

In the Matter of:

THE REQUEST OF THE EMPIRE DISTRICT ELECTRIC COMPANY, et al.

ER-2021-0312, VOL. II

November 15, 2021



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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Public Hearing

November 15, 2021

Webex

Volume 2

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

JOHN CLARK, Presiding
REGULATORY LAW JUDGE

Commissioner Jason Holsman
Commissioner Scott Rupp
Commissioner Ryan Silvey

REPORTED BY:
Shelley L. Bartels, CCR
TIGER COURT REPORTING, LLC

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PROCEEDINGS

JUDGE CLARK: It is 12:31. Why don't we go ahead and go on the record at this time.

Good afternoon. You just finished the question and answer portion of the local public hearing and hopefully you were able to get some of your questions answered. Now it's time for the formal part of the hearing where the public gets to offer comments to the commission for their consideration. Now, I'm going to ask that -- I asked before that if you have your video on, that you turn it off unless you're testifying; I'm going to ask that you do the same thing in regards to your sound, that you mute yourself unless you're speaking. That'll cut down on noise level and prevent any kind of audio feedback.

Today is November 15th, 2021, and the current time is 12:32 p.m. The Missouri Public Service Commission has set aside this time today for a local public hearing in Case No. ER-2021-0312 which is a general rate case captioned as: In the Matter of the Request of the Empire District Electric Company doing business as Liberty for Authority to File Tariffs Increasing Rates for Electric Service Provided to Customers in its Missouri Service

1 Territories.

2 Now, the Commission has scheduled this
3 local public hearing to give members of the public an
4 opportunity to comment about Liberty's application to
5 adjust its rates. The Missouri Public Service
6 Commission regulates the rates charged by
7 investor-owned public utility companies in Missouri
8 to ensure that those rates are just and fair -- or
9 just and reasonable is actually the statutory
10 language. The Commission also regulates the quality
11 of service and the safety of operations of public
12 utilities.

13 The Commission is made up of five
14 commissioners. Commissions are appointed by the
15 governor to a fixed term and confirmed by the Senate.
16 The commissioners are Chairman Ryan Silvey, and the
17 commissioners are Scott Rupp, Maida Coleman, Jason
18 Holsman, and Glen Kolkmeier. The commissioners
19 employ a staff of engineers, accountants, attorneys,
20 and financial analysts and other specialists in the
21 field of utility regulations.

22 My name is John Clark. I'm the
23 regulatory law judge and I'll preside over this local
24 public hearing today. I believe with me today are
25 Chairman Ryan Silvey, Commissioner Jason Holsman and

1 Commissioner Scott Rupp.

2 This is an official hearing of the
3 Missouri Public Service Commission and statements and
4 testimony of the public witnesses will be recorded by
5 the court reporter and must be given under oath or
6 affirmation. All of the commissioners will have an
7 opportunity to read all of the witnesses' remarks.
8 The commissioners value your input and your comments.
9 And at this time I'll ask, would any of the
10 commissioners like to make any welcoming comments.

11 COMMISSIONER HOLSMAN: Judge, if the
12 chairman is not going to go, I would just like to
13 welcome everybody and thank them for their testimony
14 today. It does make a difference and we do
15 appreciate them coming before us. Thank you.

16 JUDGE CLARK: Okay. Thank you very much,
17 Mr. Holsman. Now, I'm going to begin this part of
18 the public hearing by asking counsel to enter their
19 appearances for the record, starting with the Empire
20 District Electric Company doing business as Liberty.

21 MS. CARTER: Hi. This is Diana Carter
22 with the Empire District Electric Company.

23 JUDGE CLARK: Thank you, Ms. Carter. And
24 for commission staff?

25 MS. ASLIN: For commission staff I'm Casi

1 Aslin. And my address is 200 Madison Street,
2 Jefferson City, Missouri 65102.

3 JUDGE CLARK: Thank you, Ms. Aslin. And
4 for the Office of the Public Counsel.

5 MR. WILLIAMS: Nathan Williams, P.O.
6 Box 2230, Jefferson City, Missouri 65102.

7 JUDGE CLARK: Thank you, Mr. Williams.
8 Now, there are a number of people that intervened in
9 this case. Are there any intervenors' counsel
10 present today? Okay. I hear no one.

11 To give you a brief overview of this how
12 this local public hearing's going to go, I'll call on
13 the people that are preregistered to offer comments
14 first. It looks like at this time we have two people
15 who have presigned up to offer comments to the
16 Commission. After that I'll allow an opportunity for
17 others who would like to offer comments to the
18 Commission.

19 Now, when I call your name, please go
20 ahead and unmute, which if you're attending by phone
21 and not video via Webex, you'll want to do by
22 pressing Star 6 on your phone. At that time I'll ask
23 you to swear or affirm to tell the truth and I'll ask
24 you to state and spell your name for the record since
25 we have a court reporter taking down everything that

1 is said and then I'll give you an opportunity to
2 offer your comments to the Commission.

3 Now, because it appears there are a
4 number of people here today, so that everybody gets
5 enough chance to offer a comment that wants to, I'm
6 going to ask that people try and limit their remarks
7 to no more than five minutes. And also, after you've
8 offered your comments to the Commission, please stay
9 available for just a minute or two in case there are
10 follow-up questions from either the Commission or
11 myself.

12 Now, the commissioners are not going to
13 be able to answer any of your questions today. The
14 question and answer portion prior to this was for you
15 to ask questions of the Company, of the commission
16 Staff, and of the Office of the Public Counsel. The
17 commissioners not going to be able to answer your
18 questions because they have to remain partial --
19 impartial until after all the evidence is presented
20 at the evidentiary hearing. The Commission has not
21 made any decisions in this case. The Commission is
22 interested in hearing comments and will use them in
23 conjunction with the evidence that the parties
24 present to help make their decision. If you have
25 questions after the hearing, you can use the same

1 email address you used to register for this hearing.

2 At this time I'm going to go ahead and
3 start with the list of witnesses that I have who have
4 preregistered to testify. I think I will be fine
5 with most of the names, but if I do incorrectly
6 pronounce your name, please let me know. I will
7 start with Sharon Singleton. Is Sharon Singleton
8 here today? And if you're attending by phone, don't
9 forget you have to press Star 6 to unmute. Sharon
10 Singleton? Okay. I'll come back.

11 MS. SINGLETON: Yes. This is Sharon
12 Singleton.

13 JUDGE CLARK: Good afternoon,
14 Ms. Singleton. Can you speak up just a touch?

15 MS. SINGLETON: Yes. I'll try to.

16 JUDGE CLARK: Thank you.

17 MS. SINGLETON: The one thing -- go
18 ahead.

19 JUDGE CLARK: Before you offer your
20 comments to the commission, I'm going to ask you --
21 I'm going to swear you in and I'm going to ask you to
22 state and spell your name for the record. Okay?

23 MS. SINGLETON: Okay.

24 JUDGE CLARK: If you'll raise your right
25 hand to be sworn. Do you solemnly swear or affirm

1 that the testimony you're about to give is the truth?

2 MS. SINGLETON: Yes.

3 JUDGE CLARK: Thank you, Ms. Singleton.
4 Would you state and spell your name for the record.

5 MS. SINGLETON: Sharon Singleton,
6 S-h-a-r-o-n S-i-n-g-l-e-t-o-n.

7 JUDGE CLARK: And, Ms. Singleton, what
8 comments would you like to offer the commission
9 today?

10 MS. SINGLETON: Well, one thing that I
11 wanted to speak about is when Liberty took over in my
12 hometown, everybody's rates went up extremely. And a
13 lot of people called and there was nothing done about
14 it. My rate went up twice as much and I called and
15 they said that what I -- what I was charged is what I
16 used. But like four months later the rate went down
17 to what I used to pay in the beginning.

18 So I just think that's the reason people
19 are kind of upset with the rate increase because no
20 one -- no one ever got any information on why the
21 increase happened. And it was many people here in
22 Aurora that had a very high increase in their bill
23 for several months. And where did that money go to.

24 JUDGE CLARK: Okay. And as I said, the
25 Commission can't answer your questions today. I will

1 say that there are no rate increases that are made by
2 investor-owned utilities without the permission of
3 the Missouri Public Service Commission. Now, there
4 are, and you will see them on your bill, there are
5 some seasonal adjustments for such things as the cost
6 of fuel. I don't know if that's why your bill
7 fluctuated up and down, but that is a possibility.

8 If you want to know more about that, I
9 would suggest contacting -- contacting the company's
10 customer service or conducting the PSC consumer
11 services. And just to put the number out there for
12 you now, it's 1.800.392.4211, and that's the PSC
13 consumer services number. Are those all the comments
14 you wish to offer today, Ms. Singleton?

15 MS. SINGLETON: Yes. Thank you.

16 JUDGE CLARK: Thank you very much for your
17 comments. The next name -- and I should say at this
18 point, I have no questions. Are there any questions
19 from the commission? Hearing none, Ms. Singleton,
20 I'll go ahead and excuse you.

21 The next name I have on my list is Linda
22 Degarmo. Is there a Linda Degarmo there?

23 And I also see in the chat that
24 Liberty's counsel -- Liberty's counsel put in the
25 chat what I'm assuming is the Empire Liberty customer

1 service number, and I'll say that once out loud. It
2 is 1.833.408.2712, and if anybody would like me to
3 repeat that at the end of the hearing, I will be more
4 than happy to do so.

5 Okay. Linda Degarmo signed up to speak.
6 Is there a Linda Degarmo? Okay.

7 I will table that for now and come back
8 to her. At this time since I don't have anybody else
9 who has signed -- presigned up to offer comments to
10 the Commission, I'm going to open it up. And so is
11 there anybody here today who did not presign up to
12 offer comments to the Commission but nonetheless had
13 something they would like to tell the Commission
14 regarding this case? And if you need to unmute
15 yourself to let me know, again it's Star 6. And the
16 Commission very much values your comments. If you
17 wanted to give a comment, I think this would be a
18 good time to do it.

19 Okay. I'm not hearing any comments at
20 this time. I will ask one more time, are there any
21 comments that people would like to make? Going once,
22 going twice, going three times. Any takers? Okay.
23 Thank you. Now I'd like to thank our participants
24 today which would be Ms. Singleton. Is Ms. Degarmo
25 in the hearing now? So I'd like to thank

1 Ms. Singleton for her comments to the Commission
2 today.

3 If anyone at this time -- if anyone else
4 has additional comments they wanted to make or they
5 realize later that they didn't get to make a comment
6 that they wanted to make or they have a friend who
7 wanted to be here and couldn't, you can make written
8 comments by contacting the same email address that
9 was used to register for this hearing. And to let
10 you know that email address is -- bear with me just a
11 moment -- pscinfo -- I'm sorry, pscinfo@psc.mo.gov or
12 by calling 1.800.392.4211. So if you didn't get to
13 make a comment, you can make comments by contacting
14 that email address, by dialing that number, by
15 contacting the Office of Public Counsel or going
16 directly to the PSC's webpage. If you go to PSC's
17 webpage and make comments, be sure to remember to
18 include this case number which is ER-2021-0312.

19 I don't have anything further I need to
20 cover and I'd like to thank everybody for showing up
21 today to find out about this case. Hopefully, as I
22 said before, you were able to get your questions
23 answered. And at this time I will adjourn this
24 hearing. We will go off the record.

25 (Off the record.)

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CERTIFICATE

I, Shelley L. Bartels, a Certified Court Reporter, CCR No. 679, the officer before whom the foregoing transcript of proceedings was taken, do hereby certify that the testimony 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 transcript of proceedings 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.



Shelley L. Bartels, CCR

<hr/> <p style="text-align: center;">1</p> <hr/> <p>1.800.392.4211 10:12 1.833.408.2712 11:2 12:31 3:2 12:32 3:18 15th 3:17</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>200 6:1 2021 3:17 2230 6:6</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6 6:22 8:9 11:15 65102 6:2,6</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>accountants 4:19 address 6:1 8:1 adjust 4:5 adjustments 10:5 affirm 6:23 8:25 affirmation 5:6 afternoon 3:4 8:13 ahead 3:3 6:20 8:2,18 10:20 analysts 4:20 appearances 5:19 appears 7:3 application 4:4 appointed 4:14 Aslin 5:25 6:1,3</p>	<p>assuming 10:25 attending 6:20 8:8 attorneys 4:19 audio 3:16 Aurora 9:22 Authority 3:23</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>back 8:10 11:7 begin 5:17 beginning 9:17 bill 9:22 10:4,6 Box 6:6 business 3:23 5:20</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>call 6:12,19 called 9:13,14 captioned 3:21 Carter 5:21,23 case 3:20,21 6:9 7:9, 21 11:14 Casi 5:25 chairman 4:16,25 5:12 chance 7:5 charged 4:6 9:15 chat 10:23,25 City 6:2,6 Clark 3:2 4:22 5:16,23 6:3,7 8:13,16,19,24 9:3,7,24 10:16 Coleman 4:17 comment 4:4 7:5 11:17 comments 3:9 5:8,10</p>	<p>6:13,15,17 7:2,8,22 8:20 9:8 10:13,17 11:9,12,16,19,21 commission 3:9,19 4:2,6,10,13 5:3,24,25 6:16,18 7:2,8,10,15, 20,21 8:20 9:8,25 10:3,19 11:10,12,13, 16 Commissioner 4:25 5:1,11 commissioners 4:14,16,17,18 5:6,8,10 7:12,17 Commissions 4:14 companies 4:7 Company 3:23 5:20, 22 7:15 company's 10:9 conducting 10:10 confirmed 4:15 conjunction 7:23 consideration 3:10 consumer 10:10,13 contacting 10:9 cost 10:5 counsel 5:18 6:4,9 7:16 10:24 court 5:5 6:25 current 3:18 customer 10:10,25 Customers 3:25 cut 3:15</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>decision 7:24 decisions 7:21 Degarmo 10:22 11:5, 6,24</p>	<p>Diana 5:21 difference 5:14 District 3:22 5:20,22</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>Electric 3:22,24 5:20, 22 email 8:1 Empire 3:22 5:19,22 10:25 employ 4:19 end 11:3 engineers 4:19 ensure 4:8 enter 5:18 ER-2021-0312 3:20 everybody's 9:12 evidence 7:19,23 evidentiary 7:20 excuse 10:20 extremely 9:12</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>fair 4:8 feedback 3:16 field 4:21 File 3:24 financial 4:20 fine 8:4 finished 3:4 fixed 4:15 fluctuated 10:7 follow-up 7:10 forget 8:9 formal 3:8</p>
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