q.     Because --**

8           A.     -- I can look into it after this.

9           **Q.     Because to me, that's not rate shock.**  
10 **Rate shock you can say, oh, look, I'm shocked. But**  
11 **it's not really -- if it's the same amount, it's not**  
12 **really rate shock.**

13                   **And if the Company gets a -- if it**  
14 **affects the Company better from the overall standpoint**  
15 **for their investors, they get -- the investment**  
16 **community looks at the Company and says, hey, they got**  
17 **a better customer charge, they're more secure, we can**  
18 **afford to invest in that company versus X company.**  
19 **All it does is help the consumer in the long run.**

20                   **So my thoughts are, I'd love to find out**  
21 **what that number is. Because if it's the same, I want**  
22 **a higher customer charge because it benefits**  
23 **everybody.**

24           **I     A.     think on an average customer basis,**  
25 **it -- it could potentially come out to similar**

1 impacts. It would be on the below average or above  
2 average where you're going to get into extremes.

3 Q. Let's take the below average. Are there  
4 safeguards we can put in place for that lower-income  
5 user?

6 A. Potentially, yes.

7 Q. So we could probably work that where it  
8 could solve -- kind of meet in the middle of the road?

9 A. Yeah. That -- that would take more  
10 dialogue and more working together to work that out.

11 Q. We've got a couple months. Right? All  
12 right. Thank you very much. I appreciate it.

13 A. Thank you.

14 Q. And, you know, I can't believe you and  
15 Sarah aren't related at all.

16 A. No.

17 Q. I mean people say the same thing about  
18 Robert and I. Little bro.

19 COMMISSIONER KENNEY: I'm done.

20 QUESTIONS BY COMMISSIONER HALL:

21 Q. Good morning.

22 A. Good morning.

23 Q. Could I ask you to turn to page 4 of your  
24 Surrebuttal?

25 A. Yes.

1           **Q.     And these are the -- these are the**  
2 **components of the residential customer charge**  
3 **calculation that you performed for KCP&L; is that**  
4 **correct?**

5           A.     Yes.

6           **Q.     And that came to 16.49 for KCP&L; is that**  
7 **correct?**

8           A.     Yes.

9           **Q.     Did you perform a similar calculation for**  
10 **Ameren in their last rate case?**

11          A.     Yes.

12          **Q.     And what -- do you remember what that**  
13 **calculation resulted in?**

14          A.     It resulted in \$8.11.

15          **Q.     And the customer charge in that case --**  
16 **in the preceding rate case was \$8. And the issue in**  
17 **the last rate case was whether or not to continue that**  
18 **charge at that amount?**

19          A.     Yes.

20          **Q.     And Staff advocated that we keep the same**  
21 **customer charge, at least in part or if not entirely,**  
22 **because of your calculation of the -- of the customer**  
23 **charge costs?**

24          A.     Yes.

25          **Q.     I have no further questions. Thank you.**

1 JUDGE BUSHMANN: Recross based on  
2 Commissioner questions. Public Counsel?

3 RECROSS-EXAMINATION BY MR. POSTON:

4 Q. Just one real quick. Commissioner Hall  
5 pointed you to page 4 --

6 A. Yes.

7 Q. -- in the costs that you've listed as  
8 the -- to go into the customer charge. And could you  
9 just explain -- just on one of those uncollectible  
10 accounts, what's the justification for including that  
11 in the customer charge?

12 A. For the uncollectible accounts, we would  
13 include those because it's -- it's really hard to -- I  
14 mean you can assign them to a class, but to say that  
15 they're caused by an energy or caused by -- you know,  
16 it's -- the customer couldn't pay it so it was written  
17 off. And so it comes into like a customer service  
18 cost is kind of how -- what we're -- what we're  
19 classifying it as. And I think it's in on there -- in  
20 the Uniform System of Accounts, I think it's under  
21 customer service costs.

22 Q. Thank you.

23 A. Thanks.

24 JUDGE BUSHMANN: MIEC?

25 MR. DOWNEY: No questions.

1 JUDGE BUSHMANN: M E C G ?

2 MR. WOODSMALL: No, thank you.

3 JUDGE BUSHMANN: US Department of Energy?

4 MR. TSHI KORORO: No questions.

5 JUDGE BUSHMANN: Sierra Club?

6 MR. BECTOR: No questions.

7 JUDGE BUSHMANN: Division of Energy?

8 MR. ANTAL: Just a couple.

9 RECROSS-EXAMINATION BY MR. ANTAL:

10 Q. Hi, Ms. Kliethermes.

11 A. Hi.

12 Q. **A couple questions. Does any increase in**  
13 **the residential customer charge decrease a residential**  
14 **customer's incentive to invest in energy efficiency**  
15 **measures?**

16 A. If you have an increase in the customer  
17 charge, than that would be either less of -- depending  
18 on the magnitude of the increase in the customer  
19 charge, it would be less of an increase in volumetric,  
20 or a decrease in volumetric, which would, yes, then  
21 decrease their incentive to conserve.

22 Q. **And does an increase in the residential**  
23 **customer charge have a larger impact on lower-use**  
24 **customers?**

25 A. Say that one more time.

1           **Q.     Does an increase in the residential**  
2 **customer charge have a larger increase -- or a larger**  
3 **impact -- bill impact to low-use customers relative to**  
4 **average-use customers?**

5           A.     An increase in the customer charge?

6           **Q.     Yes.**

7           A.     Yes.

8           **Q.     Okay. Thank you very much.**

9           JUDGE BUSHMANN: Recross by Consumers  
10 Council?

11          MR. COFFMAN: Just a minute.

12          No, thank you.

13          JUDGE BUSHMANN: Kansas City Power &  
14 Light?

15          MR. HACK: No, thank you.

16          JUDGE BUSHMANN: Redirect by Staff?

17          MS. MAYFIELD: Yes, your Honor.

18          REDIRECT EXAMINATION BY MS. MAYFIELD:

19               **Q.     Ms. Kliethermes, do you remember when**  
20 **Mr. Hack was asking you about customer-related costs?**  
21 **How do cus-- how would customer-related costs be**  
22 **recovered? How many rate elements do residential**  
23 **customers have?**

24          A.     So the residential customers have a  
25 customer charge and then they have a three block

1 energy charge. I think it's the first 600, next 400  
2 and then over 1,000, I believe.

3 **Q. So does KCP&L have a residential demand**  
4 **charge?**

5 A. No, they do not.

6 **Q. Can you describe why not?**

7 A. Residential demand charges are something  
8 that's being looked at, you know, across the United  
9 States now, but it takes a lot of -- customers have to  
10 have demand meters or some sort of meter that will  
11 meter in a way that they can calculate a customer's  
12 demand -- peak demand and then to bill and have a  
13 billing system that can handle that many charges, that  
14 many customers. And it -- it's -- it's a -- it's more  
15 complicated with residential customers than it would  
16 be with an industrial customer.

17 **Q. Earlier there was some questions about a**  
18 **subsidy. Do you know if there was actually a subsidy**  
19 **in the customer charge?**

20 A. I don't -- without seeing what was in the  
21 last case compared to this case, I don't know. I  
22 don't know.

23 **Q. Are most customer-related costs expenses**  
24 **or are they capital related?**

25 A. They're expenses, customer service.



1           **Q.     And back to the rate switching question,**  
2 **when was Staff provided with the data on rate**  
3 **switching?**

4           A.     Yesterday, I believe.

5           **Q.     Thank you. No further questions.**

6           JUDGE BUSHMANN: Thank you,  
7 Ms. Kliethermes.

8           THE WITNESS: Thank you.

9           JUDGE BUSHMANN: Why don't we try and  
10 take one more before breaking for lunch. Sarah  
11 Kliethermes?

12           (Witness sworn.)

13           JUDGE BUSHMANN: You may be seated.

14 SARAH KLIETHERMES, testifies as follows:

15 DIRECT EXAMINATION BY MS. MAYFIELD:

16           **Q.     Could you please state your name?**

17           A.     Sarah Kliethermes.

18           **Q.     And, Ms. Kliethermes, where are you**  
19 **employed and in what capacity?**

20           A.     For the Staff of the Missouri Public  
21 Service Commission as a regulatory economist.

22           **Q.     And, Ms. Kliethermes, did you cause to be**  
23 **prepared in this matter Rebuttal Testimony,**  
24 **Surrebuttal Testimony and then portions of the Staff's**  
25 **Rate Design and Class Cost-of-service Report?**

1 A. Yes.

2 Q. Do you have any corrections to those  
3 filings?

4 A. Not other than what is noted in  
5 subsequent testimonies.

6 Q. If I were to ask you the same questions  
7 contained in those documents, would your answers be  
8 the same?

9 A. They would.

10 Q. To your knowledge, are the answers true,  
11 accurate and correct?

12 A. As corrected in the subsequent  
13 testimonies, yes.

14 Q. And is this the only time you're going to  
15 be testifying before the Commission?

16 A. To the best of my knowledge in this case,  
17 yes.

18 MS. MAYFIELD: All right. Your Honor, I  
19 would move to admit Staff Exhibit 219, which is the  
20 Rebuttal Testimony of Ms. Kliethermes; and Staff 220,  
21 which is the Surrebuttal Testimony of Sarah  
22 Kliethermes.

23 JUDGE BUSHMANN: Any objections?

24 Hearing none, Exhibits 219 and 220 are  
25 received into the record.

1 (Staff Exhibits 219 and 220 were received  
2 into evidence.)

3 MS. MAYFIELD: I offer this witness for  
4 cross-examination.

5 JUDGE BUSHMANN: First cross would be by  
6 Public Counsel.

7 MR. POSTON: No questions. Thank you.

8 JUDGE BUSHMANN: MIEC?

9 MR. DOWNEY: No cross.

10 JUDGE BUSHMANN: MECG?

11 MR. WOODSMALL: None, thank you.

12 JUDGE BUSHMANN: US Department of Energy?

13 MR. TSHIKORORO: No questions.

14 JUDGE BUSHMANN: Sierra Club?

15 MR. BECTOR: No questions, your Honor.

16 JUDGE BUSHMANN: Missouri Division of  
17 Energy?

18 MR. ANTAL: No questions.

19 JUDGE BUSHMANN: Consumers Council?

20 MR. COFFMAN: No questions, your Honor.

21 JUDGE BUSHMANN: Kansas City Power &  
22 Light?

23 MR. HACK: No questions.

24 JUDGE BUSHMANN: Questions by  
25 Commissioners. Mr. Chairman?

1 CHAIR R. KENNEY: No questions. Thanks,  
2 Ms. Kliethermes.

3 THE WITNESS: Thank you.

4 JUDGE BUSHMANN: Commissioner Kenney?

5 COMMISSIONER KENNEY: No questions.  
6 Thank you very much.

7 JUDGE BUSHMANN: Commissioner Hall?

8 COMMISSIONER HALL: No questions. Thank  
9 you.

10 THE WITNESS: Thank you.

11 JUDGE BUSHMANN: No questions by  
12 Commissioners, so there's no need for recross; no  
13 cross, so there's no need for redirect. Thank you,  
14 Ms. Kliethermes.

15 THE WITNESS: Thank you, Judge.

16 JUDGE BUSHMANN: You may sit down.

17 Well, I was going to say let's take  
18 another one, but -- we have one more Staff witness,  
19 Ms. Boustead; is that correct? And she's on the rate  
20 design class cost-of-service study?

21 MS. MAYFIELD: Correct. Ms. Boustead's  
22 going to be, I believe, testifying on the ERPP issue.

23 JUDGE BUSHMANN: Okay. Let's go ahead.  
24 Let's just keep pushing forward.

25 MS. PAYNE: Your Honor, I apologize.

1 Ms. Boustead must not be down here right now. Would  
2 you rather we wait until after lunch?

3 JUDGE BUSHMANN: Oh, yeah. Well, if  
4 she's not here, rather than waste time for her to come  
5 down, let's just go ahead and take our lunch break  
6 now. We'll be in recess until 12:45.

7 (A recess was taken.)

8 JUDGE BUSHMANN: We're on the record.  
9 Next witness I believe is the last witness for Staff.

10 MS. PAYNE: Staff actually has two  
11 witnesses.

12 JUDGE BUSHMANN: Two witnesses.

13 MS. PAYNE: Two witnesses. Staff would  
14 like to call Kory Boustead to the stand.

15 (Witness sworn.)

16 JUDGE BUSHMANN: You may be seated.

17 KORY BOUSTEAD, testifies as follows:

18 DIRECT EXAMINATION BY MS. PAYNE:

19 **Q. Would you please state your name for the**  
20 **court reporter?**

21 A. Kory Boustead.

22 **Q. And who is your employer and what is your**  
23 **position?**

24 A. Missouri Public Service Commission, I'm a  
25 rate and tariff examiner two.

1           **Q.     Okay.  And are you the same Kory Boustead**  
2 **who prepared a portion of the Cost-of-service Report**  
3 **file that's already been submitted in this case?**

4           A.     Yes.

5           **Q.     Okay.  And at this time do you have any**  
6 **corrections to make to that testimony?**

7           A.     I do.  I have a correction in the Staff  
8 Cost-of-service Report, in my part of that.  On  
9 page 138, line 4, there's a correction to the dollar  
10 amount of -- in the report it's 654 dollars, 980 cents  
11 [sic] and it should be changed to 102,460.

12                   JUDGE BUSHMANN:  Which exhibit is that?

13                   MS. PAYNE:  That would be Exhibit 200;  
14 Staff Exhibit 200.

15 BY MS. PAYNE:

16           **Q.     And is that the only correction you need**  
17 **to make?**

18           A.     Yes.

19           **Q.     And if I were to ask you the same**  
20 **questions in your testimony again, would you answer**  
21 **them the same?**

22           A.     Yes.

23           **Q.     And is everything contained in that**  
24 **testimony true and correct, to the best of your**  
25 **knowledge?**

1           A.     Yes.

2                   MS. PAYNE:  Your Honor, I'd like to  
3 tender this witness for cross.

4                   JUDGE BUSHMANN:  Thank you.  First cross  
5 would be Office of Public Counsel.

6                   MR. POSTON:  No questions.  Thank you.

7                   JUDGE BUSHMANN:  MIEC?

8                   MR. DOWNEY:  No questions.

9                   JUDGE BUSHMANN:  MECG?

10                  MR. WOODSMALL:  No questions.

11                  JUDGE BUSHMANN:  US Department of Energy?

12                  MR. TSHI KORORO:  No questions.

13                  JUDGE BUSHMANN:  Sierra Club?

14                  MR. BECTOR:  No questions, your Honor.

15                  JUDGE BUSHMANN:  Missouri Division of  
16 Energy?

17                  MR. ANTAL:  No questions.

18                  JUDGE BUSHMANN:  Consumers Council?

19                  MR. COFFMAN:  No questions.

20                  JUDGE BUSHMANN:  Kansas City Power &  
21 Light?

22                  MR. HACK:  No questions.

23                  JUDGE BUSHMANN:  Commissioner questions.  
24 Chairman?  Commissioner Kenney?

25                  COMMISSIONER KENNEY:  I have no

1 questions.

2 COMMISSIONER STOLL: I have no questions.

3 QUESTIONS BY COMMISSIONER HALL:

4 Q. I have a few, I believe. And I'm sorry I  
5 was a little bit late coming in. You are the witness  
6 on the Economic Relief Pilot Program?

7 A. Correct.

8 Q. And is Staff still opposing the Company's  
9 position on doubling the funding for it?

10 A. Yes, we are.

11 Q. And in the beginning your opposition to  
12 that was at least, in part, based upon your  
13 understanding that there was a significant unused  
14 portion of funds?

15 A. Correct.

16 Q. And somewhere around 50 percent of the  
17 total funds?

18 A. Correct.

19 Q. And now your position on that is what?

20 A. Our position is still the same.

21 Q. Well, no. I'm sorry. Your understanding  
22 of what those unused funds in the program?

23 A. Our understanding was there was -- it was  
24 incorrect at first what -- so we've corrected that.  
25 It's 102,000 now. Half -- half of it is ratepayer and



1 half of it is shareholder.

2 **Q. And what -- and why is Staff opposed to**  
3 **doubling the funding for this program, half of which**  
4 **is coming from the Company?**

5 A. Because they've not completely utilized  
6 the full funding amount each year. Each program year  
7 they have a surplus.

8 **Q. And so you would -- you would take the**  
9 **position that each year there should be a fund balance**  
10 **of zero?**

11 A. Not necessarily zero, but not over  
12 100,000. Because they're not utilizing both sources.

13 **Q. You do -- Staff does view the program as**  
14 **a positive program, does it not?**

15 A. Correct. We like the program.

16 **Q. And you think that the Company can expand**  
17 **it from 1,000 to 1,500 based upon that unused portion**  
18 **of funding?**

19 A. The unused proportion of funding is --  
20 yes, we do. Because it's not a \$50 amount per  
21 customer that is awarded that. It's up to \$50. So  
22 you can still utilize the majority of that amount and  
23 help an additional 500 customers a month, because not  
24 all of them are getting \$50 a month.

25 **Q. So if the program were -- if the changes**

1 **that are proposed by Staff were adopted by the**  
2 **Commission, you think that it is likely that the**  
3 **maximum amount would go down from \$50 per customer;**  
4 **whereas, the Company is proposing to increase it from**  
5 **50 to 65 or 75?**

6 A. To 65.

7 **Q. To 65.**

8 A. Right. We're not opposed -- I mean, to  
9 65 is -- is viewed as a good thing by the Public  
10 Service Commission. However, we'd like to see the  
11 majority of the funds being utilized to less than  
12 100,000, I mean, at this point since the variations of  
13 the dollar amount given per customer based on criteria  
14 met is not always just \$50 a month.

15 **Q. Did you ask the Company why there was**  
16 **that amount of unused funding?**

17 A. We did submit some DRs, which is how we  
18 figured out that there was -- to get the correct  
19 dollar amount.

20 **Q. And what was their response to the**  
21 **explanation for that?**

22 A. There was response because it's Salvation  
23 Army as the Community Action Agency that is running  
24 the program. And at times they hit their max of 1,000  
25 customers a month and so they're not able to fund

1 more, which is why we're okay with them increasing  
2 from it 1,000 customers per month to 1,500. Because  
3 they -- and they have said that there is usually --  
4 not every month -- but a waiting list because there's  
5 only one agency doing the program.

6 **Q. Well, maybe that should be changed.**  
7 **Maybe there should be more than -- more than one**  
8 **action agency --**

9 A. Right.

10 **Q. -- administering the program.**

11 A. Right. And we found that out by -- also  
12 in a DR, asking how many agencies were, you know,  
13 assisting customers with this program. And it's  
14 still -- it's Salvation Army.

15 **Q. So is your overarching concern that it's**  
16 **going to be increased unused funding?**

17 A. Correct.

18 **Q. And what does the Company propose to do**  
19 **with unused funding?**

20 A. I believe in Tim Rush's Direct Testimony,  
21 they would put it towards Dollar-Aide.

22 **Q. And is that a good program?**

23 A. Yes.

24 **Q. So if there is unused funding, it would**  
25 **go towards a program that Staff believes is a good**

1 **program?**

2 A. Correct. We would like to see it  
3 utilized in the program it was allotted for.

4 **Q. Okay. Thank you.**

5 A. You're welcome.

6 JUDGE BUSHMANN: Recross based on  
7 Commissioner questions. Public Counsel?

8 MR. POSTON: No questions.

9 COMMISSIONER KENNEY: Mr. Chairman --  
10 pardon me. Excuse me. May I make a comment on that?

11 JUDGE BUSHMANN: Yes.

12 COMMISSIONER KENNEY: Just I know --  
13 Commissioner Hall, I know a couple of those meetings  
14 you had conflicts of interest and weren't able to  
15 attend I think two of them. And I attended those  
16 public hearings and it was amazing.

17 This was one of two topics that were  
18 discussed at every meeting, was the -- that there was  
19 not enough availability to serve the needs of a lot of  
20 the people. Because there are a lot of the -- a lot  
21 of the groups that testified represented some of those  
22 needy homeowners. and they -- their main complaint  
23 was that there was not enough opportunity. They  
24 needed more availability because they were getting  
25 turned down every month.

1                   Now, these are other agencies that went  
2 to the Salvation Army, I guess, correct? Salvation  
3 Army runs the whole program and other agencies go  
4 through them?

5                   THE WITNESS: Right. Right. The other  
6 Community Action Agencies would refer customers for  
7 the Economic Relief Pilot Program to Salvation Army.

8                   COMMISSIONER KENNEY: But Commissioner, I  
9 noticed that at every meeting several agencies  
10 expressed a desire to increase the program and thanked  
11 KCPL for the program. Thank you.

12                   COMMISSIONER HALL: And just so the  
13 record is clear, I think you said that there may have  
14 been a conflict of interest as to why I didn't appear  
15 at those. I think you meant a conflict.

16                   COMMISSIONER KENNEY: A conflict. I'm  
17 sorry. A conflict. Yes.

18                   JUDGE BUSHMANN: Recross by MIEC?

19                   MR. DOWNEY: No cross.

20                   JUDGE BUSHMANN: MECG?

21                   MR. WOODSMALL: No cross.

22                   JUDGE BUSHMANN: Department of Energy?

23                   MR. TSHIKORORO: No. No, thank you.

24                   JUDGE BUSHMANN: Sierra Club?

25                   MR. BECTOR: No questions.

1 JUDGE BUSHMANN: Division of Energy?

2 MR. ANTAL: No questions.

3 JUDGE BUSHMANN: Consumers Council?

4 MR. COFFMAN: No questions.

5 JUDGE BUSHMANN: Kansas City Power &  
6 Light?

7 MR. HACK: No questions. Thank you.

8 JUDGE BUSHMANN: Any redirect?

9 MS. PAYNE: Just a few quick questions,  
10 your Honor.

11 REDIRECT EXAMINATION BY MS. PAYNE:

12 Q. Can I ask you if the Company were to  
13 implement an increase to a \$65 charge as opposed to  
14 the \$50 ch-- credit, I'm sorry, right now, would that  
15 mean that each customer would receive a flat \$65  
16 credit or is it --

17 A. No.

18 Q. -- up to \$65?

19 A. No. It's up to 65 based on the minimum  
20 criteria met; one of them being the federal poverty  
21 level.

22 Q. Okay. So even an increase to that might  
23 not mean the utilization of all of the funds in the  
24 program?

25 A. Correct.

1           **Q.     Okay. And the funds collected by this**  
2 **program, they are designed for the ERPP program.**

3 **Correct?**

4           A.     Correct.

5           **Q.     And if they were to be utilized for the**  
6 **Dollar-Aide program, they would go into a general**  
7 **fund; is that correct?**

8           A.     They would go into a general fund for --  
9 of customers meeting the criteria for that program.

10          **Q.     Which is different than the criteria for**  
11 **the ERPP program?**

12          A.     Correct. It should be.

13                 MS. PAYNE: No further questions, your  
14 Honor.

15                 JUDGE BUSHMANN: Thank you, ma'am. You  
16 may be excused.

17                 THE WITNESS: Thank you.

18                 JUDGE BUSHMANN: Staff can call its next  
19 witness.

20                 MS. PAYNE: At this time Staff would like  
21 to call Matthew Young to the stand.

22                 (Witness sworn.)

23                 JUDGE BUSHMANN: You may be seated.

24 MATTHEW YOUNG, testifies as follows:

25 DIRECT EXAMINATION BY MS. PAYNE:

1           **Q.     Would you please state your name for the**  
2 **court reporter?**

3           A.     Matthew Young.

4           **Q.     And who are you employed by and in what**  
5 **position?**

6           A.     I'm employed by the Missouri Public  
7 Service Commission as a regulatory auditor.

8           **Q.     And are you the same Matthew Young who**  
9 **prepared or caused to be prepared portions of the**  
10 **Cost-of-service Report filed as Staff Exhibit 200 in**  
11 **this case, as well as Rebuttal and Surrebuttal**  
12 **Testimony?**

13          A.     Yes.

14          **Q.     Okay. And at this time do you have any**  
15 **corrections to make to that testimony?**

16          A.     Yes, I do. On the Staff's  
17 Cost-of-service Report, page 138, line 1 there is a  
18 dollar amount I'd like to change to 102,460.

19          **Q.     And do you have any other corrections to**  
20 **make at this time?**

21          A.     No.

22          **Q.     And if I were to ask you the same**  
23 **questions contained in your testimony, would your**  
24 **answers be the same?**

25          A.     Yes.



1           **Q.     And everything is true and correct, to**  
2 **the best of your knowledge?**

3           A.     Yes.

4           MS. PAYNE: I'd like to tender this  
5 witness for cross.

6           JUDGE BUSHMANN: And I believe you're  
7 testifying later; is that correct? At a later date?

8           THE WITNESS: At a later date.

9           JUDGE BUSHMANN: Okay. First  
10 cross-examination would be Public Counsel?

11          MR. POSTON: No questions.

12          JUDGE BUSHMANN: MIEC?

13          MR. DOWNEY: No cross.

14          JUDGE BUSHMANN: MECG?

15          MR. WOODSMALL: No questions, thank you.

16          JUDGE BUSHMANN: Department of Energy?

17          MR. TSHI KORORO: No questions.

18          JUDGE BUSHMANN: Sierra Club?

19          MR. BECTOR: No questions.

20          JUDGE BUSHMANN: Missouri Division of  
21 Energy?

22          MR. ANTAL: No questions.

23          JUDGE BUSHMANN: Consumers Council?

24          MR. COFFMAN: No questions.

25          JUDGE BUSHMANN: Kansas City Power &

1 Light?

2 MR. HACK: None. Thank you.

3 JUDGE BUSHMANN: Questions from  
4 Commi ssi oners?

5 COMMI SSIONER STOLL: I have no questi ons.

6 COMMI SSIONER KENNEY: I have no  
7 questi ons.

8 COMMI SSIONER HALL: I think I have a  
9 coupl e.

10 QUESTIONS BY COMMI SSIONER HALL:

11 Q. **Good afternoon.**

12 A. Hello.

13 Q. **Concerning the Economic Relief Pilot**  
14 **Program, if the Commission were to expand that program**  
15 **from 1,000 to 1,500 customers without increasing the**  
16 **funding for the program, would you expect the amount**  
17 **of credit available per customer to be reduced?**

18 A. You know, my responsibilities on this  
19 issue are purely accounting. All the expectations and  
20 everything would be properly addressed to  
21 Ms. Boustead.

22 Q. **Okay. Thank you.**

23 JUDGE BUSHMANN: Recross based on  
24 Commi ssi on questi ons. Publ ic Counsel ?

25 MR. POSTON: No questi ons.

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JUDGE BUSHMANN: MIEC?  
MR. DOWNEY: No questions.  
JUDGE BUSHMANN: MECG?  
MR. WOODSMALL: No, thank you.  
JUDGE BUSHMANN: Department of Energy?  
MR. TSHIKORORO: No questions.  
JUDGE BUSHMANN: Sierra Club?  
MR. BECTOR: No questions.  
JUDGE BUSHMANN: Division of Energy?  
MR. ANTAL: No questions.  
JUDGE BUSHMANN: Consumers Council?  
MR. COFFMAN: No questions.  
JUDGE BUSHMANN: Kansas City Power &  
Light?  
MR. HACK: No questions.  
JUDGE BUSHMANN: Redirect by Staff?  
MS. PAYNE: None. Thank you.  
JUDGE BUSHMANN: Thank you, Mr. Young.  
You may step down.  
Next witness would be by Public Counsel.  
MR. POSTON: Thank you. Public Counsel  
calls Geoff Marke.  
(Witness sworn.)  
JUDGE BUSHMANN: You may be seated.  
GEOFF MARKE, testifies as follows:

1 DIRECT EXAMINATION BY MR. POSTON:

2 Q. Could you please state your name for the  
3 record?

4 A. Geoff Marke.

5 Q. Could you please spell it for the court  
6 reporter?

7 A. G-e-o-f-f M-a-r-k-e.

8 Q. Are you the -- sorry. How are you  
9 employed; in what capacity?

10 A. I'm an economist with the Office of  
11 Public Counsel.

12 Q. And are you the same Geoff Marke that  
13 caused to be prepared and filed testimony that's been  
14 marked as Exhibits 300, 301, 302?

15 A. Yes, I am.

16 Q. Do you have any changes or corrections to  
17 your testimony?

18 A. I do. I have two typos on my testimony  
19 that I need to be corrected -- that needs to be  
20 corrected.

21 Q. Okay. And which testimony?

22 A. Rebuttal Testimony, page 22, line 3. It  
23 says -- the header, it says Table 6, Empire Rate Case  
24 History. It should be say Table 6, KCPL Rate Case  
25 History.

1                   And in my Surrebuttal Testimony on  
2 page 26, line 21 it reads, An increase in the customer  
3 charge results in a rate design that further incents  
4 energy consumption.

5                   It should read, An increase in the  
6 customer charge results in a rate design that further  
7 incents energy consumption.

8                   **Q. With those changes, if I were to ask you**  
9 **the same questions that appeared in your testimony**  
10 **here today, would your answers be the same or**  
11 **substantially the same?**

12                  A. They would.

13                  MR. POSTON: Your Honor, I offer Exhibits  
14 300, 301, 302.

15                  JUDGE BUSHMANN: Is Mr. Marke going to  
16 testify at a later time?

17                  MR. POSTON: Yes, he is. Upon the  
18 electric vehicle.

19                  JUDGE BUSHMANN: I think I prefer to wait  
20 until the last time he testifies to make the offer.

21                  MR. POSTON: Okay. Well, then I tender  
22 the witness for cross-examination.

23                  JUDGE BUSHMANN: Cross-examination by  
24 Staff?

25                  MS. MAYFIELD: No questions.

1 JUDGE BUSHMANN: MIEC?  
2 MR. DOWNEY: No questions.  
3 JUDGE BUSHMANN: MECG?  
4 MR. WOODSMALL: No, thank you.  
5 JUDGE BUSHMANN: Department of Energy?  
6 MR. TSHIKORORO: No, thank you.  
7 JUDGE BUSHMANN: Sierra Club?  
8 MR. BECTOR: No questions, your Honor.  
9 JUDGE BUSHMANN: Missouri Division of  
10 Energy?  
11 MR. ANTAL: No questions.  
12 JUDGE BUSHMANN: Consumers Council?  
13 MR. COFFMAN: No questions.  
14 JUDGE BUSHMANN: Kansas City Power &  
15 Light?  
16 MR. HACK: No -- no questions.  
17 JUDGE BUSHMANN: Questions by  
18 Commissioners. Mr. Chairman?  
19 CHAIR R. KENNEY: No questions,  
20 Dr. Marke. Thanks for being here.  
21 JUDGE BUSHMANN: Commissioner Stoll?  
22 COMMISSIONER STOLL: I have no questions.  
23 Thank you for your testimony.  
24 JUDGE BUSHMANN: Commissioner Kenney?  
25 COMMISSIONER KENNEY: No questions.

1 Thank you, Dr. Marke.

2 JUDGE BUSHMANN: Commissioner Hall?

3 COMMISSIONER HALL: Well, that would be  
4 boring.

5 QUESTIONS BY COMMISSIONER HALL:

6 **Q. What is the purpose of a customer charge?**

7 A. A customer charge is the minimal amount  
8 of charge that's placed on a customer to collect  
9 expenses -- expense-incurred cost; so bills, meter and  
10 drop.

11 **Q. In other words, it's designed to collect**  
12 **from the customer revenues to cover those costs that**  
13 **the company -- that the company has regardless of**  
14 **whether any electricity is purchased?**

15 A. Right.

16 **Q. And does it provide a public policy -- is**  
17 **there a public policy rationale for it, in your**  
18 **opinion?**

19 A. No.

20 **Q. So you actually believe that it should be**  
21 **zero?**

22 A. well, I think the comment that you'd  
23 made earlier is if I could wave a magic wand. From a  
24 policy perspective, depending on what sort of policy  
25 you were trying to promote -- I would say as it stands

1 right now, \$9 is probably an appropriate amount. That  
2 reflects the actual -- just the minimal amount of  
3 expenses that are incurred.

4 **Q. Well, my understanding is that Staff**  
5 **performed an analysis, a calculation that determined**  
6 **that the customer costs were 16.59. And OPC performed**  
7 **a calculation I believe that it was 13.54. So the**  
8 **current customer charge is below both of those. So is**  
9 **it failing it perform its purpose?**

10 A. No. I don't think so. So to answer  
11 that, it -- it's a bit of a loaded question, so  
12 there's a couple things to consider I think when  
13 looking at the customer charge. You know, it's been  
14 stated before, you know, look at, you know -- there's  
15 several issues that a Commission needs to go ahead and  
16 consider when setting rates; gradualism, rate shock,  
17 cost-of-service.

18 As far as the class cost-of-service  
19 studies themselves and where you see variation, I think  
20 the term that's been used -- or the phrase is that  
21 it's more of an art than a science. I think there's a  
22 lot of truth to that.

23 How we allocate costs, it's unique on the  
24 electric side for the residential, in particular.  
25 Because what you're looking at are two charges



1 essentially, a customer charge and an electric charge.  
2 And it's been stated here that there isn't a demand  
3 charge that's present right now on the residential  
4 side.

5 Traditionally, those demand costs or how  
6 those are allocated, how they've been recovered has  
7 been through the volumetric charge. And that's served  
8 the Company, it's served really all the electric IOUs  
9 in the state well. Historically -- and I would even  
10 cite KCPL's projected energy cost and savings that  
11 they're looking to get from their triennial IRP as  
12 evidence that it's still going to serve them very  
13 well.

14 So to get back to the original question,  
15 absent a demand charge -- and there's a host of other  
16 problems that come with instituting a demand charge.  
17 There's just the logistics of putting in the needed  
18 infrastructure, the smart meters and so forth that  
19 come with that. It's preferable from a Commission  
20 standpoint, I think from a policy standpoint to  
21 collect it on a volumetric basis.

22 This also speaks to --

23 **Q. Well, I -- I understand why -- why we**  
24 **don't have a demand charge.**

25 **A. Right.**

1           **Q.     But my understanding is that you**  
2 **performed -- or somebody with OPC performed a**  
3 **calculation of those costs that are to be included in**  
4 **the customer charge and determined that that charge**  
5 **equaled 13.54. Yet you are advocating for a customer**  
6 **charge below that cost-of-service.**

7           A.     Right.

8           **Q.     And I'm trying to understand why. I**  
9 **understand why -- why there is opposition to raising**  
10 **it to 25. I understand why there is opposition to**  
11 **including additional costs in the customer charge.**  
12 **But what I don't understand is why -- why OPC is**  
13 **suggesting that the customer charge should be below**  
14 **13.54 or, for that matter, why Staff thinks it should**  
15 **be below 16.59.**

16          A.     And I would say to answer that question,  
17 first of all, it is a spot-on question. Why -- how do  
18 we wrestle with this sort of issue with what our  
19 numbers produce and, you know, the sort of  
20 recommendations that we have.

21                   OPC would be in alignment with Staff.  
22 The same reasons why we recommend, you know, no  
23 customer charge increase is we're generalizing here.  
24 We're saying residential customers and that's one  
25 group. We know that there's a lot of differentiation

1 between, you know, what those customers actually look  
2 like.

3 On an average, what we have here with a  
4 higher customer charge is we're shifting those charges  
5 to higher-use customers. On a whole it's been our  
6 position -- and I think the data that we've presented  
7 and, you know, the evidence to date suggests that  
8 we're encouraging consumption, we're encouraging --  
9 you know, which has historically shifted more towards  
10 higher income customers, customers that have larger  
11 homes as opposed to say an apartment, that have  
12 peaking appliances as opposed to have to go to the  
13 laundromat.

14 I've heard it expressed here that, you  
15 know, well, the average customer and the average  
16 customer won't be impacted by this. And I would  
17 suggest that the average customer wants to have  
18 control over as much cost as they possibly can.

19 Now, I'll speak anecdotally here and I'll  
20 speak for myself. Yesterday when I left my office, I  
21 was driving home and I got a phone call from my wife  
22 that told me that we were going to go ahead and -- we  
23 just got through paying off a sum debt. And I would  
24 consider myself well-off, generally speaking, as far  
25 as the average Missouri ratepayer would be considered.

1 Right?

2 We had a problem with our car and that's  
3 \$600 to go ahead and replace the air conditioning unit  
4 that's there. Right away as I'm driving there, I'm  
5 trying to do the math. What sort of cost can I  
6 afford? I know exactly what my income is, and I'm not  
7 expecting a raise any time soon from being a civil  
8 servant. I know what sort of situation that we're in.

9 What we're doing with the customer charge  
10 with increasing that is we have a lot less wiggle  
11 room. If you're essentially saying that \$25 right off  
12 the bat, or any number like that, is fixed, then I'm  
13 stuck with that.

14 The extent that you have some control  
15 over your bill -- and I think if I'm using my ca-- my  
16 example isn't a case, but think of it in terms of  
17 somebody that's on a fixed income, somebody that's low  
18 income. I think it becomes even more dramatic.

19 **Q. Would there be a way through inclining**  
20 **block rates to counteract any negative impact on**  
21 **low-income users that an increased customer charge**  
22 **might have?**

23 A. In general -- and I think it's been, you  
24 know, addressed to an extent here. You know, an  
25 inclining block rate is going to promote conservation.

1 And to somebody that uses less energy, that's going to  
2 be in their favor.

3 **Q. So it would promote conservation and it**  
4 **would also benefit low-use customers, which is -- at**  
5 **least according to your testimony, correlates with**  
6 **low-income customers. And for the record, I agree**  
7 **with you on that point.**

8 A. I -- right. And I guess I would just say  
9 on that record, the devil's in the details as well. I  
10 mean, I would probably need to look at it a little bit  
11 further. But on a whole, generally, that's true.

12 **Q. Thank you.**

13 JUDGE BUSHMANN: Recross based on  
14 Commissioner questions. Staff?

15 MS. MAYFIELD: None, your Honor.

16 JUDGE BUSHMANN: MIEC?

17 MR. DOWNEY: No questions.

18 JUDGE BUSHMANN: MECG?

19 MR. WOODSMALL: No, thank you.

20 JUDGE BUSHMANN: Department of Energy?

21 MR. TSHIKORORO: No questions.

22 JUDGE BUSHMANN: Sierra Club?

23 MR. BECTOR: No, thank you.

24 JUDGE BUSHMANN: Division of Energy?

25 RE-CROSS-EXAMINATION BY MR. ANTAL:

1           **Q.     Just one question. Hi, Dr. Marke.**  
2 **Question for you. What would be the impact of**  
3 **inclining block rates on customers who use electricity**  
4 **for space heating?**

5           A.     It would increase.

6           **Q.     Okay. Thank you.**

7           JUDGE BUSHMANN: Consumers Council?

8           MR. COFFMAN: No questions.

9           JUDGE BUSHMANN: Kansas City Power &  
10 Light?

11          MR. HACK: No questions.

12          JUDGE BUSHMANN: Redirect?

13         REDIRECT EXAMINATION BY MR. POSTON:

14           **Q.     You were asked the question of, you know,**  
15 **if -- that Public Counsel's testimony supports a cost**  
16 **caused by each customer of 13.54; is that correct?**

17          A.     That's correct.

18           **Q.     And that's consistent with the Company's**  
19 **own calculations; isn't that correct?**

20          A.     Yes.

21           **Q.     And so you were asked why \$9 if we're**  
22 **saying that the cost is actually 13.54. Is control**  
23 **over their bill one reason why we would support a**  
24 **\$9 customer charge?**

25          A.     It is.

1           **Q.     Energy efficiency is that another reason?**

2           A.     Absol utel y.

3           **Q.     And would energy efficiency -- or a**  
4 **customer's ability to see bill reductions because of**  
5 **energy efficiency, would that apply to low-use and**  
6 **high-use customers?**

7           A.     Sorry.    Could you please repeat that?

8           **Q.     A low customer charge puts more costs in**  
9 **the volumetric rate.    Correct?**

10          A.     Correct.

11          **Q.     And when a customer introduces energy**  
12 **efficiency appliances into their home and -- those**  
13 **benefits are seen by both high-use and low-use**  
14 **customers; is that correct?**

15          A.     That's correct.

16          **Q.     So a low use -- or a low customer charge,**  
17 **would that benefit both high-use and low-use customers**  
18 **as far as energy efficiency is concerned?**

19          A.     Sure.    It would benefit both.

20          **Q.     Thank you.    That's all.**

21                 JUDGE BUSHMANN:    Thank you, Dr. Marke.

22                 That concludes your testimony.

23                 OPC, you want to call your next witness?

24                 MR. POSTON:    Thank you.    OPC calls

25                 Dr. Davi d Di smukes.

1 (Witness sworn.)

2 JUDGE BUSHMANN: Thank you. Be seated.

3 DAVID DISMUKES, testifies as follows:

4 DIRECT EXAMINATION BY MR. POSTON:

5 Q. Would you please state and spell your  
6 name for the record?

7 A. My name is David E. Dismukes,  
8 D-i-s-m-u-k-e-s.

9 Q. And by whom are you employed, in what  
10 capacity?

11 A. I'm a consulting economist with the  
12 Acadian Consulting Group.

13 Q. Are you the same David Dismukes that  
14 caused to be prepared and filed Direct Testimony,  
15 Amended Rebuttal Testimony and Surrebuttal Testimony  
16 that's been marked as Exhibits 303, 304 and 305?

17 A. Yes, sir, I am.

18 Q. Do you have any changes or corrections to  
19 your testimony?

20 A. No, sir, I do not.

21 Q. If I were to ask you the same questions  
22 that appear in your testimony today, would your  
23 answers be the same or substantially the same?

24 A. Yes, sir, they would.

25 MR. POSTON: I'll wait to offer this



1 testimony, your Honor. He is testifying also on  
2 electric vehicles. So I tender him now for  
3 cross-exam.

4 JUDGE BUSHMANN: Okay. Cross-examination  
5 by Staff?

6 MS. MAYFIELD: No questions, your Honor.

7 JUDGE BUSHMANN: MIEC?

8 MR. DOWNEY: No questions.

9 JUDGE BUSHMAN: MIECG?

10 MR. WOODSMALL: No, thank you.

11 JUDGE BUSHMANN: Department of Energy?

12 MR. TSHIKORORO: No questions.

13 JUDGE BUSHMANN: Sierra Club?

14 MR. BECTOR: No, thank you.

15 JUDGE BUSHMANN: Missouri Division of  
16 Energy?

17 MR. ANTAL: No questions.

18 JUDGE BUSHMANN: Consumers Council?

19 MR. COFFMAN: No questions.

20 JUDGE BUSHMANN: Kansas City Power &  
21 Light?

22 MR. HACK: No questions.

23 JUDGE BUSHMANN: Questions by  
24 Commissioners. Mr. Chairman?

25 CHAIR R. KENNEY: No questions. Thank

1 you.

2 JUDGE BUSHMANN: Commissioner Stoll?

3 COMMISSIONER STOLL: No questions. Thank

4 you.

5 COMMISSIONER KENNEY: No questions.

6 Thank you.

7 JUDGE BUSHMANN: Commissioner Hall?

8 COMMISSIONER HALL: No questions. Thank

9 you.

10 JUDGE BUSHMANN: Commissioner Rupp?

11 COMMISSIONER RUPP: No questions. Thank

12 you.

13 JUDGE BUSHMANN: No need for recross, no  
14 need for redirect.

15 You may be excused, sir.

16 THE WITNESS: Thank you.

17 JUDGE BUSHMANN: Next witness on the list  
18 is the one from the US Department of Energy.

19 (Witness sworn.)

20 JUDGE BUSHMANN: Please be seated.

21 MICHAEL R. SCHMIDT, testifies as follows:

22 DIRECT EXAMINATION BY MR. TSHIKORORO:

23 **Q. Can you please state and spell your name**  
24 **for the record?**

25 A. My name is Michael R. Schmidt,

1 S-c-h-m-i-d-t.

2 **Q. What is your business address?**

3 A. 3322 Southwest Rolling Court in Topeka,  
4 Kansas.

5 **Q. Mr. Schmidt, did you prepare or cause to**  
6 **be prepared Direct, Rebuttal and Surrebuttal Testimony**  
7 **in this case?**

8 A. Yes.

9 **Q. Do you have any additions or corrections**  
10 **to make to that pre-filed testimony?**

11 A. No.

12 **Q. And if I were to ask you today the same**  
13 **questions that were contained in that pre-filed**  
14 **testimony, would your answers be the same?**

15 A. Yes, they would.

16 **Q. And is the information contained in your**  
17 **pre-filed testimony true and correct, to the best of**  
18 **your knowledge?**

19 A. Yes, it is.

20 MR. TSHIKORORO: Your Honor, I offer for  
21 admission DOE Exhibits 702, the Direct Testimony of  
22 Mr. Michael Schmidt; Exhibit 703, the Rebuttal  
23 Testimony of Mr. Michael Schmidt; and Exhibit 704, the  
24 Surrebuttal Testimony of Mr. Michael Schmidt.

25 JUDGE BUSHMANN: Any objections?

1                   Hearing none, those will be received into  
2 the record.

3                   (US Department of Energy Exhibits 702,  
4 703 and 704 were received into evidence.)

5                   MR. TSHIKORORO: Tender the witness for  
6 cross-examination.

7                   JUDGE BUSHMANN: First cross will be by  
8 Staff.

9                   MS. MAYFIELD: No questions.

10                  JUDGE BUSHMANN: Public Counsel?

11                  MR. POSTON: No questions.

12                  JUDGE BUSHMANN: MIEC?

13                  MR. DOWNEY: No questions.

14                  JUDGE BUSHMANN: MECG?

15                  MR. WOODSMALL: No, thank you.

16                  JUDGE BUSHMANN: Sierra Club?

17                  MR. BECTOR: No questions.

18                  JUDGE BUSHMANN: Missouri Division of  
19 Energy?

20                  MR. ANTAL: No questions.

21                  JUDGE BUSHMANN: Consumers Council?

22                  MR. COFFMAN: No questions.

23                  JUDGE BUSHMANN: Kansas City Power &  
24 Light?

25                  MR. HACK: None, your Honor.

1 JUDGE BUSHMANN: Questions by  
2 Commi ssi oners. Mr. Chai rman?

3 CHAIR R. KENNEY: No questi ons,  
4 Mr. Schmi dt. Thank you.

5 JUDGE BUSHMANN: Commi ssi oner Stoll ?

6 COMMI SSI ONER STOLL: No questi ons, thank  
7 you.

8 COMMI SSI ONER KENNEY: Thank you,  
9 Mr. Schmi dt. No.

10 COMMI SSI ONER HALL: I have no questi ons  
11 ei ther.

12 COMMI SSI ONER RUPP: Nor do I.

13 JUDGE BUSHMANN: No questi ons, no need  
14 for recross.

15 Mr. Schmi dt, you're completed with your  
16 testi mony.

17 THE WITNESS: Thank you.

18 (Wi tness sworn.)

19 JUDGE BUSHMANN: Please be seated.

20 MAURICE BRUBAKER, testi fies as follows:

21 DI RECT EXAMI NATION BY MR. DOWNEY:

22 Q. Good afternoon.

23 A. Good afternoon.

24 Q. Please state your name and your business  
25 address.

1           A.     It's Maurice Brubaker, B-r-u-b-a-k-e-r,  
2     16690 Swingley Ridge Road, Chesterfield, Missouri  
3     63017.

4           **Q.     And who has retained you to be here**  
5     **today?**

6           A.     Missouri Industrial Energy Consumers and  
7     Midwest Energy Consumers Group.

8           **Q.     Thank you. Did you prepare pre-filed**  
9     **testimony in this case?**

10          A.     I did.

11          **Q.     Do you see Exhibits 553 through 556 at**  
12     **the witness stand?**

13          A.     I do.

14          **Q.     Would you please identify those exhibits?**

15          A.     These are the testimonies and exhibits  
16     that I've prepared for this case.

17          **Q.     Okay. And what is Exhibit 553?**

18          A.     553 is Direct Testimony on revenue  
19     requirements.

20          **Q.     And Exhibit 554?**

21          A.     Is Direct Testimony on cost-of-service  
22     and rate design issues.

23          **Q.     555?**

24          A.     Is Rebuttal Testimony.

25          **Q.     And Exhibit 556?**

1 A. That would be Surrebuttal.

2 Q. Mr. Brubaker, do you have any corrections  
3 you'd like to make to any of those testimonies?

4 A. I do not.

5 Q. Are those testimonies true and accurate,  
6 to the best of your knowledge and belief?

7 A. Yes, they are.

8 Q. And if I were to ask you the questions in  
9 those testimonies today, would your answers be the  
10 same?

11 A. They would.

12 MR. DOWNEY: Judge, I would say that our  
13 witness list was corrected yesterday to include  
14 Mr. Brubaker as a witness on July 1st on the issue of  
15 jurisdictional cost allocations, but it's my  
16 understanding that issue's been settled, and I would  
17 like to suggest that he not appear again on July 1st.  
18 And so could I offer his testimony today, have it  
19 received today with the understanding that if there  
20 are objections to his non-appearance on July 1st, that  
21 I'll bring him here on July 1st.

22 JUDGE BUSHMANN: That would be  
23 acceptable.

24 MR. HACK: If I may, your Honor, and  
25 I'm -- I have no interest in forcing Mr. Brubaker to

1 drive back, but I'm entirely unaware of any settlement  
2 of the jurisdictional allocations issue.

3 MR. WOODSMALL: I think the confusion is  
4 coming from the fact that initially when this case was  
5 filed, KCP&L asked for a 12-CP jurisdictional  
6 allocator. Mr. Brubaker filed testimony saying 4-CP  
7 was appropriate. KCP&L then came back and said, in  
8 Rebuttal, 4-CP, but using different months.

9 So the 4 versus 12 has settled. The  
10 number of months is different. All Mr. Brubaker's  
11 testifying on is 4-CP in which there's no disagreement  
12 anymore.

13 MR. DOWNEY: That's what I meant by  
14 settled. I'm sorry.

15 MR. HACK: No, no. My apologies. That  
16 helps me. And we have not obviously decided whether  
17 we waive or not, but we may. So I have no objection  
18 to the proposal Mr. Downey would like to forward with.

19 JUDGE BUSHMANN: I don't see any problem  
20 with offering the exhibits at this time. And then you  
21 can tell me later whether parties are willing to waive  
22 cross so that he may not need to appear later.

23 MR. DOWNEY: That's fine.

24 JUDGE BUSHMANN: So are you making the  
25 offer then?



1 MR. DOWNEY: Yes, your Honor.

2 JUDGE BUSHMANN: There's been an offer to  
3 receive into the evidence Exhibits 553, 554, 555 and  
4 556. Are there any objections to that receipt?

5 Hearing none, those will be received into  
6 the record.

7 (MIEC Exhibits 553, 554, 555 and 556 were  
8 received into evidence.)

9 MR. DOWNEY: Judge, I tender the witness  
10 for cross.

11 JUDGE BUSHMANN: And first cross would be  
12 Public Counsel?

13 MR. POSTON: No questions.

14 JUDGE BUSHMANN: Commission Staff?

15 MS. MAYFIELD: No questions.

16 JUDGE BUSHMANN: US Department of Energy?

17 MR. TSHIKORORO: No questions, your  
18 Honor.

19 JUDGE BUSHMANN: Sierra Club?

20 MR. BECTOR: No questions.

21 JUDGE BUSHMANN: Missouri Division of  
22 Energy?

23 MR. ANTAL: Yes, we have a few.

24 CROSS-EXAMINATION BY MR. ANTAL:

25 Q. Hello, Mr. Brubaker.

1 A. Good afternoon.

2 Q. Could you please turn to page 22 of your  
3 Rebuttal Testimony?

4 A. I have it.

5 Q. Okay. Starting on line 3, you state,  
6 Division of Energy's proposal would require  
7 participation in a program without any demonstration  
8 that the energy efficiency measures offered by the  
9 utility are applicable to and would be cost effective;  
10 is that correct?

11 A. Yes.

12 Q. Okay. Now, do you have a copy of  
13 Ms. Lohraff's testimony?

14 A. I do not.

15 Q. Okay. Mr. Brubaker, could you identify  
16 the document that I've just handed you?

17 A. Yes. It's Ms. Lohraff's Surrebuttal  
18 Testimony.

19 Q. Okay. Thank you. Can you please turn to  
20 page 6 of that testimony?

21 A. Yes.

22 Q. Okay. Starting on line 10 she states,  
23 Only those measures that are both applicable and have  
24 an incremental payback of five years or less would  
25 become part of the EDR/UCD. If there are no

1 applicable measures identified or the identified  
2 measures cannot meet the payback criteria, no energy  
3 efficiency measures would be required to receive  
4 ECR/UCD benefits.

5 **Did I read that correctly?**

6 A. What page were you directing me to?

7 **Q. I believe it was page 6.**

8 A. Line what? Can you get me a little more  
9 focused?

10 **Q. Page 6, line 10.**

11 A. Okay. And your question again?

12 **Q. Did I read that quotation correctly?**

13 A. Would you mind reading it again?

14 **Q. Sure. Starting on page 6, line 10, Only**  
15 **those measures that are both applicable and have an**  
16 **incremental payback of five years or less would become**  
17 **part of the EDR/UCD.**

18 A. Either I've got dyslexia or -- I'm not  
19 seeing that on page 6.

20 MR. DOWNEY: Alex, I have a same problem.  
21 Are you sure you're talking about Lohraff?

22 MR. ANTAL: I apologize for the delay.  
23 Thank you.

24 You know, just strike that question. I  
25 apologize.

1 BY MR. ANTAL:

2 Q. Mr. Brubaker, in your Rebuttal Testimony  
3 you also called into question the Division of Energy's  
4 proposal as conflicting with the opt-out provisions of  
5 the Missouri Energy Investment Act; is that correct?

6 A. Yes, that's correct.

7 Q. Okay. Were you in the hearing room when  
8 I was cross-examining Mr. Rush this morning?

9 A. I was.

10 Q. Okay. Did you hear me recite a portion  
11 of Ms. Lohraff's Surrebuttal Testimony starting on  
12 page 5, line 16?

13 A. Yes, I did.

14 Q. Okay. And did you hear me ask Mr. Rush  
15 this following question: Based off the section of  
16 Ms. Lohraff's Surrebuttal that I just read, would you  
17 agree that Division of Energy's proposal exempts  
18 opt-out customers from participating in MEEIA as a  
19 condition of receiving EDR or UCD?

20 A. I heard you ask the question, yes.

21 Q. Okay. And I would ask you the same  
22 question at this point.

23 A. Okay. I believe Ms. Lohraff changed  
24 the -- changed DE's position in her Surrebuttal  
25 Testimony, and it does appear to have that affect.

1           **Q.     Okay. Thank you very much.**

2           MR. ANTAL: I have no other questions at  
3 this time. Thank you.

4           JUDGE BUSHMANN: Cross by Consumers  
5 Council?

6           MR. COFFMAN: No questions.

7           JUDGE BUSHMANN: Kansas City Power &  
8 Light?

9 CROSS-EXAMINATION BY MR. HACK:

10           **Q.     Just a quick question. Regarding the**  
11 **topic on which you're not scheduled today, in**  
12 **calculating the 4-CP demand allocator -- which you**  
13 **recommend today. Correct?**

14           A.     Correct.

15           **Q.     For jurisdictional allocations. Do you**  
16 **recommend use of weather normalized peaks?**

17           A.     I didn't weigh in on that issue at all,  
18 so I don't have a recommendation.

19           **Q.     You do not?**

20           A.     I do not.

21           **Q.     That's all I have. Thank you.**

22           JUDGE BUSHMANN: Questions by  
23 Commi ssi oners. Mr. Chai rman?

24           CHAIR R. KENNEY: No questions. Thank  
25 you, Mr. Brubaker.

1 THE WITNESS: Thank you, sir.

2 JUDGE BUSHMANN: Commissioner Stoll?

3 COMMISSIONER STOLL: No questions. Thank  
4 you.

5 COMMISSIONER KENNEY: No questions.  
6 Thank you, Mr. Brubaker.

7 JUDGE BUSHMANN: Commissioner Hall?

8 COMMISSIONER HALL: Briefly.

9 QUESTIONS BY COMMISSIONER HALL:

10 Q. **Good afternoon.**

11 A. Good afternoon.

12 Q. **Did you take a position on the Company's**  
13 **request for an increased customer charge?**

14 A. No, sir, I did not.

15 Q. **Do you have an opinion?**

16 A. I really don't. I've not delved into  
17 that question. There are many issues surrounding  
18 residential customer charges and I've just not opined  
19 on them.

20 Q. **Okay. Thank you.**

21 JUDGE BUSHMANN: Commissioner Rupp?

22 COMMISSIONER RUPP: No. Thank you, sir.

23 THE WITNESS: Thank you, sir.

24 JUDGE BUSHMANN: Recross based on  
25 Commission questions. Public Counsel?

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MR. POSTON: No questions.

JUDGE BUSHMANN: Staff?

MS. MAYFIELD: No questions.

JUDGE BUSHMANN: Department of Energy?

MR. TSHIKORORO: No questions, your Honor.

JUDGE BUSHMANN: Sierra Club?

MR. BECTOR: No, thank you.

JUDGE BUSHMANN: Division of Energy?

MR. ANTAL: No questions.

JUDGE BUSHMANN: Consumers Council?

MR. COFFMAN: No questions.

JUDGE BUSHMANN: Kansas City Power & Light?

MR. HACK: No questions.

JUDGE BUSHMANN: Redirect?

MR. DOWNEY: No redirect.

JUDGE BUSHMANN: Thank you, Mr. Brubaker.

THE WITNESS: Thank you.

JUDGE BUSHMANN: That completes your testimony.

Next on the schedule of witnesses from Division of Energy.

MR. ANTAL: Division of Energy would call Ms. Jane Lohraff.

1 (Witness sworn.)

2 JUDGE BUSHMANN: Please be seated.

3 JANE LOHRAFF, testifies as follows:

4 DIRECT EXAMINATION BY MR. ANTAL:

5 **Q. Would you please state your name and**  
6 **spell it for the court reporter?**

7 A. Jane Lohraff, L-o-h-r-a-f-f.

8 **Q. Ms. Lohraff, where are you employed and**  
9 **in what capacity?**

10 A. I'm employed with the Missouri Department  
11 of Economic Development, Division of Energy, as an  
12 energy policy analyst.

13 **Q. Okay. And are you the same Ms. Lohraff**  
14 **who prepared Direct Testimony marked as Exhibit 354**  
15 **and Surrebuttal Testimony marked as Exhibit 355?**

16 A. Yes.

17 **Q. Do you have any changes or corrections to**  
18 **that testimony?**

19 A. I do.

20 **Q. Okay.**

21 A. On page 2 of Surrebuttal, line 23, I have  
22 a typo that -- it's an ECR that should be EDR. And  
23 then also on page 5, lines 17 and 21, the CSR  
24 reference should be, in both cases. 4 CSR 240-20.094  
25 instead of 093.



1           **Q.     Anything else?**

2           A.     No.

3           **Q.     Okay.   And do these corrections make any**  
4 **substantive changes to what you've been proposing?**

5           A.     No, they do not.

6           **Q.     Okay.   If I were to ask you the same**  
7 **questions today, would your answers be the same or**  
8 **similar?**

9           A.     Yes.

10          **Q.     And are these -- are your answers true**  
11 **and accurate, to the best of your knowledge and**  
12 **belief?**

13          A.     Yes, they are.

14          **Q.     Okay.**

15                 MR. ANTAL:   Judge, this will be the only  
16 time Ms. Lohraff is testifying during this hearing so  
17 I would offer her Exhibits 354 and 355 and tender her  
18 for cross-examination.

19                 JUDGE BUSHMANN:   Any objections to those  
20 two exhibits?

21                 Hearing none, they'll be received into  
22 the record.

23                 (Division of Energy Exhibits 354 and 355  
24 were received into evidence.)

25                 JUDGE BUSHMANN:   First cross would be

1 Staff?

2 MS. MAYFIELD: No questions.

3 JUDGE BUSHMANN: Public Counsel?

4 MR. POSTON: No questions.

5 JUDGE BUSHMANN: MIEC?

6 MR. DOWNEY: No questions.

7 JUDGE BUSHMANN: MECG?

8 MR. WOODSMALL: No, thank you.

9 JUDGE BUSHMANN: Department of Energy?

10 MR. TSHIKORORO: No questions.

11 JUDGE BUSHMANN: Sierra Club?

12 MR. BECTOR: No questions, your Honor.

13 JUDGE BUSHMANN: Consumers Council?

14 MR. COFFMAN: No questions.

15 JUDGE BUSHMANN: Kansas City Power &

16 Light?

17 MR. HACK: None here either.

18 JUDGE BUSHMANN: Questions by

19 Commissioners. Mr. Chairman?

20 CHAIR R. KENNEY: No questions. Thank

21 you.

22 THE WITNESS: Thank you.

23 JUDGE BUSHMANN: Commissioner Stoll?

24 COMMISSIONER STOLL: No questions. Thank

25 you.

1 COMMISSIONER KENNEY: No questions.

2 Thank you, Ms. Lohraff.

3 THE WITNESS: Thank you.

4 COMMISSIONER HALL: I have no questions.

5 Thank you.

6 JUDGE BUSHMANN: Commissioner Rupp?

7 COMMISSIONER RUPP: Nor do I. Thank you.

8 THE WITNESS: Thank you.

9 JUDGE BUSHMANN: No recross, no need for  
10 redirect. That completes your testimony.

11 THE WITNESS: Whoo-hoo. Thank you.

12 MR. TSHIKORORO: Division of Energy would  
13 call Mr. Martin Hyman.

14 (Witness sworn.)

15 JUDGE BUSHMANN: Please be seated.

16 MARTIN HYMAN, testifies as follows:

17 DIRECT EXAMINATION BY MR. ANTAL:

18 **Q. Would you please state your name and**  
19 **spell it for the court reporter?**

20 A. Martin Hyman, H-y-m-a-n.

21 **Q. And Mr. Hyman, where are you employed and**  
22 **in what capacity?**

23 A. Department of Economic Development,  
24 Division of Energy, as an energy policy analyst.

25 **Q. Okay. And, Mr. Hyman, are you the same**

1 **Mr. Hyman who prepared Direct -- or Rebuttal Testimony**  
2 **marked as Exhibit 352 and Surrebuttal Testimony marked**  
3 **as Exhibit 353?**

4 A. I am.

5 **Q. Okay. And do you have any changes or**  
6 **corrections to that testimony?**

7 A. Just a small change to my Rebuttal. On  
8 page 2, line 2, I have "Direct" Testimony and that  
9 should be "Rebuttal."

10 **Q. Thank you. And if I were to ask you the**  
11 **same questions today, would your answers be the same**  
12 **or similar?**

13 A. Yes.

14 **Q. And are those answers true and correct,**  
15 **to the best of your knowledge and belief?**

16 A. They are.

17 MR. ANTAL: Okay. Judge, Mr. Hyman will  
18 be appearing again on the Clean Charge Network, so  
19 we'll hold off on offering his testimony, but we will  
20 tender him for cross-examination.

21 JUDGE BUSHMANN: Very good. First cross  
22 would be by Staff.

23 MS. MAYFIELD: No questions.

24 JUDGE BUSHMANN: Public Counsel?

25 MR. POSTON: Yes. Thank you. Just a

1 few.

2 CROSS-EXAMINATION BY MR. POSTON:

3 **Q. Are you familiar with Kansas City Power &**  
4 **Light's MEEIA program?**

5 A. I am, yes.

6 **Q. And was that program created under the**  
7 **assumption of a \$9 customer charge?**

8 A. That program would have been created  
9 around the same time, yes.

10 **Q. And would raising the customer charge**  
11 **have an impact on the MEEIA?**

12 A. Yes, it would.

13 **Q. What kind of impact?**

14 A. The impact would vary depending on which  
15 cycle you were looking at.

16 **Q. Can you please explain?**

17 A. So there would be decreasing returns in  
18 the sense of how much energy efficiency would be  
19 gained by customers under the MEEIA program who were  
20 receiving benefits from energy efficiency measures  
21 that they had undertaken.

22 **Q. Thank you. That's all.**

23 JUDGE BUSHMANN: Cross by MIEC?

24 MR. DOWNEY: No cross.

25 JUDGE BUSHMAN: MECG?

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MR. WOODSMALL: No, thank you.  
JUDGE BUSHMANN: Department of Energy?  
MR. TSHI KORORO: No questions.  
JUDGE BUSHMANN: Sierra Club?  
MR. BECTOR: No, thank you.  
JUDGE BUSHMANN: Consumers Council?  
MR. COFFMAN: No questions.  
JUDGE BUSHMANN: Kansas City Power &  
Light?  
MR. HACK: Just a couple.  
CROSS-EXAMINATION BY MR. HACK:  
**Q. Mr. Hyman, when does the KCPL MEEIA  
program expire?**  
A. The program will expire at the end of  
this program year, so the 2015 program year.  
**Q. So the end of calendar year 2015?**  
A. Yes.  
**Q. Thank you.**  
MR. HACK: That's it.  
JUDGE BUSHMANN: Questions by  
Commissioners. Mr. Chairman?  
CHAIR R. KENNEY: No. Thank you,  
Mr. Hyman. Thanks for being here.  
THE WITNESS: Thank you.  
JUDGE BUSHMANN: Commissioner Stoll?

1                   COMMISSIONER STOLL: No questions. Thank  
2 you.

3                   COMMISSIONER KENNEY: No questions.  
4 Thank you.

5                   JUDGE BUSHMANN: Commissioner Hall?

6                   COMMISSIONER HALL: Yeah, just a few.

7 QUESTIONS BY COMMISSIONER HALL:

8                   **Q. Good afternoon. So your testimony is**  
9 **that an increase in the customer charge would have an**  
10 **impact on KCP&L's MEEIA program; is that correct?**

11                  A. Among other things, yes.

12                  **Q. Have you in any way quantified what that**  
13 **impact would be?**

14                  A. I have not. I did not perform a class  
15 cost-of-service study, so I didn't do a specific  
16 quantification of that.

17                  **Q. But it -- but it would have what effect?**

18                  A. So as I said in my answer to Public  
19 Counsel, there would be a number of effects, but I  
20 think the primary one of concern to us would be the  
21 decrease in the incentive to conserve energy and that,  
22 in turn, would decrease the incentive for  
23 participation in MEEIA.

24                  **Q. So it would -- so it would decrease the**  
25 **customer's incentive to participate?**

1           A.     Right.  As well as the incentive for  
2 current customers or the payback that current  
3 customers would receive.

4           **Q.     But you don't know how much?  You don't**  
5 **know how many customers it would -- it would provide a**  
6 **disincentive to and you don't know the extent to which**  
7 **that disincentive would affect the program?**

8           A.     Without running the calculations, it  
9 would be hard to say how many future customers.  But  
10 theoretically, every customer who's participating  
11 under MEEIA as a residential customer would be  
12 impacted by an increase to the residential customer --  
13 to the residential customer charge.

14          **Q.     But if the increase in the residential**  
15 **customer charge was relatively minimal, than the**  
16 **impact on MEEIA, I assume your testimony would be,**  
17 **is -- would be minimal as well?**

18          A.     Well, it depends on what happens to the  
19 energy charge as well, but absent any changes to the  
20 energy charge, an increase to the customer charge will  
21 decrease the incentive to conserve.

22          **Q.     Well, I would assume that an increase in**  
23 **the customer charge would -- that there would be some**  
24 **type of corresponding reduction in the energy charge?**

25          A.     In theory.



1           **Q.     Well, let's assume in practice as well.**  
2 **So how would that change your answer?**

3           A.     It would depend on the magnitude of the  
4 decrease in the energy charge.

5           **Q.     Okay. Thank you.**

6           A.     You're welcome.

7           COMMISSIONER RUPP: No questions.

8           JUDGE BUSHMANN: Recross after

9 Commi ssi oner questions. Staff?

10          MS. MAYFIELD: No questions.

11          JUDGE BUSHMANN: Public Counsel?

12          MR. POSTON: No questions.

13          JUDGE BUSHMANN: MIEC?

14          MR. DOWNEY: No, thank you.

15          JUDGE BUSHMANN: MECG?

16          MR. WOODSMALL: No, thank you.

17          JUDGE BUSHMANN: Department of Energy?

18          MR. TSHIKORORO: No questions, your

19 Honor.

20          JUDGE BUSHMANN: Sierra Club?

21          MR. BECTOR: No questions.

22          JUDGE BUSHMANN: Consumers Council?

23          MR. COFFMAN: No questions.

24          JUDGE BUSHMANN: Kansas City Power &

25 Light?

1 MR. HACK: None. Thank you.

2 JUDGE BUSHMANN: Redirect?

3 MR. ANTAL: No. No questions.

4 JUDGE BUSHMANN: Mr. Hyman, you may step  
5 down.

6 THE WITNESS: Thank you.

7 JUDGE BUSHMANN: That's all the witnesses  
8 we had scheduled for today. Obviously we're finished  
9 well before the end of the day. There's a couple of  
10 ways we could go. Either we could just stop at this  
11 point and adjourn for the day, if parties are working  
12 on settling certain issues that remain in dispute. I  
13 don't know if that's something that you're working on,  
14 but I think that would be a good use of time if you  
15 are working on something like that.

16 If not, if there's no discussions going  
17 on about any of the remaining issues, then I would  
18 propose we push on if possible with -- start on  
19 tomorrow's topic. So I would invite any counsel to  
20 say what they think about those proposals.

21 MR. HACK: That is our intent, your  
22 Honor, to move on with Clean Charge Network.

23 JUDGE BUSHMANN: Anybody else want to  
24 weigh in on that?

25 MR. POSTON: I would just ask that we

1 take a recess to have time to kind of change over on  
2 this issue until two o'clock, if we could.

3 JUDGE BUSHMANN: I don't mind a recess at  
4 all. I just wanted to see if there was any time that  
5 you needed for settlement negotiations?

6 MR. POSTON: I'm not aware of any.

7 JUDGE BUSHMANN: Why don't we take a  
8 break then?

9 MR. TSHIKORORO: Your Honor --

10 JUDGE BUSHMANN: Yes.

11 MR. TSHIKORORO: -- the Department of  
12 Energy is not going to be put forward any more issues,  
13 any more witnesses for the remainder of the hearing  
14 and we don't -- we haven't taken any position on the  
15 remainder of issues. So we would just request  
16 respectfully to be excused from the remainder of the  
17 hearing.

18 JUDGE BUSHMANN: Your request is granted.

19 MR. TSHIKORORO: Thank you.

20 JUDGE BUSHMANN: Thank you for your  
21 participation.

22 MR. DOWNEY: MIEC has some issues, but  
23 they won't be coming up until the last week of trial,  
24 so we'd like to be excused as well.

25 JUDGE BUSHMANN: That is also granted.

1 MR. DOWNEY: Thank you.

2 MR. WOODSMALL: And, your Honor, just to  
3 inform you, I have to be in Topeka tomorrow. The only  
4 issue that's coming up in the next three days that I  
5 have to be involved in is the affiliate transaction  
6 issue that's scheduled for Friday. Our witness is  
7 from out of town and we won't be here till Friday. So  
8 just to warn you in case you get that far ahead.  
9 Thank you.

10 JUDGE BUSHMANN: That's fine.

11 So in that case, why don't we take a  
12 break? We'll be in recess until about let's say five  
13 minutes after 2:00.

14 (A recess was taken.)

15 JUDGE BUSHMANN: Okay. Why don't we get  
16 started, go back on the record. Next topic to take up  
17 is the issue of the Clean Charge Network, so we'll  
18 have mini openings on that at this point. And the  
19 first name up is Kansas City Power & Light.

20 MR. FISCHER: Good afternoon. Welcome  
21 back for what I think may be a very interesting issue  
22 to be heard today.

23 KCPL and GMO have launched an initiative  
24 to install and operate more than 1,000 electric  
25 vehicle charging stations throughout the Greater

1 Kansas City, Missouri area and within KCPL/GMO service  
2 territories. This initiative, in furtherance of the  
3 Company's commitment to environmental sustainability,  
4 is capable of supporting more than 10,000 electric  
5 vehicles.

6           Upon completion, it will be one of the  
7 largest utility-owned electric vehicle charging  
8 station installations in the United States. However,  
9 still -- it's still quite modest and KCPL considers it  
10 a pilot program with the goal of learning much more  
11 about the electric vehicle charging market. We look  
12 forward to working with the Commission and other  
13 stakeholders as we learn from this pilot project.

14           Now, under the pilot project, the first  
15 charging stations deployed will be -- will provide  
16 what's called fast charging, enabling a vehicle to  
17 charge from empty to 80 percent of a full charge in  
18 about 30 minutes. There are expected to be about  
19 15 of these sites. The remaining sites will provide  
20 approximately a 25-mile charge for every hour of  
21 vehicle charging. The stations will be located  
22 throughout the KCPL and GMO service territories near  
23 where people live and work.

24           The company conducted considerable due  
25 diligence prior to making the decision to embark upon

1 what I call the CCN pilot project. There are seven  
2 schedules attached to Mr. Ives' Supplemental Direct,  
3 and it's pretty thick, where -- that basically make up  
4 the studies that they looked at before deciding to go  
5 forward with the project.

6 These studies include a wealth of  
7 information about the costs and the benefits of  
8 electric vehicle charging and electric vehicles  
9 generally from both a societal and a customer  
10 perspective. These studies show that there are  
11 benefits associated with the adoption of electrical --  
12 or EVs for both customers and for society at large.

13 We talk about basically five areas of  
14 benefits. The first one we call beneficial  
15 electrification. As more drivers adopt electric  
16 vehicles, not only will vehicle emissions be reduced,  
17 but the cost of operating and maintaining the electric  
18 grid itself will be spread over more kilowatt hours.  
19 A more efficient electrical grid will certainly  
20 benefit all customers.

21 Secondly, there are environmental  
22 benefits through reducing tailpipe emissions itself  
23 and certainly clean air will benefit everyone.

24 There will be economic benefits. There  
25 will be regional economic development benefits through

1 the increased attraction of the auto industry, the  
2 electric vehicle industry and battery and charging  
3 station companies to Kansas City's service territory.  
4 Local job creation will also help the economy.

5 The Clean Charge Network will enable the  
6 development of customer programs for cost effective  
7 demand-side management, time-of-use incentives and  
8 what's called vehicle-to-grid battery storage and  
9 discharge.

10 Fifth, KCPL's participation in the Clean  
11 Charge Network will result in streamlining of the  
12 infrastructure through central design of the charging  
13 facilities and should result in creating one regional  
14 standard for payment and reduced expenses resulting  
15 from the charging stations' more efficient utilization  
16 of the electrical grid.

17 So these are five buckets, if you want to  
18 call it that, of public benefits that we see will  
19 occur as a result of our participation in this  
20 program. I'd strongly encourage you to ask about  
21 those benefits to our witness, Mr. Ives, who is  
22 familiar with those benefits and he can -- he can  
23 explain the program in a lot more detail.

24 Now, some parties have argued that KCPL  
25 is subsidizing electrical vehicle owners, but this

1 isn't the case. Initially KCPL will supply the  
2 electricity to the charging station under KCPL's  
3 existing tariffed rates. After we learn from the  
4 results of the pilot program, other options may be  
5 explored in the future, including the establishment of  
6 a separate tariff for these services.

7 This is an issue though of first  
8 impression I think for the Commission. And some  
9 parties believe that it's such a new issue, that it  
10 shouldn't be considered in this case. But we  
11 disagree. It's important that the Commission support  
12 the development of the electric charging technology at  
13 this time.

14 While we will certainly be studying the  
15 results of the KCPL pilot project in the future after  
16 it's implemented, it makes no sense to delay the  
17 process at this point.

18 Some parties are also arguing that the  
19 program should be an unregulated service and not  
20 considered a public utility service. While we intend  
21 to brief that legal issue, KCPL believes this electric  
22 service is a regulated service under Missouri law.

23 We will be providing electricity to the  
24 charging stations, as I mentioned, at the company's  
25 tariffed rates. Charging stations will be separately



1 metered and the charging stations themselves are a  
2 part of the electric plant and will be part of the  
3 regulated distribution system. The revenues from  
4 these stations receiving separate bills are  
5 identifiable by account, and the revenues from those  
6 stations where the usage is added to the customer's  
7 main meter will be estimated based on that metered  
8 usage.

9           The company has estimated that once the  
10 CCN project is fully deployed, the bill impact for a  
11 typical residential customer will be about 18 cents  
12 per month. If the Commission grants recovery of the  
13 investments made thus far in the program, the annual  
14 impact for a typical residential customer would only  
15 be 32 cents per year or just under 3 cents per month.

16           Mr. Ives is our witness and he can  
17 explain the program in much greater detail. I hope  
18 you'll ask all your questions of him and he'll be  
19 happy to talk about the benefits that will accrue to  
20 all customers, including the customers that don't  
21 drive the electric vehicles. Thank you very much.  
22 I'd be happy to answer any questions.

23           JUDGE BUSHMANN: Questions?

24           CHAIR R. KENNEY: Mr. Fisher, yeah. Just  
25 a couple. Can you hear me okay?

1 MR. FISCHER: I sure can. Thank you.

2 CHAIR R. KENNEY: Thank you. Just --  
3 this may be a legal and a policy question. It's  
4 KCP&L's assertion that providing electric vehicles  
5 charging stations is a regulated service. Right?

6 MR. FISCHER: Yes, sir.

7 CHAIR R. KENNEY: Well, I know you said  
8 you're going to brief it, but let me just give you my  
9 thoughts and then I'll end with a question. I mean,  
10 the reason we regulate the provision of these services  
11 is because -- well, at least one reason is because  
12 it's an essential service. Right?

13 MR. FISCHER: Yes.

14 CHAIR R. KENNEY: If the provision of  
15 electric vehicle charging stations isn't an essential  
16 service, why should we be regulating it? That's my  
17 first question and I'll just let you take that first.

18 MR. FISCHER: Well, Mr. Chairman, I think  
19 it is an essential service for those folks that want  
20 to use the electrical grid to charge their electrical  
21 vehicles. It's like the charging stations are needed  
22 for them to be able to use the electrical grid and  
23 certainly it will be an essential service for -- for  
24 any owner of an electrical vehicle wanting to use  
25 that.

1           Just like perhaps the -- it may not have  
2 been essential at one time for me to use a microwave,  
3 but today I need to plug it in and now it's become an  
4 essential part of our family's home life. So I think  
5 it's no different than any other appliance or  
6 whatever.

7           It's -- only in this case the charging  
8 stations will be part of the distribution system and  
9 it is an essential service for those that are going to  
10 need it or going to be wanting to use it.

11           CHAIR R. KENNEY: Okay. But let me take  
12 at face value your premise then. Because I'm not sure  
13 that we're, as a society, there yet, but let me  
14 just -- I'll accept as true your premise that it is an  
15 essential service.

16           The second reason we regulate you guys is  
17 because you're providing a monopoly service. If we  
18 regulate this as an essential service, are we -- and  
19 then presumably as an adjunct of that, by a monopoly  
20 provider, are we preventing other potential  
21 competitors from coming into the service territory?

22           MR. FISCHER: No, sir, not at all.  
23 The -- at least --

24           CHAIR R. KENNEY: So other providers of  
25 charging stations would still be able to come into

1 your certified area?

2 MR. FISCHER: I think the -- the model  
3 that we need to explore is the model that would be  
4 going forward. Initially the pilot program would have  
5 KCPL providing those stations and we would be -- we  
6 would own those stations. The -- the -- Nissan would  
7 be paying for the fast-charging stations as part of  
8 the grant. The host sites would be paying for the  
9 electrical usage associated with the -- with the  
10 slower-charging stations.

11 But as far as the future goes, the  
12 model -- around the country you see different models  
13 being used where some folks coming in as the  
14 third-party providers. And that's something I think  
15 that there's some major policy decisions that need to  
16 be made whenever the Commission looks at those models.

17 For example, KCPL has in its tariffs  
18 today a prohibition against resale of electric  
19 service. That is, I think, going to be -- have to be  
20 discussed as we go forward on how that's going to be  
21 treated in -- in -- I think it goes to your question  
22 of whether third parties would be coming in to set up  
23 third-party networks or whatever you want to call  
24 them.

25 CHAIR R. KENNEY: But the model that you

1 just described between Nissan and KCP&L and the  
2 landowner sounds like a joint venture between private,  
3 unregulated, competitive businesses. It sounds more  
4 like that than a competitive -- than a noncompetitive  
5 monopoly-provided service. Do you agree with me? I  
6 guess I should ask a question.

7 MR. FISCHER: I'm not sure I do. I think  
8 back to -- I think back to the days when -- in the  
9 '80s whenever we were talking about shared tenant  
10 services in the telephone industry where there was a  
11 question about whether people could provide telephone  
12 service to a building beyond -- beyond the network  
13 interface. And there was -- there was a concern at  
14 that time are you providing elect-- or telephone  
15 service or what are we doing here.

16 Eventually the laws did evolve and there  
17 are statutory provisions of the law today allowing  
18 shared tenant services. And -- but the Commission at  
19 that time had to look at those same kind of questions,  
20 I think. And I think that's the kind of thing we need  
21 to look at as we go forward in our pilot program. And  
22 we would look forward to working with other -- other  
23 stakeholders as we do that to resolve some of these  
24 questions, because there's certainly a host of  
25 questions here to be -- to be looked at.

1 CHAIR R. KENNEY: So the fast-charging --  
2 so you have 1,000 charging stations. Correct?

3 MR. FISCHER: Yes. Fifteen -- fifteen --

4 CHAIR R. KENNEY: How many of them are  
5 fast charging?

6 MR. FISCHER: Fifteen would be the fast  
7 charging. The remainder would be the I think level  
8 two or slower charges.

9 CHAIR R. KENNEY: So 985 regular and  
10 15 fast charge?

11 MR. FISCHER: That's correct.

12 CHAIR R. KENNEY: And Nissan will own  
13 those 15 fast-charging stations?

14 MR. FISCHER: No, no. Nissan will be  
15 providing the electricity at those -- or will be  
16 paying for the electricity at those fast-charging  
17 ones. I'm sorry if I -- I may have misspoken.

18 CHAIR R. KENNEY: But you'll own -- KCP&L  
19 owns all of them?

20 MR. FISCHER: Yes.

21 CHAIR R. KENNEY: Okay. I'll save any  
22 other questions I have for Mr. Ives. Thank you.

23 MR. FISCHER: Okay. Very good. Thank  
24 you.

25 COMMISSIONER STOLL: I have no questions.

1 I also will save mine for Mr. Ives.

2 COMMISSIONER KENNEY: Hello, sir. I have  
3 a question. Is it your opinion that -- let's say the  
4 old Bannister Mall, Neal Patterson has got -- for  
5 Cerner has got that -- putting up a new project, that  
6 he couldn't put in his own charging station for his  
7 employees and take a little bit of his money and do  
8 that without having to go through the Commission?

9 MR. FISCHER: I think it will depend on  
10 the model that the Commission eventually adopts. I  
11 think there is a -- there is a prohibition against  
12 resale of electricity in the current tariffs.

13 COMMISSIONER KENNEY: What if he just  
14 offered it for his employees as free?

15 MR. FISCHER: Oh, yeah. I mean, if --

16 COMMISSIONER KENNEY: He could do that.  
17 Right?

18 MR. FISCHER: Yeah. There's --

19 COMMISSIONER KENNEY: I mean, he's got a  
20 lot of money.

21 MR. FISCHER: Yeah. I guess -- I guess  
22 that's right.

23 COMMISSIONER KENNEY: Is KCP&L working  
24 with Cerner?

25 MR. FISCHER: You know, why don't you ask

1 Mr. Ives that question? I really don't know. I  
2 wouldn't be surprised.

3 COMMISSIONER KENNEY: Because I would  
4 think that -- I think it's a noble deal, but I  
5 would -- most of my ratepayers do not have electric  
6 cars. Right?

7 MR. FISCHER: Yet.

8 COMMISSIONER KENNEY: Yet.

9 MR. FISCHER: Yeah, I wouldn't have  
10 expected a utility lawyer to have a Prius now, but --

11 COMMISSIONER KENNEY: My wife has a  
12 hybrid.

13 MR. FISCHER: Yeah, a hybrid. Those  
14 are -- those are becoming certainly a popular car even  
15 in our household. And I wouldn't have expected years  
16 ago to be driving one, but --

17 COMMISSIONER KENNEY: So the thought is  
18 that if you wanted to charge for it, you'd have to be  
19 regulated, but if -- he could do it if he wanted to  
20 just offer it as a service to his employees?

21 MR. FISCHER: Yeah. One of the options  
22 that a lot of places like that, or Hy-Vee or other  
23 places, they will see it as an incentive to provide  
24 these services, to provide a charger, make sure  
25 there's one on their parking lot to encourage people



1 to come to their store.

2 COMMISSIONER KENNEY: Like Nissan. That  
3 makes sense. You know, they can sell more electric  
4 cars, come on in and --

5 MR. FISCHER: Right. Well, or Hy-Vee I  
6 know -- I've seen Hy-Vee has some electric chargers to  
7 encourage people to come and shop at their store or  
8 other -- other grocery stores.

9 COMMISSIONER KENNEY: Will Mr. Ives also  
10 have the cost factor for like home installation, what  
11 those cost and everything, approximate? Do we have  
12 any ideas on that?

13 MR. FISCHER: Mr. Ives may be able to  
14 help you on that.

15 COMMISSIONER KENNEY: All right. Thank  
16 you.

17 MR. FISCHER: Thank you.

18 COMMISSIONER HALL: I'll save my  
19 questions for Mr. Ives. Thank you.

20 JUDGE BUSHMANN: Commissioner Rupp? Any  
21 questions?

22 Okay. Opening by Staff.

23 MR. WILLIAMS: Thank you. May it please  
24 the Commission. When I first heard about this, I  
25 immediately thought of an old movie -- well, I guess

1 it's relatively old now. It wasn't to me at the time,  
2 but in about 1989 there was a movie called Field of  
3 Dreams. And in that movie, somebody built a baseball  
4 field out in the middle of an Iowa cornfield in the  
5 hopes that some players would show up. Eventually  
6 they did. Some deceased players. Some well-known  
7 players at the time at -- in the height of their  
8 careers.

9 In any event, what KCPL's doing with the  
10 Clean Charge Network is very similar. What they're  
11 wanting to do is build out a network in the hopes that  
12 they get benefits of the adoption of more electric  
13 vehicles, which will increase load and give all of the  
14 other benefits that they're telling you about, about  
15 emission reductions and so forth.

16 From Staff's perspective, this shouldn't  
17 be treated as a regulated activity at this point in  
18 time at least, if ever. There are some charging  
19 stations out there that are privately owned where  
20 they're getting their electricity from the utilities.  
21 Anybody in their own home who has an electric vehicle  
22 must have a charging station there for purposes of  
23 charging their own vehicles.

24 That's not a sale-for-resale situation,  
25 but Staff believes that similar to how the

1 Commission's treated liquefied natural gas that's used  
2 as propulsion in vehicles, that electric vehicle  
3 charging stations should be treated the same way.

4           And as a non-regulated activity, I mean,  
5 Staff doesn't have an issue with Kansas City Power &  
6 Light Company being one of the electric vehicle  
7 charging station providers, but it does have an issue  
8 with it recouping the costs of those electric vehicle  
9 charging stations from its customers.

10           As I understand it right now, KCPL is  
11 charging for the energy at an existing rate that does  
12 not have the cost of the charging stations themselves  
13 built into the cost of that rate and it is not a rate  
14 specific to charging stations.

15           So those costs of the charging stations,  
16 as I understand it, they're proposing to just dump  
17 into the cost-of-service and spread amongst against a  
18 bunch -- a number of customers and only include -- the  
19 resulting rates would be such that some -- they would  
20 recover from all of their customers or a broad portion  
21 of their customers the cost of the charging stations  
22 themselves, not just from those customers who are  
23 benefiting from them, whether they be a -- what they  
24 call a -- well, the host site or from end-users  
25 themselves.

1           If the Commission does decide at this  
2 point in time electric vehicle charging stations  
3 should be treated as a regulated service, Staff has  
4 the same issue about cost recovery. Those who  
5 directly benefit from the charging station should pay  
6 the cost of those charging stations and for how KCP&L  
7 has designed the Clean Charge Network, it would be the  
8 host sites who would bear that cost.

9           Either that or in this case I guess  
10 Nissan's agreed to pay for -- at existing tariff rates  
11 for the energy usage at those sites. But again, Staff  
12 says that the cost of the charging stations themselves  
13 should be recovered from those who directly benefit  
14 from them.

15           And that's really all I have. I think  
16 the chairman has touched upon the salient issues, as  
17 well as Commissioner Kenney.

18           JUDGE BUSHMANN: Questions?

19           CHAIR R. KENNEY: No questions. Thanks,  
20 Mr. Williams.

21           COMMISSIONER STOLL: I have no questions.

22           COMMISSIONER KENNEY: No questions.

23 Thank you.

24           COMMISSIONER HALL: If the program were  
25 changed such that the costs would be recouped from the

1 charger station users, would Staff still believe that  
2 it should be an unregulated activity?

3 MR. WILLIAMS: In a word, yes.

4 COMMISSIONER HALL: Why?

5 MR. WILLIAMS: We think -- or Staff  
6 believes that it should be -- there's not a need for  
7 the Commission to protect the public from overreach by  
8 the utility. We're of the view that anyone should be  
9 able to go out and put a charging station in place and  
10 allow people to charge from it.

11 COMMISSIONER HALL: Does Staff believe  
12 that if -- if the Commission were to deem this a  
13 regulated activity, that it would have some adverse  
14 impact in the market?

15 MR. WILLIAMS: Well, it would certainly  
16 give the utility the advantage in competing or --  
17 well, right now, as far as I know, the Commission's  
18 never asserted any regulation over any existing  
19 charging stations out there.

20 So you'd be, I'd say, asserting -- kind  
21 of like you've done with a lot of small water  
22 companies, you've gone out and said, hey, you're  
23 running a public utility; you need to come in and get  
24 certificated before you can do that. So I think you'd  
25 have that issue and I just -- I don't see the need for

1 it.

2 COMMISSIONER HALL: Okay. Thank you.

3 JUDGE BUSHMANN: Thank you.

4 Public Counsel?

5 MR. POSTON: Good afternoon. May it  
6 please the Commission. Public Counsel asks that you  
7 keep the cost of this program out of rates that you  
8 set in this case.

9 Yesterday I spoke in more detail as to  
10 why we oppose including costs of this program in  
11 rates. And I won't repeat everything that I said, but  
12 our basic position is that there has not been enough  
13 analysis and input from policymakers or stakeholders  
14 into these issues. A better job needs to be done to  
15 explore the issues and what -- then what you have  
16 before you in this case. If you make policy decisions  
17 now without -- about who pays, it will set a policy  
18 going forward on a program we know little about.

19 KCPL characterizes this  
20 largest-in-the-country-deployment as a pilot program.  
21 And pilot programs are called pilots because they're  
22 experimental, the impacts are unknown. So KCPL is  
23 taking a risk but wanting customers that don't use the  
24 service to pay for that risk. We really need to  
25 understand more about this.

1           KCPL's counsel just asserted that there  
2 are benefits that will occur because of this program,  
3 but that's not what the Company said in February when  
4 it fought to get this issue into the case. And I have  
5 here -- this is the Company's response to the joint  
6 response in opposition to their motion to late file  
7 Supplemental Testimony on this issue.

8           And in here on page 2 the Company talks  
9 about -- they say that the Clean Charge Network pilot  
10 presents an opportunity through actual experience  
11 generating hard data that will be otherwise  
12 unavailable to explore the possibility for customer  
13 and public benefits of electric vehicles and charging  
14 stations. So here they're just saying it may have  
15 possible benefits.

16           And then they go on to say, This is a  
17 win-win opportunity, whereby, one, customers may reap  
18 benefits in the form of increased kilowatt hour sales.  
19 They say KCPL may reap benefits in the form of  
20 revenue. And that the public in KCPL's service  
21 territory may reap benefits in the form of reduced  
22 tailpipe emissions. So I think by KCPL's own  
23 admission, they really don't know what the impact of  
24 this is going to be.

25           On the legal issue, we intend to fully

1 brief this issue. Chairman Kenney raised many of the  
2 important questions that need to be answered. And I  
3 don't have answers to those right now, but again, like  
4 I say, we will address this in our brief.

5 So then we ask that you open a working  
6 docket in this case at the conclusion -- I mean a  
7 working docket at the conclusion of this case to  
8 consider these issues, including the issue of whether  
9 it's good public policy to allow the public utility to  
10 occupy this field or let the market decide. Thank  
11 you.

12 JUDGE BUSHMANN: Questions?

13 CHAIR R. KENNEY: No, thank you.

14 COMMISSIONER STOLL: I have no questions.

15 Thank you.

16 JUDGE BUSHMANN: Thank you.

17 MR. POSTON: Thank you.

18 JUDGE BUSHMANN: Division of Energy?

19 MR. ANTAL: May it please the Commission.

20 Division of Energy supports the recovery of prudently  
21 incurred costs related to the Clean Charge Network in  
22 principle. Certainly there are some finer details of  
23 the Company's proposal that need to be ironed out.

24 Division of Energy supports the Company's  
25 proposal in principle because we believe that there



1 are significant benefits to the residents of the  
2 Kansas City area, potential benefits to KCP&L  
3 ratepayers and benefits to the Company as have been  
4 articulated already here today.

5 The primary benefits that Division of  
6 Energy has highlighted in its testimony so far are the  
7 ability to increase kWh sales, which will allow the  
8 Company to spread the costs -- its fixed costs over  
9 those hours. So additionally it has the ability to,  
10 you know, incen-- you know, create economic  
11 development in the Kansas City area.

12 As a division of the Department of  
13 Economic Development, this is something the Division  
14 of Energy is concerned about. I believe that this  
15 network of charging stations will create economic  
16 development.

17 Additionally, I guess we're also  
18 encouraged that the adoption of the Clean Charge  
19 Network will reduce net emissions from both the --  
20 excuse me, from the automotive and the electric  
21 facilities.

22 Additionally, it's been discussed whether  
23 or not the Commission should get into the business of  
24 regulating these charging stations from a variety of  
25 policy reasons. The Division of Energy believes that

1 the Commission has the jurisdiction to regulate these  
2 charging stations if it so chooses. We believe the  
3 benefits outweigh the -- I guess the questions at this  
4 point.

5 We currently support the Company's  
6 proposal to collect the cost of these charging  
7 stations through the existing rates of where -- of the  
8 host sites. We believe this should be approved with  
9 the condition that the Company file cost-based rates  
10 for these charging stations in their next general rate  
11 case.

12 However, as there has been expressed some  
13 concern by both parties and Commissioners here today,  
14 Division of Energy would offer another possible  
15 proposal of conditionally approving this program with  
16 the condition that the utility file some modified  
17 tariffs that create an adder that will collect the  
18 costs of these charging stations for the initial pilot  
19 program to go forward.

20 In sum, Division of Energy thinks that  
21 these are -- that the -- KCP&L is providing a utility  
22 service. Granted, the end use is different and the  
23 means of delivering that service is different than  
24 what the utility has done in the past; however, it's  
25 still the retail sale of electricity and while the

1 means have changed for the delivery of that essential  
2 service, Division of Energy believes that, as has been  
3 mentioned by numerous parties throughout this  
4 proceeding, the electricity business is changing.

5 Load does not gr-- cannot be -- is not  
6 growing at the pace as it did during the 20th century.  
7 The Commission needs to keep this in mind when the  
8 electric utility is going forward and proposing new  
9 ways to build load and spread their fixed costs. The  
10 Commission needs to keep this in mind.

11 So with that, I'll entertain any  
12 questions.

13 JUDGE BUSHMANN: Questions?

14 CHAIR R. KENNEY: No, thank you.

15 COMMISSIONER STOLL: No questions.

16 COMMISSIONER KENNEY: I have -- just  
17 briefly.

18 MR. ANTAL: Sure.

19 COMMISSIONER KENNEY: I'm just curious.  
20 I don't have the answer. Does the Division of  
21 Energy -- you know, my wife has -- I think it's called  
22 a Ford C-Max or something. I don't know, 2014, it's a  
23 hybrid. Gets about 40 miles a gallon.

24 MR. ANTAL: Sure.

25 COMMISSIONER KENNEY: KCP&L is about

1 78 percent coal. So that electricity is made by  
2 78 percent coal. That's a lot of emissions. Right?

3 MR. ANTAL: Coal does create emissions,  
4 yes.

5 COMMISSIONER KENNEY: Does coal create  
6 more emissions than gasoline? Refined --

7 MR. ANTAL: I would suggest you --

8 COMMISSIONER KENNEY: I'm just curious.  
9 Refined oil --

10 MR. ANTAL: I'm sorry?

11 COMMISSIONER KENNEY: Because we've had  
12 all these -- you know, with 111-B, we've had all these  
13 reductions on emissions on automobiles and all these  
14 things. And now I know they're trying to come out  
15 with a plan by mid-summer for 111-B, which -- and who  
16 knows what's going to happen with that in the long  
17 run.

18 MR. ANTAL: Sure.

19 COMMISSIONER KENNEY: But I'm just  
20 curious -- because you said it's a reduction of  
21 emissions. I wonder how much emissions it reduces if  
22 you have an all-electric car versus a hybrid that gets  
23 40 miles to the gallon and that electric car gets -- I  
24 don't know, but you still got to produce the  
25 electricity with 78 percent coal.

1                   So I'm wondering if the Department of  
2 Energy -- you made that statement so I'm wondering if  
3 the Department of Energy has done anything to back  
4 that up?

5                   MR. ANTAL: I would suggest that you ask  
6 our witness. I will say that the Company's current  
7 IRP shows that the Company is transitioning to cleaner  
8 sources of energy. Yes, they still have a lot of coal  
9 in their inventory. Again, I would ask -- you might  
10 pose the question of what the difference is between,  
11 you know, a conventional automobile or, you know,  
12 conventional hybrid versus an all-electric vehicle.

13                   COMMISSIONER KENNEY: All right. I'll  
14 ask that question. Thank you. That's fine. Thank  
15 you.

16                   JUDGE BUSHMANN: Commissioner Hall?

17                   COMMISSIONER HALL: No questions. Thank  
18 you.

19                   JUDGE BUSHMANN: Thank you.

20                   Next on the list looks like Brightergy.

21                   MR. ZELLERS: Thank you, your Honor. May  
22 it please the Commission. Staff counsel's analogy to  
23 the Field of Dreams movie was a good one and it's  
24 pretty close. It does fall apart near the end.

25                   Kevin Costner's character in that movie,

1 Ray Kinsella, built a field and built stands and  
2 lights on faith that if he did, not only the players  
3 would show up, but the fans. That's who he was doing  
4 it for, that's who he really wanted. And it worked.  
5 If you remember at the end of the movie, there was a  
6 big long line of traffic through his cornfields. At  
7 night you could see all the cars and the lights lined  
8 up just to see the baseball game.

9 Now, where the analogy falls apart is we  
10 know -- if Kansas City Power & Light is Ray Kinsella  
11 in this analogy, Kansas City Power & Light knows the  
12 fans are coming. Right? We've -- we've got that  
13 information. People are buying electric vehicles and  
14 they will want a place to charge them.

15 So what Kansas City Power & Light is  
16 doing is without faith. They don't need it, they have  
17 the facts. They're building this infrastructure  
18 knowing that this is happening. This is going to make  
19 Kansas City a more attractive place to live. It's  
20 going to make Kansas City a cleaner place to live.

21 As I noted in my original opening, the  
22 Commission has an opportunity here to encourage  
23 utilities to begin to innovate solutions. As we pay  
24 attention to the trade press, as we pay attention to  
25 what's happening in the industry, we know that things

1 are changing. The Commission knows, the utilities  
2 know, the consumers know.

3 Also, as I noted, this is a good time to  
4 establish factors to evaluate pilot programs such as  
5 the one that Kansas City Power & Light is proposing.  
6 Some of those factors could include, is the program  
7 aimed at changing -- I'm sorry, addressing an aspect  
8 of the changing utility industry? Does the program  
9 act to stabilize the Company's long-term earnings and,  
10 thus, the Company's long-term viability? Does the  
11 Company have a reasonable chance of long-term  
12 recovery? And will the pilot program -- does the  
13 pilot program stand a long-term chance of success?

14 If it meets these factors, we should look  
15 favorably on it. We should encourage utilities to do  
16 things that are going to make their long-term success  
17 a more likely outcome.

18 According to the Company and according to  
19 their filings and their opening statements, these  
20 factors have been met in this case. And again, we're  
21 just looking at a pilot program. We're just looking  
22 at a way to encourage the utility to experiment, to be  
23 adaptable and to come up with solutions for the  
24 problem that it's facing.

25 Additionally, although many parties in

1 this case may want more time, the opportunities for  
2 utilities such as Kansas City Power & Light to grow  
3 its market and to grow its base are very few and far  
4 between. They have very few opportunities to ask for  
5 this kind of recovery. It could be a year, it could  
6 be two, it could be more before they are able to come  
7 back, ask for recovery and get it.

8 The time to act is now. The time to act  
9 on a limited basis, on a limited ability to cap the  
10 program and to spend a small amount of money is now.  
11 And that's where the urgency comes from.

12 I'll go into a little bit of detail from  
13 Mr. Blake's Direct Testimony. As he noted, consumers  
14 are taking more control over their energy usage and  
15 their electricity spend. This program takes advantage  
16 of that, notes that that's what's happening and allows  
17 consumers to do just that.

18 This could encourage both the purchase  
19 and the subsidization -- private subsidization of  
20 electric vehicles in the Kansas City area. Again,  
21 this is going to make Kansas City -- positioning  
22 itself as a tech hub and as a place for millennials to  
23 move a more attractive place.

24 In sum, adaptability is the key. It's in  
25 the long-term interests of the state of Missouri and



1 of all of Kansas City Power & Light's ratepayers and  
2 the ratepayers of the other IOUs to have utilities who  
3 look at the changing marketplace, adapt to it, find  
4 long-term solutions and to have a Commission that  
5 encourages that. I'd be happy to answer any  
6 questions.

7 JUDGE BUSHMANN: Mr. Chairman.

8 CHAIR R. KENNEY: Mr. Zellers, thank you.  
9 Just a quick question because -- particularly given  
10 what you just said. Is it the appropriate function of  
11 a Public Service Commission to essentially facilitate  
12 the subsidization of research and development?

13 MR. ZELLERS: Mr. Chairman, as you put  
14 that question, I don't know that I can answer it. I  
15 will tell you -- I will tell you that it's the  
16 appropriate function of a Public Service Commission to  
17 be a steward of the State's interests.

18 And as -- as I've noted many times, in  
19 this changing industry, I think it is the duty of the  
20 Public Service Commission to look at new ideas and to  
21 encourage utilities to adapt. I think if the utility  
22 was coming in here and saying we'd like \$20 million to  
23 develop a new product such as a new kind of electric  
24 vehicle charging station, I think the answer to that  
25 should be no.

1           But the utility coming to you and saying  
2 we've got technology, we've got the ability to go out  
3 and grow our marketplace, please let us try this on a  
4 limited basis, see if it works and we'll come back to  
5 you and ask for recovery on a larger scale, I think  
6 that's well within the Commission's duty.

7           CHAIR R. KENNEY: Let me ask you the same  
8 question -- okay, I appreciate that answer. That's a  
9 reasonable response. Let me ask the same question I  
10 think -- I think I asked of Mr. Fisher. Is there any  
11 concern that we stifle competition by somehow, you  
12 know, putting our imprimatur on a monopoly regulated  
13 entity providing this service.

14           MR. ZELLERS: Thank you, Mr. Chairman. I  
15 think -- and we didn't take a position in this on  
16 Direct Testimony so I want to emphasize I'm just  
17 answering this off the cuff.

18           I think what can happen is that a company  
19 that's not regulated by any commission or any other  
20 state agency can probably do things that Kansas City  
21 Power & Light can't do, can find other ways, can  
22 operate outside the service territory and maybe find  
23 different solutions.

24           Kansas City Power & Light is required to  
25 provide a necessary public service. That's its first

1 and foremost duty. It can only explore these types of  
2 options after that basic critical duty has been met.  
3 Another private company is not going to have any such  
4 duty. I would think that that would give any other  
5 competing company an advantage.

6 CHAIR R. KENNEY: Is this an essential  
7 service of the type that we should be regulating?

8 MR. ZELLERS: Well, I'll answer that  
9 question in much the same way that Mr. Fisher did. As  
10 we stand here today, in June of 2015, the answer to  
11 that is possibly no. I think as the years pass by,  
12 the answer is going to become increasingly yes.

13 As more people buy electric vehicles, as  
14 more people depend on them for transportation, as  
15 society depends on it for transportation, I think the  
16 answer will become yes. But especially for a utility,  
17 the time to act on that changing reality is not after  
18 it's set in stone, but ahead of time.

19 CHAIR R. KENNEY: Okay. Thank you very  
20 much.

21 COMMISSIONER STOLL: Good afternoon.

22 MR. ZELLERS: Good afternoon,  
23 Commissioner.

24 COMMISSIONER STOLL: My question is, I'm  
25 going to say, similar to what the Chairman asked

1 about. In other Missouri utilities -- let's say in  
2 the Ameren service territory -- there are some  
3 electric charging stations, I can't tell you how many  
4 right now. But they are paying for those themselves,  
5 not seeking to recover those costs through rates.

6 Again, you're from a private industry and  
7 yet you don't feel that this is an infringement or  
8 preempting free market forces from getting involved in  
9 creating these electric charging stations?

10 MR. ZELLERS: The short answer is no, I  
11 don't feel as if it's preempting the free market. I  
12 think the free market will take care of itself one way  
13 or another.

14 What's not a part of the free market is  
15 the basic public service that Kansas City Power &  
16 Light has to provide. In the reality that we have,  
17 with the critical public service being provided by a  
18 monopoly, we have to find ways for that monopoly to  
19 sustain its long-term existence and viability. That's  
20 in the best interest of all ratepayers.

21 And that's the position of Brightergy,  
22 that this is the kind of thing that we should  
23 encourage. And the more utilities adapt, the better  
24 off they will be for everyone who depends on them.

25 COMMISSIONER STOLL: If they wanted to do

1 the same thing with solar charging stations that --  
2 you would support that also?

3 MR. ZELLERS: Well --

4 COMMISSIONER STOLL: I mean just pretend.

5 MR. ZELLERS: I'm happy to. I think the  
6 Commission should take a hard look at it. And I  
7 imagine that we would intervene in a type of case like  
8 that and we would have some opinions.

9 COMMISSIONER STOLL: Do you take a  
10 position on the fact that there are, in this pilot,  
11 1,000 of these charging stations? That seems like a  
12 pretty big pilot.

13 MR. ZELLERS: And I think that's the kind  
14 of thing that the Commission could say, Look, we want  
15 the utility to innovate, we want pilot programs. This  
16 one was a little too big, here's some guidance going  
17 forward.

18 COMMISSIONER STOLL: Okay. Okay. Thank  
19 you.

20 COMMISSIONER KENNEY: Thank you,  
21 Mr. Zellers. I can't remember. Since you've left,  
22 have you been before the Commission before?

23 MR. ZELLERS: No. Monday was my first  
24 time back. Thank you, Commissioner.

25 COMMISSIONER KENNEY: I just want to say

1 welcome back.

2 MR. ZELLERS: Thank you very much.

3 COMMISSIONER HALL: Yeah. Just a few  
4 questions, Mr. Zellers. In the -- in response to the  
5 list of issues, as it relates to who -- who should pay  
6 for the pilot, you responded it should be paid for  
7 through specific cost-based rates. I was wondering if  
8 you could elaborate on that?

9 MR. ZELLERS: Yes. We adopted the  
10 position of the Division of Energy on that topic.  
11 It's more or less up in the air at this point. So  
12 should there be a specific tariff? There should  
13 probably be a specific tariff.

14 And this is speaking after we get past  
15 the pilot phase -- pilot program phase of this. So as  
16 we go forward, there should be some specific rate,  
17 there should be some specific way to pay for it. So  
18 as the Commission decides this is going to be borne by  
19 all ratepayers, that's a type of rate. If it's going  
20 to be borne by the people paying at the pump, so to  
21 speak, that would be a different type of rate.

22 COMMISSIONER HALL: So you wouldn't be  
23 opposed to requiring that the users of this service  
24 cover its costs?

25 MR. ZELLERS: I'm not going to -- I'm not

1 going to take a position on that. I'll leave that up  
2 to the Company to argue. Our position generally is  
3 that this type of activity should be supported. So if  
4 the Commission finds a way to do that, that's what we  
5 would support.

6 COMMISSIONER HALL: Okay. Thank you.

7 COMMISSIONER RUPP: No questions.

8 JUDGE BUSHMANN: Thank you.

9 MR. ZELLERS: Thank you.

10 JUDGE BUSHMANN: Consumers Council?

11 MR. COFFMAN: Good afternoon. I'll be  
12 brief because the Consumers Council of Missouri is  
13 essentially in agreement with the Staff and the Public  
14 Counsel. We share the concern of those who question  
15 whether this is an essential service. We also have  
16 concerns about whether KCPL's approach to this would  
17 perhaps stifle competition.

18 We have -- we've seen a variety of  
19 competitors establishing charging stations in nearby  
20 Chicago. These have been established without the  
21 utility getting involved in owning the charging  
22 stations there and -- but that hasn't, of course,  
23 stopped the local electric distribution company from  
24 attempting to get approval through legislation to own  
25 their own network there. And that's -- there's a hot

1 debate going on there amongst policymakers.

2           We think that the -- that consumers would  
3 be best served in a more vigorous competitive market.  
4 We have no problem if an unregulated affiliate of KCPL  
5 would like to explore this area, but we have a concern  
6 about it being intermingled with the essential  
7 electric service.

8           And also have lots of questions about how  
9 these charging stations, as being proposed in the  
10 commercial area -- areas of Kansas City, would be  
11 consistent with demand-side management. Most of the  
12 electric charging station cases that I've seen being  
13 debated around other public utility commissions  
14 involve debates about how to encourage consumers to  
15 use the charge -- you know, to charge their electric  
16 cars at home at night during the low periods, after  
17 midnight or other such times.

18           I know KCPL claims that a pilot would  
19 allow them to explore this sometime in the future, but  
20 we have real concern with launching and establishing  
21 any sort of precedent or practical policy approval of  
22 these programs which may very well be used during high  
23 usage times and really not be -- we don't see the  
24 evidence, at least submitted so far, that would  
25 actually be demand management that would actually



1 encourage the overall systems load.

2 But anyway, so please keep those issues  
3 in mind and that's what we have.

4 JUDGE BUSHMANN: Any questions?

5 Sierra Club?

6 MR. BECTOR: We have no opening.

7 JUDGE BUSHMANN: First listed witness is  
8 Kansas City Power & Light.

9 MR. FISCHER: Yes, Judge. We would call  
10 to the witness stand Darrin Ives.

11 (Witness sworn.)

12 JUDGE BUSHMANN: You may be seated.

13 DARRIN IVES, testifies as follows:

14 DIRECT EXAMINATION BY MR. FISCHER:

15 **Q. Please state your name and address for**  
16 **the record.**

17 A. My name is Darrin Ives. My address is  
18 1200 Main, Kansas City, Missouri.

19 **Q. Are you the same Darrin Ives that caused**  
20 **to be filed Direct -- or Supplemental Direct and**  
21 **Surrebuttal Testimony on this particular issue?**

22 A. Yes. I have Rebuttal as well. I don't  
23 know if I heard you say that.

24 **Q. Okay. Rebuttal too. Yeah. I believe**  
25 **your Supplemental Direct has been designated as 119**

1 **and you have an HC and an NP version; is that right?**

2 A. That's correct.

3 **Q. And your Rebuttal is I believe 120 and**  
4 **your Surrebuttal is Number 121. Do you have those in**  
5 **front of you?**

6 A. I do.

7 **Q. Do you have any corrections that you need**  
8 **to make to any of those documents?**

9 A. I do. I have a correction to my  
10 Surrebuttal Testimony. The correction's on page 59,  
11 lines 5, 6 and 7. In that Q and A, I address the  
12 amount of costs that we have invested as of the  
13 true-up in the case, May 31st. And I have a couple  
14 corrections to there.

15 So how that -- how that paragraph should  
16 read -- I'll just read that whole answer. The Company  
17 estimates the annual impact for a typical residential  
18 Missouri customer per year would be 43 cents, or just  
19 under 4 cents per month. This estimate is based on a  
20 Missouri plant infrastructure investment of 732,559 as  
21 of May 31st, 2015 for charging stations.

22 And then the parenthetical, "To be trued  
23 up as of May 31st, 2015" would be struck and then it  
24 would go on to say, And annual O&M expense of 213,079.

25 So I've changed the dollar value,

1 May 31st, which was a late addition to this testimony,  
2 and the resulting cents per year and cents per month  
3 for an -- a typical residential Missouri customer.

4 **Q. And you'd advise your counsel to change**  
5 **his opening to be consistent with that. Right?**

6 A. Yes.

7 **Q. Do you have any other corrections?**

8 A. I do not.

9 MR. FISCHER: Judge, with that then, I  
10 would tender the witness. I can move for admission of  
11 the Supplemental Direct which relates only to this  
12 issue, if you'd like. The others I think have other  
13 issues involved in them.

14 JUDGE BUSHMANN: Supplemental Direct  
15 being Exhibit 119?

16 MR. FISCHER: Yes.

17 JUDGE BUSHMANN: Okay. Any objections to  
18 the receipt of Exhibit 119?

19 Hearing none, that exhibit is received  
20 into the record.

21 (KCP&L Exhibit 119 was received into  
22 evidence.)

23 JUDGE BUSHMANN: And the first cross  
24 would be Brightergy?

25 MR. ZELLERS: No cross, your Honor.

1 JUDGE BUSHMANN: Missouri Division of  
2 Energy?

3 MR. ANTAL: No cross.

4 JUDGE BUSHMANN: Consumers Council?  
5 CROSS-EXAMINATION BY MR. COFFMAN:

6 Q. Yes. Good afternoon, Mr. Ives.

7 A. Good afternoon.

8 Q. As KCPL has proposed this pilot program,  
9 what are the hours of the day that you would expect  
10 these charging stations to be pulling energy off the  
11 grid?

12 A. I think primarily our system will be  
13 developed to pull energy off of the grid in the  
14 mornings. The reason I say that is we're installing  
15 these around areas of high population of work.

16 So our expectation is, is people will  
17 come in in the morning, they'll plug their cars into  
18 the charging station. I think Mr. Fischer answered in  
19 his opening, but, you know, ball park it will take  
20 four or five hours to -- to fill a charge with our  
21 level-two chargers. That will take most of the  
22 morning to do that.

23 Then the challenge of this system will be  
24 what happens when that employee is sitting in the  
25 office until 5:00? Are they going to go move their

1 car in the middle of day for the next person to come  
2 and charge or not?

3 What will happen from the type of usage  
4 of our system then is people will get enough charge to  
5 take care of their range anxiety so that they can go  
6 to the grocery store after work, go to a kid's soccer  
7 game, get back home and be in a position to charge  
8 back at their home overnight to be ready to start  
9 again tomorrow.

10 **Q. And in your testimony -- Rebuttal**  
11 **Testimony, specifically around page 42, you talk about**  
12 **the potential for valley filling?**

13 A. I do.

14 **Q. Which is described as the ability to fill**  
15 **the load-shaped valleys during periods of lower load**  
16 **and, thus, increase the overall system load factor.**

17 **What would you describe as KCPL's valleys**  
18 **in its current --**

19 A. Well, I think we would have valleys  
20 particularly in the periods that aren't kind of our  
21 peak time. I would classify our peak time as probably  
22 about three o'clock in the afternoon to roughly  
23 seven o'clock at night, plus or minus. So -- so we  
24 would have valleys in the mornings, overnight.

25 And the reason we say we would valley

1 fill, just to be clear, is, you know, we have large  
2 base-load generators that produce most of our energy.  
3 And particularly with coal units, which I'm sure we'll  
4 talk about more as we go through this process, you --  
5 we don't shift our generation load to match our -- our  
6 load profile. The generators run throughout the day.

7 So to the extent that we can use that  
8 time that they're running when we're not serving our  
9 load with them by filling in load in those valley  
10 times, that's a more efficient utilization of assets  
11 that customers have already paid for.

12 **Q. Is it possible that the electric charging**  
13 **stations that KCPL would like to own and control, that**  
14 **they would be used during this 3:00 p.m. to 7:00 p.m.**  
15 **peak period?**

16 A. I think it's absolutely possible they  
17 could be used there. One of the benefits of having a  
18 Company interrelated set of charging stations is that  
19 will ultimately be something that we could manage on  
20 our system that you couldn't manage if a thousand  
21 third-party stations were installed by 15, 20 other  
22 providers.

23 Our system will communicate. We'll be  
24 able to come in as part of -- part of the generic or  
25 working docket and determine whether it makes sense to

1 put programs in place to ratchet down the inter-- the  
2 energy available to those systems or shut them off  
3 from a period from 3:00 to 7:00. There's a lot of  
4 flexibility with a system that's a thousand strong  
5 that communicates across itself of how we could  
6 address those, working through that with stakeholders  
7 in our working group projects.

8 **Q. Is KCPL opposed to competing with other**  
9 **companies that also want to provide charging stations**  
10 **in the Kansas City area?**

11 A. We're not. Maybe this is a good time to  
12 clarify that. You know, nothing that we're proposing  
13 here is an effort to corner the market on charging  
14 stations. If you look at the studies of things that  
15 have happened in California or you look at the people  
16 that have supported our proposal to put a thousand  
17 charging stations in -- you know, ChargePoint, the  
18 largest installer of charging stations across the  
19 country, is our partner.

20 They're here because they recognize that  
21 this is a good way to start the process and create the  
22 type of support for electric vehicles that then  
23 will -- will expand that market for others.

24 That's exactly what happened in  
25 California. Those stakeholders, the ones you talk

1 about, specifically went to the Commission in  
2 California and got the utilities prohibited from doing  
3 the infrastructure investment several years ago. What  
4 they found, after they went through the process, was  
5 they were not having good success getting that market  
6 to take off under that model.

7 So those same stakeholders went back to  
8 the Commission in California and said hey, we should  
9 let the utilities get involved in installing  
10 infrastructure in the state of California because  
11 that's what it's going to take to get EV adoption  
12 rates where we need to be -- in California's case, to  
13 hit the 2025 targets I think that the Governor set out  
14 for EV adoption.

15 So I don't think any of those parties are  
16 concerned about us --

17 **Q. Well --**

18 A. -- being in at this level.

19 **Q. The -- the state of the -- of regulation**  
20 **in California though doesn't have utility competing**  
21 **against other competitors. Don't they build the**  
22 **facilities and then provide them ready for each of the**  
23 **other companies?**

24 A. No. I don't believe that's true. I mean  
25 there are utilities -- a utility in California that is



1 proposing a similar structure to what we're proposing,  
2 other than the fact that they're proposing 25,000  
3 charging stations for a cost of \$650 million.

4 **Q. That's a proposal. A proposal.**

5 A. That's a proposal. That's what they're  
6 proposing. That what I said. But there are other  
7 utilities that are proposing to be involved with EV  
8 infrastructure but not own the infrastructure. Third  
9 parties will own the infrastructure for some of those  
10 other parties. It's not a mandate for utilities only  
11 to supply that infrastructure.

12 **Q. That's all I have for now. Thanks.**

13 JUDGE BUSHMANN: Cross by Sierra Club?

14 MR. BECTOR: No questions.

15 JUDGE BUSHMANN: Public Counsel?

16 CROSS-EXAMINATION BY MR. POSTON:

17 **Q. Yes. Thank you. Good afternoon.**

18 A. Good afternoon.

19 **Q. On your Direct Testimony you attached a**  
20 **large document that I believe you might have**  
21 **referenced a minute ago entitled California**  
22 **Transportation Electrification Assessment; is that**  
23 **correct?**

24 A. Yeah. There are a few attached. One of  
25 them -- there are two components to that, a phase 1

1 and a phase 2 that I think are both attached.

2 **Q. And they're both California; is that**  
3 **right?**

4 A. Yes.

5 **Q. And they're based on California data?**

6 A. They are based on detailed data from --  
7 from the utilities and from parties in California,  
8 yes.

9 **Q. Were you here earlier when Mr. Rush**  
10 **testified on OPC's evidence regarding low-income usage**  
11 **that was based on California data?**

12 A. I was not in the room for that.

13 **Q. Okay. Are you aware of any difference**  
14 **between those -- why the Commission should rely on**  
15 **California data for electric vehicles and not on**  
16 **low-income studies?**

17 A. I -- I don't know what the study shows  
18 for low-income data. I do think EV vehicles are  
19 pretty much the same across the country.

20 **Q. And could you turn to page 2 of your**  
21 **Direct Testimony?**

22 A. Sure. Is it Supplemental Direct?

23 **Q. Yes.**

24 A. I'm there.

25 **Q. And at the bottom of that you identify**

1 **the Company's request to open a working docket. Do**  
2 **you recall?**

3 A. Yes.

4 **Q. And you say that the purpose of this --**  
5 **well, could you just read that last sentence on that**  
6 **page into the record?**

7 A. Yeah. The last sentence starting, KCPL  
8 has asked?

9 **Q. Yeah. Well, hold on a second. Actually**  
10 **could you just read that whole question and answer?**

11 MR. FISCHER: I'm sorry, Counsel. What  
12 page were you on?

13 MR. POSTON: I'm sorry. I'm on page 2 of  
14 his Supplemental Direct.

15 THE WITNESS: And it's the bottom Q and  
16 A. Right?

17 BY MR. POSTON:

18 **Q. Yeah, the Q and A that starts on line 17.**

19 A. Sure. So the question reads, What  
20 happens after the pilot period?

21 My answer was, The Company plans to learn  
22 from these installations, gathering information during  
23 the pilot period to be shared with stakeholders in  
24 developing a longer term view. KCPL has asked the  
25 Commission to open a working docket so that interested

1 stakeholders can learn more about KCP&L's Clean Charge  
2 Network and collaborative -- collaboratively -- easy  
3 for me to say -- discuss issues, including but not  
4 limited to, impacts on retail customers, impacts on  
5 utilities, pricing alternatives and other issues.

6 **Q. Does KCPL still support such a working**  
7 **docket?**

8 A. We do. We asked for one and the  
9 Commission did not take it up at the time we asked, I  
10 believe primarily as a result of ex parte concerns  
11 with this proceeding. But -- but our intent still is  
12 to move forward with the project, pull information,  
13 work with stakeholders to try and get to the -- the  
14 long-term policy decisions that need to come out of  
15 this pilot program.

16 **Q. And so based on your testimony, you think**  
17 **that a working docket is a good place to address these**  
18 **issues?**

19 A. I think it's a good place to address what  
20 the data is showing us and what it means for longer  
21 term policy issues in the state of Missouri.

22 **Q. Including potential impacts on customers,**  
23 **the Company, those kind of questions. Correct?**

24 A. Sure.

25 **Q. Let's see. Could you turn to your**

1 **Surrebuttal Testimony on page 56?**

2 A. I'm there.

3 **Q. And starting on line 9 you discuss -- you**  
4 **present five areas of customer public benefit that the**  
5 **electric vehicle charging network will provide to KCPL**  
6 **ratepayers. Do you see this?**

7 A. Yeah. It says, Five areas of customer  
8 and public benefit that KCPL believes that the Clean  
9 Charge Network pilot can provide.

10 **Q. Okay. And these include beneficial**  
11 **electrification, environmental benefits, economic**  
12 **development, customer programs, and cost and**  
13 **efficiency benefits; is that correct?**

14 A. That's correct.

15 **Q. And for the first one of these,**  
16 **beneficial electrification, this refers to the**  
17 **presumed more beneficial use of the electric grid**  
18 **during off-peak hours, which spread O&M costs over a**  
19 **greater number of kilowatt hours, reducing the per**  
20 **kilowatt hour cost of electricity; is this correct?**

21 A. That's right. It's what I discussed with  
22 Mr. Coffman regarding the valley filling potential of  
23 adding the kilowatt hours.

24 **Q. And am I correct that at the time the**  
25 **Company filed testimony, it had not estimated the**

1 **annual kilowatt hour sales it expects to see with the**  
2 **implementation of the program?**

3 A. That's correct. We're starting with a  
4 pilot based on some other studies and information that  
5 we have.

6 **Q. Do you agree that such an analysis could**  
7 **have been performed?**

8 A. I think in large part it would be a high  
9 level of speculation to perform it at the time we did  
10 that. I think that's why we're proposing this as a  
11 pilot so we can gather that type information and study  
12 it real time.

13 **Q. Has the Company conducted any study**  
14 **seeking to determine the daily recharge schedule for**  
15 **electric vehicle use in the Company's Missouri service**  
16 **territory?**

17 A. Well, again, I think that's part of what  
18 a pilot addresses in putting the stations in place is  
19 we'll be able to see that and monitor that on our  
20 stations.

21 **Q. Do you agree that the time of day**  
22 **electric vehicle owners choose to recharge their**  
23 **vehicles would impact the Company's peak loads?**

24 A. I think it could impact the peak loads or  
25 it could not.

1           **Q.     And the second benefit you expect to see**  
2 **relates to environmental benefit, including assisting**  
3 **the State in complying with its requirement from the**  
4 **EPA's Clean Power Plan; is that correct?**

5           A.     That's correct.

6           **Q.     And you also mention required reductions**  
7 **in other categorized pollutants; is that correct?**

8           A.     Absolutely.

9           **Q.     And could you turn to page 51 of your**  
10 **Surrebuttal?**

11          A.     I'm there.

12          **Q.     And would you agree at line 9 you state**  
13 **that you cannot quantify the potential impact of the**  
14 **CCN, or Clean Charge Network, on the air quality in**  
15 **the Kansas City area?**

16          A.     I agree that's true. Although I agree we  
17 have support from, you know, Sierra Club, NRDC, the  
18 Mid-America Regional Council and strong support from  
19 EPRI that believes we will demonstrate that as we move  
20 through the project.

21          **Q.     Have they been able to quantify the**  
22 **impact?**

23          A.     You know, EPRI's working real time with  
24 us in -- on this project. We just saw some  
25 information that EPRI -- from EPRI that says based on

1 our generation mix, it would take a vehicle that gets  
2 40 to 45 miles per gallon to -- to get to the point  
3 where you didn't have carbon benefits from that.

4 And I think everybody across the board in  
5 that environmental side believes that for the other  
6 tailpipe emissions, that the PM and the NOx and SOx,  
7 that there will be benefits for reduction of tailpipe  
8 emissions in those areas greater than anything that  
9 would occur from our generating stations.

10 **Q. Couldn't the Company have conducted an**  
11 **air quality study before it filed this proposal?**

12 A. I think it's difficult until we start to  
13 see the utilization of EVs in our service territory to  
14 start to measure that. We have talked with  
15 Mid-America Regional Council and they're very excited  
16 to undertake that analysis with us as we move through  
17 this pilot phase.

18 **Q. The third benefit you note is a positive**  
19 **effect on economic development in the Kansas City**  
20 **area; is that correct? Sorry. I guess that's back on**  
21 **page 56, 57.**

22 A. That's correct. And think that's a topic  
23 that --

24 **Q. I haven't asked a question.**

25 A. Oh, sorry.



1           **Q. Has the Company provided an estimate of**  
2 **the number of jobs that will be created in the service**  
3 **territory?**

4           A. Not at this time. I think that's part of  
5 what we hope to evaluate under the pilot.

6           **Q. Do you agree this is an analysis that**  
7 **could have been performed?**

8           A. I don't. Not -- not without a high  
9 degree of subjectivity and speculation.

10          **Q. Another source of economic development**  
11 **you note is the ability of households to spend more**  
12 **money on local goods and services than at the gas**  
13 **pump; is that correct?**

14          A. That is certainly one potential.

15          **Q. And the Company's not estimated the gross**  
16 **savings that will accrue to electric vehicle owners in**  
17 **the Company's service territory, has it?**

18          A. We have not, although there are a number  
19 of studies, including the California studies, that  
20 look at that in detail.

21          **Q. Would you agree this is an analysis that**  
22 **could have been performed?**

23          A. I don't know that we could have performed  
24 it with any more precision than what's already  
25 available in the California study.

1           **Q.     Would you agree that the -- your proposal**  
2 **is voluntary on the part of the Company? The Company**  
3 **decided to do this. Correct?**

4           A.     That's true. I think any time we build a  
5 new load, it's at first voluntary as to how we do it.

6           **Q.     And would you agree that you will be**  
7 **implementing this program regardless of whether the**  
8 **Commission allows rate recovery in this case?**

9           A.     We have committed to build this. We've  
10 been very public that we think this is the right thing  
11 to do. We also think it's the right thing to do from  
12 a regulated standpoint.

13           MR. POSTON: Thank you. That's all I  
14 have.

15           JUDGE BUSHMANN: Cross by Staff?

16           MR. WILLIAMS: Thank you.

17 CROSS-EXAMINATION BY MR. WILLIAMS:

18           **Q.     Good afternoon, Mr. Ives.**

19           A.     Good afternoon.

20           **Q.     I'm going to follow up on some areas**  
21 **Public Counsel just inquired of.**

22           A.     Okay.

23           **Q.     It was in -- I think it's page 56, in**  
24 **that area of your Surrebuttal Testimony --**

25           A.     I'm there.

1           Q.     -- where you identified -- oh, let's see,  
2 one two -- five different areas that KCPL is saying  
3 that will cause -- be beneficial.

4           A.     We believe those will be benefits  
5 provided by the network.

6           Q.     Has KCPL provided -- since it's saying  
7 that this is a pilot program, has it set out any  
8 criteria for evaluating whether any of those benefits  
9 that it's asserting will accrue can be measured?

10          A.     We certainly have some ideas on how --

11          Q.     Did you set any out in your testimony?

12          A.     I don't believe I have any in my  
13 testimony at this point.

14          Q.     Then in your Supplemental Direct  
15 Testimony, you have some schedules attached to that?

16          A.     I do.

17          Q.     And one of those schedules is a Schedule  
18 DRI -6, which shows EVs registered in KCP&L counties?

19          A.     I think there are several pages to DRI -6.

20          Q.     This one doesn't have a page number.  
21 That's why I specified. It's EVs registered in KCP&L  
22 counties equal -- there's a number and it says through  
23 July 2014. It's also designated as highly  
24 confidential, so that's why I'm avoiding the number.  
25 I don't know if it's highly confidential or not.

1           A.     I recall the page. I'm looking for it.  
2                     MR. POSTON: Looks like that  
3           (i ndicating).

4     BY MR. WILLIAMS:

5           **Q.     Well, you may recall --**

6           A.     Okay. I -- I have it. It's the  
7           charging -- oh, wait a second. That's the charging  
8           spots in Kansas City. I started from the back. I  
9           should have started from the front apparently.

10                    Okay. I have it.

11           **Q.     Do you know if that number is highly**  
12 **confidential? It's a number as of July 2014 according**  
13 **to the schedule.**

14           A.     I don't -- I don't believe it is. I  
15           think this is information that can probably be  
16           obtained from registration records.

17           **Q.     And then if you'd go ahead and disclose**  
18 **what that number is of electric vehicles that are**  
19 **registered in KCP&L counties as of --**

20           A.     Yeah. As of -- or through I guess what  
21           this schedule says, July 14, it's 675.

22           **Q.     And when it says KCP&L counties, does**  
23 **that include Kansas City Power & Light Kansas service**  
24 **area and then does it also include KCP&L Greater**  
25 **Missouri Operations' counties?**

1 A. Yes, it does.

2 Q. And on the Missouri side of that, which  
3 counties would be being served by Kansas City Power  
4 and Light Company as opposed to KCP&L Greater Missouri  
5 Operations Company?

6 A. You know, I don't know that I -- I don't  
7 know that I know all the counties well enough to do  
8 that for you. I do know that GMO and KCPL serve in  
9 the same county in a number of cases. I wouldn't know  
10 the distribution within the county.

11 Q. Well, what would the total be on the  
12 Missouri side of things?

13 A. Let's see.

14 Q. And you can be approximate. I don't --

15 A. 240 -- about 280 it looks like at July of  
16 2014.

17 Q. And do you know if the number has changed  
18 since July of 2014?

19 A. Well, I -- I don't know what the new  
20 number is. I -- I do believe that in our discussions  
21 with the auto manufacturers, that -- that car sales  
22 have been going up --

23 Q. I just asked whether you know or not.

24 A. I don't know the exact number.

25 Q. Thank you. Then on Schedule DRI-7 to

1 **your Supplemental Direct, particularly pages 8, 9 and**  
2 **10 --**

3 A. I'm there.

4 **Q. Those schedules show Kansas City Power**  
5 **& Light Company electric vehicle charging stations and**  
6 **their usage, do they not?**

7 A. They do for a period in time.

8 **Q. Well, that's a month in time, is it not?**  
9 **Well --**

10 A. Actually it shows, what, July of '12  
11 through September of '14?

12 A. That -- that looks like the dates.

13 **Q. And those are all charging stations that**  
14 **Kansas City Power & Light Company has installed?**  
15 **They're not associated with the Clean Charge Network;**  
16 **is that correct?**

17 A. I don't believe any of these are the  
18 Clean Charge. They are from earlier grants or  
19 installations.

20 **Q. And is -- do you know if Kansas City**  
21 **Power & Light Company is collecting in rates for the**  
22 **cost of the charging stations that are shown on these**  
23 **schedules?**

24 A. I suspect we are for at least some. I  
25 believe we're collecting amounts related to the Smart

1 Grid pilot project and -- and we had stations involved  
2 in that pilot.

3 **Q. Now, are all of these electric vehicle**  
4 **stations located in Missouri or are some of them**  
5 **located in Kansas?**

6 A. Looks like it's a combination.

7 **Q. And does this include KCP&L Greater**  
8 **Missouri Operations Company or is it just Kansas City**  
9 **Power & Light Company?**

10 A. I'm not sure if any of these are in GMO  
11 or not.

12 **Q. A lot of zeroes on here, aren't there?**

13 A. I wouldn't say a lot. There are some.

14 **Q. And those indicate no usage. Correct?**

15 A. For those periods of time that are  
16 depicted.

17 **Q. Do you know -- if you don't, that's fine,**  
18 **but if a -- if a single vehicle was charging, say, at**  
19 **a workplace, what kind of usage it would show for a**  
20 **month roughly?**

21 A. You know, I don't know it in terms of a  
22 month. I think a level two charging station, when  
23 it's fully charging a single vehicle, is about  
24 7 kilowatts per hour. As a car gets closer to full  
25 charge, the -- the charge goes down. So as you get

1 closer to 80 percent charge, it might be only pushing  
2 3 kilowatt hours except -- hopefully that makes sense.

3 **Q. Yes. Thank you.**

4 A. But I think its max charge when it first  
5 is plugged in is about 7 for an individual vehicle.

6 **Q. I see in August of '13 at the Kauffman**  
7 **station, after that -- well, that's when there starts**  
8 **to be usage and I see it going up. Do you have any**  
9 **knowledge as to why?**

10 A. I don't know any specifics on that  
11 particular station.

12 **Q. Do you know any specifics on any of the**  
13 **stations?**

14 A. No. I don't have an electric vehicle.

15 **Q. Oh, you don't?**

16 A. I do not.

17 **Q. Do you know if these are all level two**  
18 **charging stations on these schedules?**

19 A. Yes, I believe they all are.

20 **Q. And that would be the slower charge.**  
21 **Correct?**

22 A. That's correct.

23 **Q. As Kansas City Power & Light Company is**  
24 **currently billing for electricity usage at the**  
25 **electrical vehicle charging stations, is it recovering**



1 **through those rates the cost of the stations**  
2 **themselves?**

3 A. Related to the Clean Charge Network?

4 Q. Yes.

5 A. No. We don't have anything in rates for  
6 that at this point yet.

7 Q. Are you proposing that in this case the  
8 Commission have rates that include recovery of the  
9 Clean Charge Network costs -- well, that include the  
10 costs of the charging stations for the Clean Charge  
11 Network in the rates that the -- I'll use the word  
12 host sites or Nissan are currently paying presently?  
13 And when I say "presently," I mean the rates that will  
14 be set in this case, not some future one.

15 A. That was a long question. Are we  
16 proposing that rates determined in this case --

17 Q. Let me try it another way --

18 A. Thank you.

19 Q. -- see if I can do a better job with the  
20 question.

21 Is Kansas City Power & Light Company  
22 proposing to recover the costs of the electric vehicle  
23 charging stations of the Clean Charge Network from  
24 those it's currently charging for the electric usage,  
25 Nissan and the host sites, depending on the type of

1 **charging station?**

2 A. Our proposal in this case, driven largely  
3 by the benefits for all customers that we believe will  
4 occur and the fact that it's a pilot, is to put the  
5 investment across all rates, not -- not a specific  
6 cost causer rate design, if you will, because we  
7 believe all customers are going to benefit from this  
8 installation.

9 **Q. So your proposal is to put the cost of**  
10 **the charging stations into rate-base and then just**  
11 **having it allocated out however a class**  
12 **cost-of-service study says it should be allocated?**

13 A. And that's how I came to kind of the  
14 impact per a typical residential customer that's in my  
15 testimony and I corrected --

16 **Q. So your --**

17 A. -- on the stand today.

18 **Q. -- answer is yes?**

19 A. Yes.

20 **Q. In your Surrebuttal Testimony on**  
21 **page 64 --**

22 A. 54?

23 **Q. 64.**

24 A. Okay.

25 **Q. And if I've got it accurate, you**

1 testified that during May of 2015, Kansas City Power &  
2 Light Company recorded 1,705 kilowatt hours used by  
3 electric vehicle drivers using charging stations in  
4 the Clean Charge Network in KCPL's Missouri territory,  
5 do you not?

6 A. Yeah. Using May kilowatt hours that were  
7 incurred on the stations that were in place and in  
8 service up to that point.

9 Q. How many of those charging stations were  
10 there at that time?

11 A. I think in Missouri we had roughly  
12 25 level two charging stations in service by May 31st  
13 and I think 5 level three of the fast chargers in  
14 place that -- that kind of make up that amount that I  
15 gave as a correction in my testimony.

16 Q. And what was the nature of where they  
17 were located? Are we talking urban, suburban, rural?

18 A. I don't know all the locations. In  
19 general, we are putting them in kind of urban,  
20 large -- large employment areas. So without having  
21 that in front of me, I would say urban.

22 Q. And do you know how many of those -- I  
23 think you said roughly 30 charging stations were used  
24 in that month?

25 A. I -- I don't know off the top of my head.

1 I also don't know, you know, when in the month or in  
2 prior months that they came on line. We're -- we're  
3 in -- we're in the midst of deployment.

4 **Q. Are all of the -- let's see what you**  
5 **called it -- clean cities I think in the Smart Grid**  
6 **project, are all those charging stations listed on**  
7 **those schedules on -- I think it's DRI-7 of your**  
8 **Supplemental Direct Testimony?**

9 A. I believe they should be a full  
10 population of those.

11 **Q. You made a correction to your Surrebuttal**  
12 **Testimony saying that as of March 31, 2015, KCPL had**  
13 **732,559 invested in charging stations in Missouri?**

14 A. Yeah. I think I changed that March in my  
15 correction to be May 31st.

16 **Q. Oh, that's -- I'm sorry. I didn't catch**  
17 **that.**

18 A. That would be May.

19 **Q. Well, actually that answers my question**  
20 **then because I was going to ask what it is as of**  
21 **May 31st, so I have no further questions.**

22 A. Okay.

23 JUDGE BUSHMANN: Questions by  
24 Commissioners. Mr. Chairman?

25 QUESTIONS BY CHAIR R. KENNEY:

1           **Q.     Yes.   Just a couple.   Thanks, Mr. Ives.**  
2     **I want to ask you some of the questions I asked your**  
3     **lawyer and maybe just put a different spin on them a**  
4     **bit.**

5                     **Is there any prohibition or did KCP&L**  
6     **look at the possibility of doing this as an**  
7     **unregulated business or spinning off an unregulated**  
8     **entity?   And I'm thinking similar to what Laclede Gas**  
9     **did with Spire.**

10           A.     We did look at it.   You know, and to be  
11    clear, we looked at charging stations for the first  
12    time probably four or five years ago.   And it wasn't  
13    until we started to see an uptick in the usage of the  
14    clean cities and the Smart Grid that we saw that we  
15    decided maybe now was the right time.

16                     When we did that, we eval -- we had  
17    discussions, kind of due diligence with EPRI, with  
18    EEI, with the folks in California, we reviewed the  
19    studies.   We looked and saw the failures of what had  
20    went on in some of the other jurisdictions across the  
21    country by not starting with utilities and the move  
22    that was afoot to utilize utilities for the  
23    infrastructure investment.   And that kind of guided us  
24    to think that the right thing to do was to house it at  
25    the utility as a distribution service to our

1 customers.

2 **Q. But what was it specifically about the**  
3 **failures that you observed elsewhere that made you**  
4 **determine that this should be a part of the utility's**  
5 **distribution function?**

6 A. Well, there -- there were a number of  
7 things that we identified. You know, one of the items  
8 was the fact that when third parties were going in and  
9 they were putting charging stations in utilities,  
10 they're attaching to the utility system, yet the  
11 utility really has no -- no understanding of the loads  
12 that are occurring and attaching to that system and  
13 what's going on. And -- and they can't communicate  
14 with that system.

15 It's ended up driving, in some situations  
16 in California and others, additional infrastructure  
17 investment behind those that I think the prevailing  
18 view now that's coming around, that the utilities can  
19 plan these and put them in place and put the  
20 infrastructure in place to make sure that the grid  
21 supports these charging stations appropriately. That  
22 was certainly a piece of it.

23 The other piece that we looked at was  
24 just the fact that they were coming back now,  
25 particularly in California, and asking the utilities

1 to get involved after quite a bit of money had already  
2 been spent to try and do it through a third-party  
3 program. Just looks like that the move is afoot to  
4 realize that infrastructure investment is maybe best  
5 done by the utility here to get the electricity to the  
6 new mobile customer.

7 **Q. So is it the charging station**  
8 **infrastructure or is there additional distribution**  
9 **infrastructure that ends up being needed by virtue of**  
10 **the charging station infrastructure?**

11 A. It is a little bit of both. There are --  
12 there are some extension costs in a lot of cases that  
13 run the distribution electricity out to the actual  
14 physical charging station where you put -- pour the  
15 concrete and put the pad in.

16 By and large, the majority of the cost is  
17 around the installation of the station itself, the  
18 purchases of the equipment, the conduit, the wiring,  
19 the concrete that's got to be poured for the  
20 foundation, things like that.

21 **Q. So in California, for instance, you said**  
22 **that there was some failures there that indicated that**  
23 **the utility should be responsible for this. Is it**  
24 **recovered in rates in California? Is that what they**  
25 **ended up doing?**

1           A.       They are certainly working through that  
2 right now. I mentioned to OPC, Mr. Poston, when we  
3 were going through discussion that the stakeholders in  
4 California originally went to the legislature and  
5 tried to preclude the utilities and were successful in  
6 precluding the utilities from getting involved in  
7 infrastructure investment.

8                       When they began to have difficulties and  
9 not have the adoption rates that they had set out,  
10 those same stakeholders went back and asked the -- the  
11 Commission there to reverse that ruling and have the  
12 utilities able to be involved. All the major  
13 utilities in California have a electric vehicle  
14 proposal in front of the Commission. None of them are  
15 yet resolved.

16                      You know, the difference out there I  
17 think is they are proposing some very large  
18 infrastructure investments. I think I mentioned PG&E  
19 being 25,000 stations and 600-plus million dollars.  
20 And they have a predetermination process out there  
21 with the Commission. So they will take the time and  
22 go through a predetermination before they get to the  
23 point of making that final decision.

24           **Q.       So that's a different regulatory**  
25 **structure than we have for sure?**



1           A.     Certainly in some -- some circumstances.  
2     Predetermination's clearly different.

3           **Q.     Yeah. Is there a mechanism by which the**  
4 **main cost causers could be assigned these costs so**  
5 **that all other ratepayers aren't paying for this and**  
6 **only the ratepayers that, for instance, benefit by**  
7 **having electric vehicles?**

8           A.     There are lots of ways to design rates.  
9     You know, what I would say is I don't think that the  
10    only people that are benefiting are the host or the EV  
11    users. I mean this bucket of costs and these set of  
12    benefits that we've been talking about today I think  
13    will inure to all of our customers over time.

14                   I think when you look at those detailed  
15    California --

16           **Q.     I would --**

17           A.     Go ahead.

18           **Q.     Go ahead. I'm sorry. No, you go ahead.**

19           A.     I was just going to say I think when you  
20    look at those detailed California studies, there's a  
21    lot of work done out there to talk about how, you  
22    know, they believe that -- that EV adoption is going  
23    to benefit all customers, it's going to pass TRC out  
24    there, they think it's going to pass societal tests  
25    out there and they think it's going to pass RIM tests

1 out there.

2 Time will tell through our pilot whether  
3 we can demonstrate the same type of results in our  
4 service territory, but we believe particularly when  
5 you're looking at an environmental benefits and things  
6 like that, we'll be able to demonstrate benefits to  
7 all customers.

8 **Q. Well, I would tend to agree and take in**  
9 **the more expansive view of benefits. For example, I**  
10 **think that there will be a whole host of health**  
11 **benefits associated with the Clean Power Plan, but we**  
12 **don't quantify that and put it in an IRP, although I**  
13 **think we should. But isn't that the same type of**  
14 **thing that you're saying? We've got these**  
15 **unquantifiable benefits at this point that we think**  
16 **will inure to the benefit of all ratepayers and,**  
17 **therefore, we should spread the cost across all**  
18 **ratepayers.**

19 A. Well, except for I think, you know, when  
20 you look at the California study and you look at what  
21 we believe will happen here, we think it will pass a  
22 TRC test too. So we think it will be the actual cost  
23 benefits of spreading these -- these kilowatts and all  
24 the fixed charges that are within the kilowatt hour  
25 charge that we've talked about so far this week, you

1 know, over additional kilowatts to the benefit of all  
2 customers.

3 **Q. Now, see, in another context I remember**  
4 **Mr. Rush saying that we shouldn't look to California**  
5 **as instructive of anything and that we should just**  
6 **look at Missouri. Why shouldn't we wait until we have**  
7 **results from Missouri before we start distributing**  
8 **these costs to all ratepayers?**

9 A. Well, I certainly think that that's going  
10 to be a benefit of this pilot is we'll -- we'll have  
11 hands-on information before we decide whether or not  
12 it makes sense for a utility to further go down this  
13 path of charging stations.

14 I know people have made a lot of a  
15 thousand charging stations. I mean we're talking  
16 about an investment in KCPL Missouri fully deployed of  
17 about 7 or 8 million dollars. It is a smaller scale  
18 pilot than what this Commission allowed us to work  
19 with on a Smart Grid project. It is a smaller  
20 spreading of costs to all customers than happens with  
21 solar or energy efficiency programs that we have in  
22 place. It is a small pilot at this point, even with  
23 the number a thousand in front of it from charging  
24 stations.

25 **Q. Has KCP&L done any analysis that would**

1 **tend to show what the bill impact would be? I think**  
2 **you said it's less than 32 cents a year. Right? Or**  
3 **something like that?**

4 A. Yeah. For what we have installed here at  
5 the end of May, it's -- it's just under 4 cents a  
6 month to the average residential customer, 30-some  
7 cents a year.

8 And I guess the point I'd make on that is  
9 that's at about a \$700,000 investment, because that's  
10 all we have installed at this point. We're going to  
11 continue to build out this program so shareholders  
12 will be continuing to make investment that we won't  
13 get to talk about in front of you guys again until our  
14 next general rate case.

15 So there will be some costs shareholders  
16 will be covering -- a large chunk of this investment  
17 cost, until we can come back in. Hopefully at that  
18 time we'll also be coming back in with more results  
19 from the stations that are in place, more work with  
20 MARC, more information than we have today actually  
21 tailored to our system.

22 **Q. As a general proposition, I think this is**  
23 **the type of thing that -- that it's good for utilities**  
24 **to be supportive of and I think you're to be commended**  
25 **for launching this.**

1                   **So besides California, what other states**  
2 **have dealt with an issue similar to this where the**  
3 **utility's deploying charging stations?**

4           A.     I think I just read something that  
5 Washington State just -- just changed their position  
6 so that the Commission would allow utilities to -- to  
7 invest in the infrastructure. We work with EEI and  
8 EPRI, you know, real time all the time right now on  
9 this project. We could supply you with kind of the  
10 status in different states kind of as it stands right  
11 now. I don't have all that in front of me right now.

12           **Q.     I'd like to see that. That would be**  
13 **helpful.**

14           A.     Okay.

15           **Q.     And then I think I'll just wait until you**  
16 **all brief the legal questions about whether this is**  
17 **actually a regulated service, because I think -- this**  
18 **seems like it's a competitive service and it's --**  
19 **there may come a time when it's essential. I'm just**  
20 **not sure yet.**

21                   **But I guess what I'd also encourage you**  
22 **all to think about is that irrespective of whether**  
23 **this is an essential service or not, is it appropriate**  
24 **for this Commission to facilitate the subsidization of**  
25 **research and development? I mean I think this is a**

1 **little bit different than like ARRA money. This is**  
2 **pure ratepayer money.**

3 A. Well, I would -- I would just remind the  
4 Commission that that Smart Grid project was not  
5 entirely funded by ARRA money. It was about  
6 50 percent funded.

7 **Q. Yeah, I know. So -- but this is**  
8 **100 percent ratepayer funded.**

9 A. At a smaller scale than that 50 percent  
10 of the ARR-- of the Smart Grid.

11 **Q. Sure. Okay. I don't think I have any**  
12 **other questions. Thank you.**

13 A. Thank you.

14 JUDGE BUSHMANN: Commission Stoll?  
15 QUESTIONS BY COMMISSIONER STOLL:

16 **Q. Thank you for your testimony, Mr. Ives.**  
17 **And I think most of my questions have been asked and**  
18 **answered by you. And maybe I missed this, but on the**  
19 **pilot project proposal of having a thousand stations,**  
20 **how did you determine that number?**

21 A. You know, when we sat down and we started  
22 working with EPRI, EEI, the car manufacturers, we were  
23 trying to think about something that would create a  
24 skeleton, a backbone within our service territory that  
25 could take away range anxiety for people that wanted

1 to drive EVs. You know, that at kind of full capacity  
2 everybody believes will support about 10,000 cars.

3 That's not large scale adoption in the  
4 Kansas City area. It -- it -- it's solid growth in  
5 EVs, but we think it's a good backbone and it's --  
6 it's impactful from an ability to study the results  
7 out of that so that we can make some decisions moving  
8 forward, but yet not big enough where we don't feel  
9 like we're asking for large scale research and  
10 development dollars.

11 **Q. So let's pretend that this really works**  
12 **out and the -- more and more EVs are sold and you**  
13 **needed -- or the public needed, you know, say 5,000 of**  
14 **these stations would be more useful. Do you see the**  
15 **Company -- do you see KCP&L doing the same thing with**  
16 **those additional stations, providing that service? Or**  
17 **does that kind of depend on public policy aspect that**  
18 **we determine?**

19 A. I think it depends on the public policy  
20 and what we find out from kind of the evaluation of  
21 these first thousand. My hope would be that it will  
22 produce the type of benefits that we say it will for  
23 all customers and that this Commission will look at  
24 that and say that is the type of essential service to  
25 that mobile customer that we can support because of

1 the benefits going to everybody.

2 But we would need to come back. And I  
3 think we've committed to this, at least in dialogue,  
4 that we would come back before we proposed any  
5 expansion of this thousand station pilot and let --  
6 let the stakeholders and this Commission weigh in on  
7 the results of that.

8 **Q. And I guess that could be done through**  
9 **the working docket and --**

10 A. That -- that's our hope.

11 **Q. Yeah.**

12 A. That we'll be able to get that set up and  
13 start sharing information and working on some of the  
14 policy issues.

15 **Q. Okay. Thank you.**

16 JUDGE BUSHMANN: Commissioner Kenney?

17 QUESTIONS BY COMMISSIONER KENNEY:

18 **Q. Hello, Mr. Ives.**

19 A. Good afternoon.

20 **Q. How are you today?**

21 A. So far, so good.

22 **Q. Good. Thank you for testifying. I would**  
23 **like to commend you also, as the Commissioner did. I**  
24 **think this is very forward thinking and I agree with**  
25 **Andy Zellers. I think it does put Kansas City on the**



1 forefront out in front of it and I think it's very  
2 good for the city. I just have heartburn and  
3 indigestion of asking your ratepayers to pay for this.

4 Now, I will say pre-- I will say that a  
5 former colleague of Commissioner Stoll and mine,  
6 Missouri Senator John Scott, as he changed the vote to  
7 pass a piece of legislation said, If you can't change  
8 your mind, you can't change anything. So I'm open.

9 I had a couple questions. On page 40 of  
10 your Rebuttal Testimony you said that the total  
11 pilot -- total price of the pilot program is  
12 20 million approximately for KCP&L in both Kansas and  
13 Missouri?

14 A. Both Kansas, Missouri and Greater  
15 Missouri Ops.

16 Q. And GMO used the -- in reference to what  
17 you told the Chairman, the current cost is at about  
18 32 percent -- 32 cents a year, 4 cents a month for the  
19 780, but if used the -- you used a ratio on page 40 of  
20 your Rebuttal that said that -- you said the average  
21 cost per customer per year would be about \$1.79 or  
22 15 cents a month based on a \$7.6 million investment  
23 for KCPL Missouri and GMO?

24 A. I think -- I think it would be about  
25 7 million in -- plus or minus when fully deployed in

1 KCPL Missouri.

2 Q. The number you used was 7.6, but --

3 A. Yeah.

4 Q. Okay.

5 A. Still -- still kind of waiting for final  
6 costs. When we've evaluated it by jurisdiction, it  
7 looks like it's going to be plus or minus \$2 a year  
8 fully deployed for the average residential customer in  
9 each of our jurisdictions.

10 Q. What's the length of the pilot program?

11 A. Well, the pilot program is -- is really a  
12 two-year window where the hosts are paying for the  
13 electricity, where by -- by that point we'll need to  
14 have a solution on how to price to end-use customers.  
15 That would be part of the working docket.

16 Our intent -- and -- and this is probably  
17 something I should clarify because people have had  
18 this question with my testimony. Our intent is to  
19 install this -- install this backbone and operate it  
20 for the life of this backbone.

21 You know, technological life on these  
22 charging stations are at least ten years. We intend  
23 to run them for full life even if we come back in  
24 three or four years and the results of the study say  
25 this is not cost beneficial to all customers, we

1 shouldn't do the next 5,000, you know, in response to  
2 Commissioner Stoll's question.

3 **Q. When do you expect to have the thousand**  
4 **complete?**

5 A. We plan to have them fully installed by  
6 the end of this year.

7 **Q. Do you have a map that shows all the**  
8 **sites or do you go on -- does KCP&L take that as they**  
9 **progress and they pick out sites as they go?**

10 A. We may not have all of our sites  
11 identified at this point, but we have a significant  
12 number of them. And we have -- we have a map I think  
13 that is tracking that and tracking I think which ones  
14 are installed currently and which ones are coming up.

15 **Q. Is that map available to the Commission?**

16 A. We can make a map available.

17 **Q. Okay. Next question, how many stations**  
18 **will be located in your -- on your Kansas boundary?**  
19 **How many on your Missouri side, including GMO?**

20 A. I don't know if I know the final  
21 breakdown for that. I might be able to --

22 **Q. Well, the money --**

23 A. -- discern that from the --

24 **Q. If you spend 20 million, it's**  
25 **12.4 million in Kansas and 7.6 million in Missouri, so**

1 **that's probably about 65 or --**

2 A. Well, no. 7.6 is KCPL Missouri, not  
3 including the GMO Missouri.

4 **Q. Not including GMO?**

5 A. Correct.

6 **Q. How much is GMO?**

7 A. I think it's probably in the 5 to 7. Our  
8 service territory, if you think about our split on  
9 customers, is right about a third, a third and a  
10 third; Kansas, GMO and KCPL Missouri, plus or minus a  
11 few percentage points.

12 **Q. Okay. So does that 20 million include**  
13 **GMO?**

14 A. Yes.

15 **Q. Okay.**

16 A. So we may end up with 12 to 14 in  
17 Missouri and, you know, in that 7 -- 7 million dollars  
18 range in Kansas.

19 **Q. That makes sense. Okay. All right. And**  
20 **you can probably -- so you can get us a map of that?**

21 A. We can.

22 **Q. All right. Thank you very much.**

23 JUDGE BUSHMANN: Commissioner Hall?

24 QUESTIONS BY COMMISSIONER HALL:

25 **Q. Good afternoon.**

1           A.     Good afternoon.

2           **Q.     As a preliminary matter, I want to**  
3 **congratulate the Company for putting this program**  
4 **forward. This is exactly the kind of innovative,**  
5 **forward-looking, environmentally-conscious,**  
6 **outside-the-box program that utilities in this day and**  
7 **age need to be looking at, developing and putting**  
8 **forward. So just as a -- like I said, as a**  
9 **preliminary matter, congratulations on bringing this**  
10 **program forward.**

11          A.     Thank you.

12          **Q.     Having said that, I think the verdict's**  
13 **still out -- I'm sorry, the jury's still out on**  
14 **whether it's appropriate to include the program in**  
15 **rates. So I have a couple of questions designed to**  
16 **educate me on some issues that I think are relevant to**  
17 **that.**

18                   And I need to go back to basics a little  
19 **bit here. The thousand stations that would be built**  
20 **would be owned by KCP&L GMO?**

21          A.     That's correct.

22          **Q.     And the user -- the car owner would not**  
23 **pay anything for the charge; is that correct?**

24          A.     The car owner would not pay for the  
25 charge under these first two years with the host.

1           **Q.     Okay.  So Nissan and the other hosts**  
2 **would be paying for the electricity --**

3           A.     Yes.

4           **Q.     -- for the charge?**

5           A.     We're -- we're getting paid, but --

6           **Q.     Okay.**

7           A.     -- but the -- not from the car owner.

8           **Q.     Do you have any estimates as to what**  
9 **that -- what that consumption will be once you're --**  
10 **once you're fully up and running?**

11          A.     Not -- not off the top of my head.

12          Just -- just because -- and the reason I say that is  
13 because, you know, we are a long ways from having the  
14 car adoption to the point -- to fully utilize the  
15 system on day one.  We see cars being purchased and  
16 coming into our market kind of on an accelerated  
17 basis, but I don't think -- I could go back and check  
18 with our technical folks whether we've done a full  
19 projection of that once we're fully deployed.

20          **Q.     I mean, I would think that that would be**  
21 **one more benefit that you could add to your -- to your**  
22 **list of benefits for customers.  And that may actually**  
23 **be a benefit that is quantifiable; whereas, your other**  
24 **benefits are not.  Is that correct?**

25          A.     A benefit as far as the additional

1 kilowatt hours that we think are going to come  
2 through? That's certainly one of the benefits in that  
3 bucket of five that we believe will benefit all  
4 customers.

5 **Q. But it's one that could be quantified?**

6 A. We -- we could make -- we could make some  
7 estimates, I'm sure, on utilization of the system  
8 based on what we think the growth in car adoption is  
9 going to be. Part of the pilot is our plan to see  
10 that and be able to demonstrate that having a backbone  
11 in place is making a difference on that adoption.

12 **Q. Why did you not consider -- well, did you**  
13 **consider charging customers for the charge in order to**  
14 **cover at least part of the costs associated with the**  
15 **program?**

16 A. Well, we fully believe that once the  
17 pilot period's done, this two-year program, that that  
18 will be part of the solution. We'll need to get with  
19 stakeholders we'll need to come up with a way to -- to  
20 charge that end-use customer, you know.

21 Our -- we envision that you will swipe a  
22 card just like you do at a gas pump and you will begin  
23 to be able to pay your charge right at the station.  
24 Takes a little time to deploy the system, to have that  
25 billing system operational. That's why we chose to go

1 with the host supplying the energy for the first two  
2 years.

3 We were able -- we were able to get a lot  
4 of the community partners. You know, we've had a ton  
5 of community support on this. And a lot of companies  
6 and partners that have signed up to say, yeah, we'll  
7 give you two years to get this thing up, get it  
8 installed and get your billing in place, get worked  
9 through the Commission what a tariff looks like to do  
10 that so that you can get started.

11 **Q. And I believe in response to a question**  
12 **from Public Counsel, you said that if the Commission**  
13 **were to refuse to put the cost of this program into**  
14 **rates, that the Company would still go forward with**  
15 **the program?**

16 A. Yes. I think it would be disappointing  
17 for us, but we have committed and we've been very  
18 public about our commitment to put this backbone of a  
19 thousand stations out there and try and make  
20 improvements in the Kansas City area.

21 **Q. Is it possible that -- that the**  
22 **program -- that the 1,000 stations is scalable? That**  
23 **we could -- we could put the costs for 100 stations**  
24 **into rates and -- I mean is that possible? Would that**  
25 **work?**



1           A.     I think it's possible for the Commission  
2 to make any determination on that. I think at the  
3 level of pilot that we're proposing, I hope it's, you  
4 know, small enough and has the potential to be  
5 beneficial enough that the Commission will look at the  
6 pilot we've proposed.

7           **Q.     So you've invested \$730,000 so far out of**  
8 **the 7 million total or is it 730 for the entire --**

9           A.     Be 730 out of the roughly 7 million in  
10 the -- in the KCPL Missouri service territory. And  
11 that's as of May. You know, we're installing them and  
12 commissioning them daily, weekly. There's probably  
13 more today.

14          **Q.     Staff indicates that KCP&L is requesting**  
15 **500,000 operation and maintenance expenses to increase**  
16 **the revenue requirement; is that correct?**

17          A.     500,000 spread across -- 550,000 spread  
18 across all of our jurisdictions. So probably \$220,000  
19 in -- in this case. And that would be for ongoing  
20 O&M, the ability to deal with some of the -- some of  
21 the signage and things that go up at the stations as  
22 they're getting installed.

23          **Q.     But that doesn't include any depreciation**  
24 **on the thousand stations?**

25          A.     It does not because -- because our

1 proposal also contemplated putting the capital  
2 investment in as of the May update, that \$730,000 that  
3 we've talked about. And -- and we would propose that  
4 if that goes into rate-base, there would be a  
5 depreciation amount associated with that 700,000.

6 **Q. All right. Thank you.**

7 A. Thank you.

8 QUESTIONS BY COMMISSIONER RUPP:

9 **Q. Good afternoon.**

10 A. Good afternoon.

11 **Q. So 1,000 stations is 7 million. So**  
12 **roughly 7,000 a station is what you're investing?**

13 A. It's about -- it's the \$20 million number  
14 for a thousand stations. So, you know, the level two  
15 charging stations right now are running us about  
16 between 16- and 17,000 dollars in installation costs  
17 for -- for each station. The fast-charging stations,  
18 which we said we were going to do about 15 of those,  
19 those are about \$80,000 to install.

20 **Q. Okay. So just looking at the non-fast**  
21 **ones, since those are different and separate, you're**  
22 **going -- roughly 17,000 a station is your cost, your**  
23 **sum cost to put those in?**

24 A. Today. We're hoping that's going to go  
25 down as we get our designs standardized and our

1 contracts standardized on a per unit install.

2 **Q. And following off of the Field of Dreams**  
3 **example that was brought up, that there is data, that**  
4 **you know people are going to come, what is your**  
5 **anticipation of the average number of charges per**  
6 **unit?**

7 A. I don't know that information off of the  
8 top of my head. And I know the anticipation is that  
9 it will continue to ramp from where we are today as we  
10 see the car adoption accelerate as we take some of  
11 that range anxiety off the table.

12 **Q. But you do have an anticipated number of**  
13 **charges per year per each station in your planning?**

14 A. I don't know that we have -- I don't know  
15 that we have that depth of planning. I'll have to go  
16 back and look. I mean part of what we've -- we've  
17 anticipated through this is using this platform to  
18 study the impact of adoption on cars to study the  
19 impact on reduction in tailpipe emissions and benefits  
20 to ozone. We have some dreams probably and some hopes  
21 of what car adoption will be, but the proof will be in  
22 the pudding when we get the stations in.

23 **Q. You've done no projections on we're going**  
24 **to put a station here in this location because we**  
25 **believe the demographics of this area is likely we're**

1 going to get charges and it's going to be utilized,  
2 and you have no projections internally on we  
3 anticipate that this location is going to get more  
4 charges than this location? And there's no number  
5 assigned to that in a projection somewhere?

6 A. I've not seen anything that detailed. We  
7 may have it. I can go back and see if the team has  
8 something that specific by site.

9 Q. So then if you have these stations and  
10 after the two-year period where it is free, then  
11 you're going to need to go back and retrofit or do  
12 something to the stations to capture some type of card  
13 swipe or something or will that -- or will that be  
14 installed with the stations to be used -- ready to go  
15 after the two-year period ends?

16 A. They'll be ready to go. We -- we're  
17 working with ChargePoint, which is the largest  
18 installer in the country of charging stations. They  
19 have the capability, you know, on those units already  
20 for card swipe, for gathering the number of kilowatts  
21 charged by customer so it can be billed. And it's  
22 very dynamic. Can be billed on a --

23 Q. There's just no -- you're not going to  
24 come back at the end of two years and say, We need to  
25 retrofit these to pick up things and then ask for a

1 reimbursement so --

2 A. That's correct. We're not going to do  
3 that.

4 Q. Okay. And then, you know, Commissioner  
5 Hall had asked if you don't receive this in rates and  
6 you proceed with the program, would you envision that  
7 you would provide some type of fixed charge along with  
8 the kilowatt charge to recoup the cost of the stations  
9 once the two-year period is up to kind of help bring  
10 down your capital cost?

11 A. If we don't move forward as -- as the  
12 Commission approving the investment in the pilot? I  
13 think it becomes a very interesting question that  
14 we'll all have to work through at that point. Because  
15 at that point we'll really kind of be re-selling  
16 regulated electricity, which I'm not -- I'm not an  
17 attorney, but I think there are some prohibitions on  
18 the ability to resell electricity that -- if you're  
19 not a utility.

20 Q. But regardless of that, would you  
21 envision that KCP&L or all your organizations would  
22 attach a fixed charge to that station along with how  
23 much -- along with the kilowatt per hour to recoup the  
24 cost of the station after the two-year period?

25 A. Well, I think there's certainly a lot of

1 pricing options. We certainly would need to think  
2 about how to recoup that investment over the long haul  
3 if the customers that we think are benefiting from it  
4 aren't paying for it.

5 We'd have to go through all those issues  
6 about the resale of electricity and things like that  
7 as far as determining how we could recoup those  
8 dollars. But it won't change the approach that we are  
9 committed to put the full thousand in and operate them  
10 kind of regardless of what we hear here even though we  
11 think we've put on a good position.

12 **Q. I'm sorry. I'm just doing math.**

13 **All right. That's all I have. Thank**  
14 **you.**

15 A. Thank you.

16 JUDGE BUSHMANN: Recross based on  
17 Commission questions. Brightergy?

18 MR. ZELLERS: No recross, your Honor.

19 JUDGE BUSHMANN: Division of Energy?

20 MR. ANTAL: Couple questions.

21 RECCROSS-EXAMINATION BY MR. ANTAL:

22 **Q. Hello, Mr. Ives.**

23 A. Hello.

24 **Q. You were discussing with Commissioners**  
25 **the various details and potential benefits to the**

1 **Company's Clean Charge Network. I had a few follow-up**  
2 **questions.**

3 **You said earlier that the Company intends**  
4 **to put these charging stations near places of**  
5 **employment; is that correct?**

6 A. That is our primary focus. I mean,  
7 there's going to be some probably in areas with high  
8 shopping traffic. We're looking for places where  
9 people are going to be for a long enough period of  
10 time to make it worthwhile for them to charge.

11 **Q. Okay. And talking about penetration**  
12 **market or the penetration of electric vehicles in**  
13 **KCPL's service territory, do you have any sense of**  
14 **whether the availability of public charging stations**  
15 **would perhaps open up the ability of other individuals**  
16 **to buy electric vehicles who otherwise couldn't?**

17 A. Yes. That's a big part of our work and  
18 due diligence in this process and our discussions with  
19 the -- not only ChargePoint, but the auto  
20 manufacturers. That range anxiety in an urban area  
21 like Kansas City is one of the biggest road blocks, if  
22 you will, to the adoption of EV.

23 They believe that with a backbone and a  
24 skeleton, that we'll adoption rates on EV that at  
25 least mirror the adoption rates that occur with

1 hybrids, if not accelerate beyond that.

2 **Q. Kind of going along those same lines,**  
3 **people who live in the Kansas City area and are**  
4 **renters and perhaps don't have access to at-home**  
5 **charging, this would help them perhaps get an EV**  
6 **vehicle?**

7 A. Yeah, absolutely. I do think that there  
8 will be the potential to have them installed by  
9 multi-family locations. And -- and a lot of  
10 charging -- we talk about at-home charging, you know,  
11 we have throughout the course of this. A lot of the  
12 at home-charging actually occurs at a 110 level. So  
13 it doesn't take a 220 or a lot of special  
14 infrastructure to do the at-home charging.

15 **Q. Okay. Thank you very much.**

16 A. Thanks.

17 JUDGE BUSHMANN: Commissioner Rupp had  
18 one more question.

19 COMMISSIONER RUPP: Yeah, thank you very  
20 much.

21 FURTHER QUESTIONS BY COMMISSIONER RUPP:

22 **Q. Is there anything in your agreement with**  
23 **Nissan and the other people that are providing the**  
24 **first free -- first two years free of charge, is there**  
25 **anything in that agreement that you are not allowed to**



1 **charge a fixed access swipe just to pay for the**  
2 **infrastructure of the station?**

3 A. I'm not aware of anything in our  
4 agreements that preclude us from doing that.

5 **Q. Thank you.**

6 A. They're more specific to what they're  
7 providing.

8 **Q. Great. Thank you.**

9 JUDGE BUSHMANN: I'll give Brightergy and  
10 Division of Energy an opportunity, if there's anything  
11 further you wanted to ask?

12 MR. ZELLERS: Nothing further, thank you.

13 JUDGE BUSHMANN: Consumers Council,  
14 recross?

15 MR. COFFMAN: No questions.

16 JUDGE BUSHMANN: Sierra Club?

17 MR. BECTOR: No questions, your Honor.

18 JUDGE BUSHMANN: Public Counsel?

19 MR. POSTON: Yes. Thank you.

20 RE-CROSS-EXAMINATION BY MR. POSTON:

21 **Q. You testified in response to one of the**  
22 **Chairman's questions that there are additional**  
23 **infrastructure costs beyond just the charging**  
24 **stations; is that correct?**

25 A. There are.

1           **Q.     Okay. And can you identify those again?**  
2 **What kinds of infrastructure is that?**

3           A.     It's an underground wire to -- to take  
4 your distribution service out to the -- the concrete  
5 pad where you're installing that. It's -- it's -- and  
6 some of the California reports again, not to keep  
7 leaning on that, but they call that the extension  
8 cost. You have an installation cost at the station  
9 level, but there are some extension costs to get power  
10 to the station.

11           **Q.     So there aren't any changes that you need**  
12 **to make to the rest of your system, the current**  
13 **system, before you started charging this?**

14           A.     No. No. I think, you know, some of the  
15 extension costs we're incurring to get to the  
16 stations, but I don't think there's additional system  
17 infrastructure costs that we're having to do.

18           **Q.     And then in response to one of the**  
19 **Chairman's questions you said time will tell whether**  
20 **there are benefits to all customers. Isn't it better**  
21 **to wait until time has told whether there are benefits**  
22 **before you seek to have other customers pay for this?**

23           A.     Well, again, I mean we -- we have  
24 started -- we're talking about an investment of  
25 \$700,000 here at this true-up with the continued

1 deployment of \$7 million probably of infrastructure  
2 that we aren't going to be recovering on at least  
3 until we come back in in a future rate case. So  
4 there's certainly a lot of dollars that we're going to  
5 have at risk and we're going to be paying for until we  
6 come back again.

7 **Q. A lot of the questions that have been**  
8 **raised about this system, do you expect to have**  
9 **answers to some of those after the two-year pilot**  
10 **program?**

11 A. I expect we'll be a lot smarter about the  
12 impacts on our system and the impacts on emissions  
13 after two years of utilization here.

14 **Q. And when do you expect to have spent the**  
15 **entire 7 million costs of the program that you've**  
16 **identified for KCPL?**

17 A. Well, right now we intend to have our  
18 system fully deployed by the end of this year.

19 **Q. Okay. So the whole \$20 million system by**  
20 **the end of the year fully equipped?**

21 A. That's the goal. When we set out and  
22 publicly announced this, one of the things we talked  
23 about and we talked about it publicly is we don't want  
24 construction to drag out for two or three or four  
25 years when customers are expecting to be able to

1 utilize this system that we announced. So we're  
2 trying to get it done as quickly as possible while --  
3 while being prudent and getting our I's dotted and T's  
4 crossed. We think by year end we can have it done.

5 **Q. And so once that first -- that**  
6 **20 million's spent, have you estimated the ongoing**  
7 **costs, the maintenance costs?**

8 A. That's what that 550,000 that we put in  
9 the case -- and that's -- that's across all our  
10 jurisdictions. So the 200,000 that's in our case for  
11 O&M, that's what we projected that to be.

12 **Q. For after you've invested that**  
13 **20 million, year after year, that's what you expected?**

14 A. Right now that's the estimate we have to  
15 do that.

16 **Q. Thank you. That's all I have.**

17 JUDGE BUSHMANN: Recross by Staff?

18 MR. WILLIAMS: Just a few questions.

19 RE-CROSS-EXAMINATION BY MR. WILLIAMS:

20 **Q. If I understood you correctly in response**  
21 **to one of Chairman Kenney's questions, you indicated**  
22 **that in California whenever there was a move afoot to**  
23 **come to the Commission to have the utilities provide**  
24 **electric vehicle charging stations that, if I**  
25 **understood you correctly, was done collab--**

1 **collaboratively? Mangled that pretty badly, but --**

2 A. I knew what you meant.

3 **Q. -- stakeholders got together and came in.**  
4 **It wasn't just the utility that came in on its own; is**  
5 **that correct?**

6 A. That's right.

7 **Q. And you've been, I would say --**  
8 **characterize it as putting forward the California**  
9 **model here, have you not?**

10 A. Been putting forward the California -- as  
11 far as --

12 **Q. You've been relying on what happened in**  
13 **California for why this Commission should go forward**  
14 **with your Clean Charge Network, have you not?**

15 A. It is the most extensively assessed area  
16 in the country for EV. So we've been relying heavily  
17 on California as well as our discussions with EPRI and  
18 EEI.

19 **Q. Did you approach the parties in this**  
20 **case, including the representatives of the consumers**  
21 **who will be bearing the burden of the costs under your**  
22 **proposal, before you came into this Commission with**  
23 **your rate case asking for the Clean Charge Network**  
24 **pilot program?**

25 A. No. Our proposal was to deal with the

1 pilot here and have the working -- the working docket  
2 established that we requested a while back. We were  
3 going to do that simultaneously.

4 **Q. Why didn't you do the working docket**  
5 **before you came in with the rate case?**

6 A. Well, because we had done a lot of due  
7 diligence, including with a number of parties. It's  
8 in my testimony that -- the number of parties that we  
9 discussed this process with, the number of supportive  
10 comments that we've had for this process. So we  
11 didn't do it alone and we didn't do it in a vacuum.  
12 We just waited to do the customer process when we felt  
13 like we had an announceable project so we knew what we  
14 were trying to talk policy about.

15 **Q. Well, you've had some experience with**  
16 **electric vehicles' charging stations for some time,**  
17 **have you not?**

18 A. We -- we've had a few charging stations.  
19 We certainly haven't had any experience yet on broader  
20 state policy on a backbone like this.

21 **Q. And you don't think stakeholder input is**  
22 **invaluable in that?**

23 A. We think it will be and we think it will  
24 be during the working docket and toward -- towards  
25 determining the answers on those policies.

1           **Q.     Do you remember being asked by one of the**  
2 **Commissioners about other state experience with**  
3 **electric vehicle charging stations?**

4           A.     I do.

5           **Q.     Did Kansas City Power & Light Company --**  
6 **it currently has a pending rate case in Kansas, does**  
7 **it not?**

8           A.     We do.

9           **Q.     What happened in Kansas with regard to**  
10 **the Clean Charge Network?**

11          A.     We're still working through that case.  
12 We have the same requests in front of Kansas. We  
13 asked for a working docket. It was -- it was not  
14 accepted. I filed Supplemental Direct Testimony. The  
15 Commission did not accept it. I have Rebuttal and --  
16 I have Rebuttal Testimony in the docket as a result of  
17 positions taken by other parties. That case is still  
18 ongoing. In fact, hearings are next week in that  
19 case.

20          **Q.     So you're saying it's a pending issue in**  
21 **that case?**

22          A.     It is a pending issue in that case.

23          **Q.     I have no further questions.**

24          JUDGE BUSHMANN: Redirect?

25          MR. FISCHER: Thank you, Judge.

1 REDIRECT EXAMINATION BY MR. FISCHER:

2 Q. Just a few, I think. Let's start  
3 backwards. You were asked about the working docket.  
4 Does KCPL still support having a working docket to get  
5 as much input from stakeholders as possible as we go  
6 forward?

7 A. We do.

8 Q. And what kinds of policy issues would you  
9 seek to get some guidance on from all the  
10 stakeholders?

11 A. You know, I think we -- we certainly have  
12 some ideas on the information to be gathered and  
13 assessed over this project. We'd like input from the  
14 parties as to other things that they'd like to have  
15 measured over the course of this pilot. We would like  
16 to have meaningful dialogue around how tariffs -- what  
17 tariffs would look like and how pricing would be  
18 determined at the end of this pilot period, but we  
19 have some ideas on that. We know other parties will  
20 as well.

21 Q. You were asked some questions by Public  
22 Counsel regarding I think the 700,000 that you're  
23 requesting now versus the total price of the pilot  
24 program. And I'd just like for the record to be  
25 clear. What is Kansas City Power & Light asking to be



1 **included in this case and what is yet to come down the**  
2 **road?**

3 A. So in this case, based on the correction  
4 to my testimony today, we have about \$730,000 of  
5 rate-base investment that we're asking to be included  
6 in this case as of the May 31st cutoff. We have --  
7 and I could look up the exact number, but it's a  
8 little over \$200,000 of O&M that we're requesting to  
9 be included in this case to address the fully  
10 built-out system.

11 That's in relation to our expectation to  
12 have about 7 to 8 million dollars invested in the  
13 Missouri -- KCPL Missouri jurisdiction when fully  
14 deployed by the end of this year, which we won't be  
15 able to come back and address until the next time  
16 we're in for a general rate case.

17 **Q. So are you saying you're only asking for**  
18 **about 10 percent of that \$7 million in this case?**

19 A. At this stage. And that's a result of  
20 our construction cycle and where we are in the  
21 build-out phase at this point. I would have liked to  
22 have had more done by the time we were here, but we've  
23 got a few more months to get it fully deployed.

24 **Q. I believe it was Commissioner Hall that**  
25 **asked you whether you could propose recovery in only a**

1 **portion of the full amount of the charging stations.**  
2 **Is that effectively what you're doing by only**  
3 **requesting 10 percent of the total costs here?**

4 A. At least in the near term as a result of  
5 just the cycle of rate case timing. I mean our goal  
6 would be to come back in our next general rate case,  
7 whenever that might be, and propose the entirety of  
8 our investment at that point. But there would be a  
9 lag that -- that shareholders would have to cover in  
10 that interim period.

11 Q. You were asked some questions regarding  
12 the failures in other jurisdictions and I'd like for  
13 you to elaborate on that. You know, I think you  
14 mentioned California had a -- somewhat of a failure in  
15 its original adoption of the EV charging models.  
16 Would you explain that?

17 A. Yeah. You know, there's a lot in my  
18 testimony talking about the California situation.  
19 There are two very robust reports in there that tell  
20 the story of what's going on there.

21 In general, much as I stated earlier,  
22 when they were starting to work through EV adoption in  
23 California, a group of stakeholders basically went to  
24 the Commission, maybe the legislature and got the  
25 utilities prohibited from participating in charging

1 station infrastructure investment. I think they  
2 thought that it was going to be contrary to their  
3 competition and their ability to install those.

4 After a period of time and after limited  
5 success on meeting the targets that they had hoped  
6 for, those same stakeholders in large part went back  
7 to the Commission, suggested they reverse that and  
8 allow utilities to participate in EV infrastructure so  
9 that they could get the type of build-out necessary to  
10 meet the California Governor's mandate of -- I think  
11 it -- I can't remember the number of cars, but it's --  
12 it's a significant number of EVs on the road by 2025  
13 in California.

14 **Q. And eventually the utilities were back in**  
15 **the game, so to speak, and asked to come in and put EV**  
16 **stations in?**

17 A. They -- they are. And as I mentioned to  
18 the Chairman, they have proposals in front of the  
19 California PUC right now kind of through a  
20 pre-determination process there. Different --  
21 different types of investment depending on the  
22 utility; some owning infrastructure like us, some  
23 supporting infrastructure owned, but certainly  
24 involved in EV infrastructure.

25 **Q. If the public utility is not involved in**

1 **the EV market in -- in the state of Missouri, do you**  
2 **have an opinion about whether you think EV charging**  
3 **stations will be a viable alternative for Missouri?**

4 A. I -- I think we'll end up in the same  
5 spot that California did. I mean the utilities are  
6 well equipped to do infrastructure investment as --  
7 you know, in regards to the distribution of  
8 electricity. I think we have more ability and more --  
9 more interest in doing that than any other third party  
10 at a scale that makes sense for EV adoption.

11 **Q. Is there a business model from your**  
12 **perspective that makes sense for a third-party EV**  
13 **system to develop?**

14 A. I think it's pretty difficult at this  
15 point and I think it's been demonstrated to be  
16 difficult across the country for a lot of the reasons  
17 we've talked about today. There are a lot of  
18 questions about the resale of electricity and what I  
19 third party can and can't do in terms of charging --  
20 charging for electricity to recoup their investment.  
21 And I think that's in large part because as we  
22 believe, we believe it's critical distribution  
23 infrastructure.

24 **Q. So are you saying that a third party**  
25 **could put in these charging systems but they couldn't**

1 **resale electricity?**

2 A. I'm not a lawyer, but I think that's the  
3 way we -- we at KCPL interpret the resale requirements  
4 in the state of Missouri right now.

5 **Q. Is KCPL asking that this Commission**  
6 **regulate electric vehicle charging stations of other**  
7 **parties?**

8 A. We're not. The only thing I would say to  
9 that is if we were -- if we became aware that  
10 somebody -- some third party came in and was, in our  
11 belief, re-selling electricity on a -- some sort of  
12 volumetric measure, we would probably bring action to  
13 this Commission that -- that articulated our belief  
14 that that was out of bounds of the laws of this state.

15 **Q. Is KCPL asking to create any additional**  
16 **barriers to prohibit competition from third-party**  
17 **electric vehicle charging competitors?**

18 A. We're not. I mentioned in testimony that  
19 we have the support of ChargePoint and folks that are  
20 involved in charging station installation in our  
21 project. I don't think there's any misalignment from  
22 that standpoint.

23 **Q. Would KCPL like to see other parties come**  
24 **in and provide charging stations if they have an**  
25 **interest in doing so?**

1           A.       We're not opposed to that at all. It  
2 certainly is a continued sale of electricity, you  
3 know, to Kansas City Power & Light through charging  
4 stations installed by others.

5           **Q.       Is one of the reasons that KCPL is**  
6 **requesting authority to go forward with this project**  
7 **that you see growing load and a need out there for --**  
8 **to serve the public?**

9           MR. WILLIAMS: I'm going to object at  
10 this point. I think he's getting beyond the scope of  
11 the Commissioner questions and the other party  
12 questions.

13           JUDGE BUSHMANN: Overruled.

14           THE WITNESS: I do think it -- and I  
15 talked about this a little bit. The manufacturers and  
16 the things that we've seen show that the -- the growth  
17 of EV penetration is mirroring hybrid penetration when  
18 it came out. You know, having more cars in our  
19 service territory, at least in our belief, perpetuates  
20 a need for us to supply the infrastructure to supply  
21 electricity to that mobile customer. I -- I've got a  
22 fair amount of written testimony on that.

23 BY MR. FISCHER:

24           **Q.       In terms of recent growth, can you**  
25 **describe for the Commission recent growth either in**

1 **hours of usage of these systems or the number of**  
2 **drivers that are driving electric vehicles? Do you**  
3 **have any information regarding that?**

4 A. You know, I -- I -- I have some rough  
5 projections of EV growth from 13 to 14 where electric  
6 vehicles sold have increased 100 to 150 percent over  
7 that year from what they had been the year before. I  
8 don't have a lot of details on kilowatt hour  
9 utilization, but there's no doubt that EV car adoption  
10 is continuing to expand in our service territory.

11 **Q. You were asked a lot of questions.**

12 A. I was. That's good.

13 **Q. Commissioner Kenney indicated he had a**  
14 **little heartburn about asking ratepayers to pay for**  
15 **the proposal at this point. What can you suggest to**  
16 **him to relieve that heartburn?**

17 A. Well, I think we've talked about it. I  
18 mean, you know, we're talking about at the level of  
19 investment that we've made and were considering in  
20 this case to be just about 4 cents a month to our  
21 average residential customer to continue to move  
22 forward with this pilot.

23 We tried to size the pilot at a thousand  
24 stations and at about a 7 or 8 million dollars impact  
25 in KCPL Missouri's territory to be impactful from a

1 study standpoint but not so impactful from an  
2 investment standpoint that -- that it will be a large  
3 cost on any given customer.

4 **Q. Mr. Ives, when the Company looked -- when**  
5 **the Company looked at this program as many years ago**  
6 **as five years ago, did the prohibition against the**  
7 **resale of electricity factor into your decision on how**  
8 **to proceed?**

9 A. It certainly was a consideration at the  
10 time. In addition, we had not yet seen the growth in  
11 utilization of the charging stations that we did have.  
12 We had not seen the EV adoption that has started to  
13 come not only in our service territory across the  
14 country.

15 But -- but we were concerned then and I  
16 would say we were still concerned about the resale of  
17 electricity and what that does to non-regulated or  
18 third-party installers of EV.

19 **Q. Recognizing that you're proposing to only**  
20 **recover a portion of the pilot project, looking out**  
21 **over the long term, is it a viable alternative for**  
22 **KCPL to significantly expand this kind of a program if**  
23 **it has no opportunity to get a return on its**  
24 **investment?**

25 A. No. I think that's true for any



1 investment. You know, if we don't have the ability to  
2 generate a return on our investment and if we have the  
3 concerns that we do on the resale of electricity, I  
4 don't see that being long-term viable.

5 MR. FISCHER: That's all the questions I  
6 have. Thank you, your Honor.

7 JUDGE BUSHMANN: Thank you, Mr. Ives.  
8 That concludes your testimony for the day.

9 THE WITNESS: Thank you.

10 JUDGE BUSHMANN: I think this seems like  
11 a good place to stop for the day. So I will adjourn  
12 the hearing for today and we'll resume tomorrow where  
13 we stopped with Mr. Murray at 8:30 a.m.

14 (The hearing was adjourned until  
15 8:30 a.m. on June 17, 2015.)

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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 T. Taylor*

Tracy Thorpe Taylor, CCR



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